

## Basin Study Work Group: Deschutes Subgroup Meeting

February 9, 2015, 1:00 to 4:00 PM  
Brooks Room, Deschutes Public Library, Bend

### Draft Meeting Notes

#### ATTENDANCE

Rex Barber, Water for Life	Bonnie Lamb, OR Dept. of Environmental Quality
Suzanne Butterfield, Swalley Irrigation District	Peter Lickwar, US Fish and Wildlife Services
Tom Davis, Native Reintroduction Network	Chris Louis, Lone Pine Irrigation District
Dave Dunahay, Central Oregon Flyfishers	Jeff Perreault
Shawn Gerdes, Arnold Irrigation District	Jennifer O'Reilly, US Fish and Wildlife Services
Nancy Gilbert, US Fish and Wildlife Services	Kimberley Priestley, WaterWatch of Oregon
Jason Gritzner, US Forest Service	Mark Reinecke, Avion Water Company
Tod Heisler, Deschutes River Conservancy	Ken Rieck, Tumalo Irrigation District
Craig Horrell, Central Oregon Irrigation District	Mark Schang, Bend Pedal Trail Alliance
Ryan Houston, Upper Deschutes Watershed Council	Mike Tripp, Trout Unlimited

Kate Fitzpatrick from Deschutes River Conservancy attended as Process Co-Coordinator. Anne George and Mary Orton from The Mary Orton Company facilitated the meeting and took meeting notes, respectively.

#### AGENDA

1. Welcome: Craig Horrell, Chair
2. Introductions
3. Overview of Task Table and Budget: Kate Fitzpatrick, Process Co-Coordinator. Task Tables (same as tables seen at BSC Feb 3) attached to email and Deschutes comments summarized as Attachment 2 in this agenda.
  - Review of Deschutes Subgroup approach to date
  - Review of Task Table and comments
  - Budget overview
  - Role of subgroup members moving forward
4. Task Table: Discussion on recommended funding priorities for the BSC on tasks identified by the Deschutes Subgroup: Anne George, Facilitator, The Mary Orton Company
5. Next steps
6. Meeting evaluation
7. Adjourn

#### WELCOME, INTRODUCTIONS, AND AGENDA

Kate Fitzpatrick convened the meeting and participants introduced themselves. Anne reviewed the agenda. Craig asked Ryan if he would be willing to represent the Deschutes Subgroup at the budget-balancing meeting that would occur before the March BSC. Ryan said he would consider it.

#### OVERVIEW OF TASK TABLES AND BUDGET

Kate reviewed the Deschutes Subgroup Task Table (see Attachment A), which had been agreed to at the last Deschutes Subgroup meeting and presented at the most recent BSWG Steering Committee

(BSC) meeting. She said the non-federal estimated costs were 28 percent over budget and the group would be asked how to prioritize the tasks at the meeting today.

Kate said the Subgroup had agreed upon important themes in their Plan of Study (POS) recommendations:

- The need to refine instream demand.
- The need to identify the scope of the solution the group was trying to solve.
- Resources needed to be spent on solutions.
- The POS needed to benefit all three legs of the stool (agriculture, instream, and municipalities) and their needs were interconnected.

Kate said the tasks in sections three through five of the Task Table included district master planning, the fine-tuning of options, and the packaging of scenarios. These tasks, she said, came directly from the work done over a number of years in the Deschutes Water Planning Initiative (DWPI). She said these tasks were interdependent and members would have an opportunity to say whether they agreed with that notion later in the meeting.

Kate explained that Reclamation would provide input on the Task Tables and the POS and that budgets would change as tasks were refined. While there would be some fine-tuning of the Task Tables in March, it would be important now to prioritize the level of investment and the importance of a task in the POS, rather than estimating the exact cost of a task.

Anne reminded members that the goal was to complete the POS by April. As the study progressed, a change management plan would be used when changes needed to be implemented. BSWG participants would be able to continue to be involved in the refinement of the budget and tasks.

