

Columbia River Policy Advisory Group

Meeting Notes

September 25, 2008

Northeast Washington Storage Field Trip

Jay Manning and Merrill Ott shared photographs and thoughts about a two-day tour of potential water storage sites they took in August in five northeast counties. These sites included Pacific Lake, Dragoon Creek, Ashenfelter Bay, Sullivan Lake, Mill Creek, the Growden Dam, and Twin Lakes. The sites offered a variety of small and large storage projects. Jay concluded that it was important to go out into local communities and talk with folks about these projects; and that instream and out-of stream benefits can be provided fairly across the Columbia River Basin. In response to a question, Jay also addressed the Shankers Bend storage project. Ecology's preliminary analysis suggests that this project is the cheapest of the big storage projects but that it has potential controversy insofar as some versions of the project would back up water north of the international border. Merrill concluded that it was important to make progress at the top of the watershed so that downstream counties would benefit. Success will breed success.

Ecology Announcements

Jay Manning discussed the changes in attitudes and behaviors that have marked discussions about water in Eastern Washington since the passage of the Columbia River bill in 2006. Relationships have changed such that people are looking for dual benefits and are willing to compromise to make gains. Jay contrasted this to historical behaviors where only one set of interests would attempt to prevail over another.

He announced three significant department actions. First, Ecology is issuing water permits to the Bureau of Reclamation authorizing drawdown of Lake Roosevelt. In the first year, benefits would mostly stay in-stream. In future years, one-quarter of the water would go to the Odessa to offset the use of groundwater; one-quarter would go to cities, towns and industrial use; one-third would permanently stay in-stream; and the remaining increment would aid in the event of future droughts.

Second, Ecology is issuing \$46 million in grants to a variety of projects in the basin, following previous discussions with the CRPAG.

Third, he has established the Office of the Columbia River to coordinate Ecology's water-related activities in Eastern Washington and appointed Derek Sandison to head up this office. Derek will step down from his Regional Director responsibilities.

Bill MacDonald then reflected on the change in relationships in Eastern Washington in recent years, wherein parties looked for solutions to water use problems and were willing to compromise in order to achieve them. He described the Memorandum of Agreement between the Bureau and Ecology and how this MOA led to passage of the Columbia River bill. Bill observed that recent shifts in behaviors and relationships in the Columbia River Basin are one of the most remarkable changes in his 35-year history working on water issues in the region.

CRPAG and audience members offered the following comments and questions:

- Compliments to the Bureau and Ecology for making progress on these water rights.
- What will the new rights do for the Odessa area? [They will get some of the wells off-line.]
- Where will we find the funding for the expansion of municipal water infrastructure? [It will be a hurdle to get additional money in the near term.]
- I appreciate the leadership of this group and respect the adversarial positions and passions that people bring.

- It is important to recognize the legitimacy of your opponent's position.
- With the management changes at Ecology, will the department continue to see Yakima River projects as top priorities? [yes]
- Where does the state's budget deficit put the Columbia River program? [The program's \$200 million is bond supported so it will not be affected. For additional monies for large projects it will be essential to have broad political support and to get projects lined up to take advantage of improved budgets in the future.]
- I am used to huge battles over water. I hope we are headed to more local control and available water in each county.
- It is important for this group to send a message to the state and federal governments on what our priorities are.
- When will Ecology address drought permits and non-interruptible rights? [The timetable on drought permits is the end of 2008. Regarding non-interruptible permits, the new Lake Roosevelt permits are not intended to deal with new agricultural water rights.]
- What is the future of this group? [The CRPAG becomes more important, not less, for purposes of solidarity when seeking federal and state monies.]
- Will the department seek money for Eastern Washington while it also seeks money for the Puget Sound? [There is serious talk about a water infrastructure funding package across the state, for both water quality and water quantity purposes.]
- I embrace the stretching of our thinking. The last five years are the best actions I have seen Ecology take with its constituencies.

Reassessment of Funding Allocations

Derek Sandison and Dan Haller reviewed the allotment of spending under the Columbia River Program for development of new storage and non-storage purposes. The statute is clear that two-thirds of funds should be spent on new storage and one-third on all other uses. In response to CRPAG observations, the department reallocated \$2 million of the Odessa project spending to the new storage account.