Craig also said he felt the group had already prioritized the Task Table by allocating specific amounts of funding for various tasks and suggested the group recommend an across-the-board reduction of 28 percent of the non-federal cost share budget. He said without proposals to do the work, it would be difficult to know how much each line should be budgeted. Kate said a 28 percent reduction in the budget would mean a total decrease of \$139,828 from the Deschutes-specific tasks in the budget.

During discussion, some members wanted to discuss whether the tasks in sections three through five were interdependent, and if so, what the relationships were. Some felt the list had already been prioritized by the amount of funding that had been recommended for the task and suggested the group begin the discussion with the larger budget items. Anne said she could ask members how tasks were interconnected as the discussion progressed. A member said that it would be important to accomplish some easier and less expensive tasks to show progress in the beginning of the project. A member remarked that the budget would only likely allow for one feasibility study. Anne said that higher budget allocations did not necessarily indicate tasks were of a higher priority.

Anne told the group their comments about the Task Tables and POS recommendations would be captured in the minutes. She suggested the group review the tasks in the order of the Task Table, with the questions developed (see below) to identify some prioritization.

### **TASK TABLE: DISCUSSION ON RECOMMENDED FUNDING PRIORITIES FOR THE BSC ON TASKS IDENTIFIED BY THE DESCHUTES SUBGROUP**

The group discussed the Deschutes-specific tasks on the Task Table, including answering the following questions:

- Why would anyone think this task is important for BSWG funding investment, compared to everything else on the Deschutes list?
- Why would anyone think this task is NOT important for BSWG funding investment, compared to everything else on the Deschutes list?
- What do you think is the minimal level of investment for this task?

Members were also invited to ask clarifying questions about each task.

#### **Task 2.3 Evaluate ecological benefits of meeting baseline stream flow targets (State of Oregon In-stream Water Rights) in the Upper Deschutes. Evaluate additional ecological benefits in Upper Deschutes, Crescent Creek, and Little Deschutes at a range of flow conditions.**

This task was described as an effort to define demand for instream needs while also meeting agriculture and municipality (water provider) needs.

Members identified the following reasons why anyone would think the task was important for BSWG funding investment, compared to everything else on the Deschutes list:

- Need to understand demands.
- It is part of the requirement of the Basin Study.
- Economics. In the early 20th century the Deschutes River was the best fishing river in the county for trout, but it was not now. If the river would approach what it could be, there would be a \$50,000,000 to \$70,000,000 annual benefit to the area.
- A member asked if the Oregon Department of Fish and Wildlife (ODFW) already established minimum flow levels and if so, why the group would want to do this again. A member replied that the group accepted the streamflow studies and that meeting baseline streamflow was part of that. However the benefits derived at a range of streamflow conditions needed to be evaluated. Long-term, more than the baseline targets could be met, if the needs of all three legs of the stool could be met at the same time. There needs to be some scientific understanding of the flows that might be needed. The State of Oregon goals are challenged on their scientific merit and there is not enough science to substantiate them. The importance of this task is scientific understanding at the state level and above.
- A member introduced the idea of changing the task to read, “Determining what the demands of the stream are.” Another member commented if this was accepted the task would need to include the phrase “...to establish and maintain ecological function.”
- We are on the cusp of understanding a lot or being locked into a process that will be useful. The information from the ramp-down\*, for example, it makes sense not to look at it as an either/or scenario. Instream water rights are old and need to be studied. If they are not studied now, then when? This is especially important if we being locked into solutions that span decades.

\* The ramp down was a 12-day ramping down of releases from Wickiup Reservoir, rather than the normal two to three days of releases. The longer, slower ramp-down period allowed flows to drop in the river more incrementally to benefit fish in the upper Deschutes River.

Members identified the following reasons why anyone would NOT think the task was important for BSWG funding investment, compared to everything else on the Deschutes list:

- You could make the argument it was not needed because there have been studies since 1947 on the benefits and streamflow (cfs) that is needed. If we all agreed to the numbers, we would not need this task.
- I think that for all of this work, we should make sure we are not spending funds to restate what is already been stated.
- For the sake of the budget, given the realities of Oregon water law, and because the Deschutes River is already appropriated, we are just shifting existing flows. In our lifetimes we will be lucky to get to the minimum cfs, and spending money on more than the instream water right might not be productive.
- It is easy to end up with arguments about the science. We could spend \$10,000,000 on this and still have a lack of clarity. I would be interested in this group deciding on what is the level of confidence we need in the information we have to be able to take action. I would hate to see money spent and people saying it is not good enough. What is good enough? If we are going to argue the science, then let's get good science. If we have enough science, then we do not need to spend any money.
- Kate said the group had discussed what would happen if the Deschutes River could not get beyond 300 cfs. She said the group had decided to pursue this task because it could achieve another 150 cfs with an off-channel reservoir. What the group is asking is, what level of information will make people comfortable? She said we do not want irrigation districts to say that the science is not good enough. Does it make sense to get enough good science that everyone can get behind?
- Every study says more study is needed. We have to get 300 cfs in the Deschutes River and then do surveys and the fish will tell you a lot about what they like.

The group made the following comments about the minimal level of investment for this task:

- Those considering the instream flow demands came up with \$150,000. What we just talked about is the highest need. If we can embrace the fact that even if we cannot get to 500 cfs, it might be a good long-term goal. If we do not state it is as such, look at the science behind it, and start working on it now, it would be a mistake. I have been urging 300 cfs for a long time; so I have changed. Does it need \$150,000 in investment? I am sure you could spend it all; you get what you pay for. I don't know what number is correct.
- You could spend \$1 million, but I think you could do some modeling and empirical observational studies to get us to the next level. People will still be able to claim that the science is not good enough. **I suggest a \$50,000 cut.**
- I want the science to be credible. If we are going to cut, I need to understand the difference. Do the scientists in the room feel we can come up with credible information for this amount of money?
  - Ryan replied that we would take 40 percent of the budget allocation to bolster the observational studies, like the ramp downs, and round out the body of understanding. We would make sure it is a good representation of sites in

appropriate reaches. It would not be a perfect extrapolation, but it would round out the work some have done. The remaining 60 percent of the budget allocation would be an evaluation of the unknown: HEC-RAS modeling and water surface inundation in specific sites. We would not be able to study 100 miles; we would have to pick some representative sites, extrapolate, and assume that it is meaningful for the entire Deschutes River.

- Kate asked irrigation districts for their thoughts on the existing science. Craig replied that if the study allocated \$100,000 for the task it would be spent. We need to know what we can do with the available funding. The science behind what the irrigation districts are looking at is backbone. Craig said he had promised to find other funding for drought management for the plan. As good partners, we are looking to add outside funding to make it a better package. This is a good backbone. Kate asked if the irrigation districts were comfortable with Ryan's description that the approach would produce good results to guide decisions. Craig said he trusted Ryan and more funding might be needed.
- You get what you pay for. **The task funding should stay at \$150,000.** It would be nice to hear more about how instream flow advocates feel about cutting.
  - Jason: There have been many studies before now and different evaluations about demands of this river. When we did the ramp down, we did detailed observations and we were able to see the impact of lower flow intervals. We validated some of the other studies. We wish we had included more photos and contrasting more site-specific nuances. From a professional standpoint, I feel good about making recommendations about flows on the river. We can scale those observations up with aerial flights. We did one at high and one at low flows, but if we could get photos at 300 cfs and 500 cfs, we could get more nuances. The upper reaches at Fall River and below Spring River confluence would cost \$25,000-\$30,000. An additional \$10,000 would allow you to do more. From a scientific point of view, we can spend all the money you want to throw at it. We are looking for solutions. We want to add value to the body of knowledge. We can do this with modeling, but it is not a silver bullet. We are comfortable with the range of funding proposed. **If everyone were on board with our observations, it would cost us \$60,000 to complete this, although this does not include the modeling.**

**Task 2.4: Peer review/evaluation of existing flow/temperature modeling associated with Tumalo Creek and the middle Deschutes River (helps to inform location of instream efforts).**

Members described this task as an effort to build greater or broader confidence in the existing modeling work. A member said that if the current studies were considered acceptable to everyone, no additional peer review would be needed.

Why important?

- It implies you need further review of studies to build confidence in those studies.
- It will refine instream demands.
- Reclamation is budgeted to do this task. We want them to pay attention to this.

Why not important?

- Tumalo Creek will be settled outside of the Basin Study, probably in the courts.
  - Kate clarified that the Middle Deschutes River is also part of this task.
- There have been results of studies that don't match the results of other studies. There have been fish counts showing higher populations, tying that to temperature. There is modeling that indicates if you put too much water in the Little Deschutes River, there is not as much benefit, because the cold water is diluted when there is more water in the Deschutes River.
- Kate asked if the irrigation districts were comfortable with the amount of cold water in the river. Ken said that they had been saying for years that cold water was the most important factor and had not heard there was disagreement. He said Reclamation valued quantity over quality, but that the irrigation district contended that quality should be important. He said Reclamation did increase the value of quality in their assessments recently. Suzanne said that asking Reclamation to change how they award their grants would be a waste of money.
- The task is interrelated. The task is important in the trade-off analysis for different options.
- Can we just ask Reclamation this question then?
- It is important to look at this issue, although I am not sure Reclamation needs to be involved, as it could come out in the trade-off analysis.

Minimal level of funding needed:

- **Zero.** No need to pay Reclamation to look at this; they will look at this study anyway.
- If Task 2.4 goes away and is tucked into another task, there is not a line item for Reclamation. If we indicate zero on the non-federal budget for this task, we are not changing our final budget amount by much, but it would go into the bigger tasks to do a review.
  - Kate said that BSWG could budget a small amount of funds to document the work and it could be done as part of another task.
- Task 2.3 is a mass-balance relationship. If they are going to develop it anyway, they can include it.
- The purpose of this task is to do a trade-off analysis. I suggest we embed it in Task 5.5. Have the task be an element of the trade-off analysis and make it explicit in Task 5.5.

**Agreement: The group agreed to imbed Task 2.4 in Task 5.5 in the Deschutes Subgroup Task Table and include explicit information from Task 2.4 in the details.**

**Task 2.5: Evaluate stream water quality and reservoir linkage.**

Members said this task was designed to obtain a better understanding of how to make the river and reservoirs healthy from a water quality point of view. Discussion included:

- We need to understand current conditions and we do not understand that in the reservoirs. We do not know how changes to flow will affect water quality in the reservoirs. Is there a trade-off for having less flow in the summer? How will climate change affect the reservoirs? If we are changing the timing of flow, will we change plant growth? There are big unknowns surrounding ecological impact and we have very little baseline information.
- Jennifer Johnson at Reclamation had estimated that \$150,000 would be needed to do a reservoir study and create a model to do data collection and model. That would be outside the scope of this effort, and the study is already over budget. Oregon Department of

Environmental Quality is doing data collection and modeling on the river, but not the reservoir.

- Reclamation may not necessarily be opposed, but they would need to know what BSWG would want from this task. Data collection is not typically part of a Basin Study, but it could be if it was wanted by the BSC. The US Geological Survey works with Reclamation and they could do the work. This would be a good step toward getting baseline data. USGS has interest in being involved in Crane Prairie and Wickiup Reservoirs only.

#### Why important?

- Water quality, flows, and the health of the river are interconnected. If we do not look at this, particularly under a climate change scenario, we could find ourselves having done a lot of work to get the right quantities of water, but we will not have the right quality of water to back it up. We need to look at this now and not later.
- Water quality is part of the Task 5.5 trade-off analysis. If we do not have the data, we cannot do the analysis there. Some understanding of the reservoirs will be important for the trade-off analysis.
- Reservoirs have a human health component because of blue-green algae blooms, which are a public health concern. Better understanding of what is causing the algae to bloom and how that might change with changes in flows would be valuable. This task gets us data, not modeling.

#### Why not important?

- Water quality is essential, but this is a quantity study. It makes sense in Tumalo Creek because it will help us decide how to manage it. But this task will not help us in the Deschutes River in the trade-off analysis of water quantity. Water quality understanding will not affect the quantity discussion in a large-scale way. Water quality is important, but it should be a separate and distinct study. Save the \$50,000 in the budget for a different activity.
- We need to understand what climate change means to those reservoirs on quantity. Where is something more quantitative showing up? One of the other bullets?
  - Kate replied this was in Task 1.3.

#### Minimal level of investment?

- I think it is at least a **\$500,000 project**.
- We get one year of data collection from **\$50,000 plus \$1800**, as currently budgeted.
- This is a waste of money: **\$0**.
- I would like to hear what Reclamation said about whether they could use the information that would be garnered in this task and whether climate change indicated there will be more ramifications. I think quality has effects for quantity and releases. **Let's not eliminate this task, but rather ask Reclamation how they might use it and how it might work.**
- A member asked how many quarters of measurement would be needed. Bonnie said one year would be adequate.
- **Let's help raise the \$50,000 outside of the Basin Study for this.** Let's encourage Reclamation to put that \$50,000 budgeted into Task 2.3 to do an ecological assessment of flows.

Change in Task Table prioritization discussion proposed. Tod proposed a change in the agenda, to discuss the tasks in Sections 3-5 as one block, rather than task by task. He said that the rationale for these tasks was to develop as much efficiency from the existing infrastructure before considering new infrastructure. COID, with the largest potential amount of flexible water that can be reallocated, needs to know how to operate under lower diversions. Task 3.2 addresses that key concern (In-depth analysis of COID infrastructure/Master Plan and Master Plan framework for other districts (directly linked to addressing water supply imbalances in Tasks 4.3, 4.4, and 5.1)). That needs to be tied to a set of potential options, which would be developed under Section 4 (Develop Options to Meet Future Water Supply Needs). Tasks in Sections 3 and 4 will help the group develop scenarios that are modeled in tasks in Section 5. These sections are all connected and move in order.

No one objected to the change in the discussion format, with the proviso that Task 4.5 would be discussed separately because of a suggestion raised at the last BSC meeting.

**Task 4.5: Off-channel storage options (location, preliminary feasibility, regulatory and legal constraints).**

A member said that this referred to off-channel storage near Madras. Another member commented that moving existing storage to a new location would improve the river and help the irrigation districts, because instead of reducing winter flows to fill the up-river reservoirs, winter flows could be maintained to fill the lower river reservoir.

The group discussed the suggestion from the last BSC meeting to remove the word “off-channel” from the task description, and comments included:

- Water is not available any time during the year in the upper Deschutes River Basin and a new water right would be needed for new storage. A number of barriers exist including:
  - A new water right would require a Division 33 review, which prohibits withdrawal during some parts of the year review. (Division 33 is part of the Oregon Administrative Rules on additional public interest standards for new appropriations.)
  - There are also scenic waterway regulations that restrict withdrawals within or above them.
  - There are instream water rights.
- If we are trying to reduce our current budget, it would be very difficult to appropriate new water for new storage.
- This group could make a recommendation, but it may be outside of the scope of the budget of this study. It reminds me of the discussion we just had on Task 2.5 in that it may not fit in this study. The BSC needs to consider that.
- If there were no legal, water right, or date constraints to consider I think it would be important to look at all storage options. Is this the right number? I think it is important to keep this task. I believe it is part of the study.
- Would it make sense to clarify the task to read, “Evaluate the potential of relocating existing storage?”
- I thought the focus was on relocation to Madras. I don’t want to open it up to a larger discussion. There are more choices than Madras.
- The irrigation districts are interested in this. There may be concerns about drought and climate change and these are legitimate concerns. We will learn more about climate change

and we should look at appropriating more water for storage. However, I do not think this study is the place to do this.

- Kate said that in her conversation with Reclamation they are not comfortable evaluating only one area in a study. She said she sent them 1972 Reclamation study that investigated various options for increased storage on the Deschutes Basin. Reclamation indicated the study might allow them to do a quick overview of the entire basin and then hone in on the area near Madras. She said including on-channel storage in this task would be a different effort and it would be more contentious. She said the discussion needed to happen now and that Reclamation was fine with the current budget estimate as the task is now written.
- The instream caucus is enthusiastic about this task because of the benefits to be had from winter flows in the Deschutes River. If we broaden the scope to off-channel and new storage, the scope would need to be expanded as well as the budget. We do not want the budget for the original task of an evaluation of off-channel storage to be diluted.
- If Reclamation needs the information, the State of Oregon has done analyses of storage sites in the Deschutes River Basin.

**Action Item: Kate indicated she would send the water availability analysis or a link to it from OWRD to everyone.**

Anne asked if anyone wanted to make the case to remove the words “off-channel” from Task 4.5. There was no consensus on changing the wording of this task.

Anne suggested that the group discuss what the minimal levels of funding would be to evaluate off-channel storage options and then other storage options. Kate said that Reclamation had estimated \$41,800 for the task as written. (This would include \$40,000 for Reclamation to complete the evaluation and \$1,800 for BSWG to review the work.) If the task were expanded by removing the words “off-channel,” Kate said the task would likely require an additional \$40,000. She explained that as the task was written, the budget was designed to allow a preliminary Reclamation assessment of location feasibility. This would not include budget to develop trade-off scenarios, which would be captured in Task 5.5. Members commented that it would be important to consider budget when adding scenarios.

**Consensus: The group agreed that they wanted to add the language “no new appropriations of water rights in a storage project” to Task 4.5.**

The group agreed that the Planning Team plus Dave should discuss adding a task that included the language “new appropriation of water rights in a storage project.” (*Note: The Planning Team later sent this idea back to the Deschutes Subgroup for resolution.*)

#### Discussion of Deschutes specific tasks in Sections 3-5:

Members discussed the block of tasks in these sections. Comments included:

- Cut all of the tasks in all of the sections by 28 percent because we do not have real numbers. The POS will be crafted based on how much funding is available.
- We need to agree to the list of tasks but the numbers themselves are not so important.
- Kate presented a Task Table with all Deschutes specific tasks cut by 28 percent and asked if the group could support it.
- Tod said real budget numbers would likely be available by this fall.

**Consensus:** The group agreed to a budget reduction of 28 percent for each task, with Task 2.4 folded in to Task 5.5.

#### ACTION ITEMS AND NEXT STEPS

**Action Item:** Kate will send the water availability analysis study or a link to it from OWRD to everyone.

**Action Item:** The group agreed to ask the Planning Team plus Dave to address off-channel storage for the Deschutes Subgroup.

The meeting adjourned at 4:08pm.

#### MEETING EVALUATION

Members were provided forms on which to write one piece of feedback about what they liked about the meeting, indicated below with a plus symbol (+), and one piece of feedback about what they would like to change for the next meeting, indicated with a delta symbol ( $\Delta$ ). The following comments were received.

+	$\Delta$
+ Good job, Anne.	$\Delta$ People need to speak once and then move on. $\Delta$ Can an archive be set up on the website for working group member access? Agendas, minutes, spreadsheets, presentations...

**ATTACHMENT A**

Task Table Reviewed at February 9, 2015 Meeting