The CRPAG discussed whether to seek a change in statutory language pertaining to the accounts allocation and decided not to at this time. Ecology should keep the allocation issue in front of the CRPAG and members will reconsider it next year.

Water Management vs. Water Rights

Mike Schwisow and Michael Garrity described the focus and outcome of a recent set of meetings by a group of people who are experienced in water policy who have been meeting informally, without representing official entities, to explore opportunities for changing state water law, in order to provide improved predictability, flexibility in use, and certainty for water users. One idea they are considering is a voluntarily developed, scientifically-based, basin-specific water budget that would provide the framework for more locally based water use decisions. Attention would be paid to:

- Funding for infrastructure, conservation, mitigation and water acquisition.
- Integration of land use planning and water management.
- Mechanisms to enable collective mitigation of individual exempt wells that impair senior water users and instream flows.
- A reduced period for assessing relinquishment of water rights.
- And streamlining of water decisions.

The group is considering whether to bring legislation before the legislature.

CRPAG and audience members offered the following observations and questions:

- How would the collective mitigation of exempt wells work? [Uncertain, but it could potentially use storage to help with exempt wells in Kittitas County, for example]
- Does your group have sufficient land use expertise? [We have a real estate expert with considerable knowledge.]
- Would the policy change be non-mainstem in focus? [yes]
- Would the changes be in water use or watershed planning portions of state statute? [Could be both; more likely water use.]
- Do watershed plans have water budgets based on good supply and demand information? [The plans vary considerably in quality. Any water budget would need to meet scientifically based standards.]
- What does streamlined permitting mean? [This is not yet flushed out.]
- Is this a call for adjudication of sub basins? [Not necessarily, but a number of local groups have called for adjudication of their basins.]
- Is this a move for more money for watershed planning? [No, but it could mean more money for implementation of watershed plans.]
- I'm concerned that there is not a county representative on your group. Counties have local legislative authority.

Wanapum Dam Pool Raise

Joe Lukas reviewed recent computer model results for the potential change in pool raise standards for operations of the Wanapum Dam. The model shows a good fit with real world experience, in a variety of scenarios. The pool raise concept could provide substantial benefits for fish at several points in the year, and the model does not show any negative affects on fish passage. Additional power generated would be on the order of 4 to 7 average megawatts of additional energy, worth about \$1.5 million per year. In short, the model is a solid analytic tool. The primary remaining concerns are recreational and cultural resources.

CRPAG and audience members offered the following observations and questions:

- NMFS has been attentive to how this concept would affect the Vernita Bar and fish passage. We don't see a fatal flaw at this point.
- Is there a consensus on the timing of the bloc of water for fish passage? [This is up to Ecology. Grant PUD can shape it however Ecology would like it.]
- Is there a position by Ecology on how much water can be used for new permits? [Ecology has taken no formal position to date. Ecology's response to the PUD's letter will address this issue. If Columbia River funding from the "new storage" portion of the Account is used, then 2/3 of the water must be used for new permits and 1/3 for fish.]
- It would be useful for the PUD to talk to county commissioners. We don't have enough information about this project and its effects. [The recreation issue at Crescent Bar exists with or without this pool raise.]
- I like the hydro generation. This project will help both fish and irrigators.
- The Yakama Tribe will be attentive to cultural resources. There is currently nothing jumping out that would impact our other agreements about the river, but we will need further discussions.

Joe requested that CRPAG members send him written comments by October 8 indicating whether the PUD should continue to analyze this project and move it forward.

Legislative Report

Rick Roeder described Ecology's forthcoming annual legislative report, the third report since passage of the Columbia River bill. Ecology has sharpened the focus on this report on projects and it has shortened the report for readability. The curve for potential supply has flattened, based on new information. Ecology will not be seeking public comment on this report. It will send the report to the Legislature on November 15.

Next Meeting

The October meeting of the CRPAG is canceled. The next meeting will be December 3 in Ellensburg.

Attendees:

CRPAG members and alternates

Dale Bambrick, National Marine Fisheries Service
Max Benitz, Benton County Commission
Dan Brudevold, Confederated Tribes of the Colville Reservation
Jon Culp, Washington State Conservation Commission
Michael Garrity, American Rivers
Bill Gray, Bureau of Reclamation
Bob Hammond, City of Kennewick
Mike Leita, Yakima County Commission
Joe Lukas, Grant County PUD
Darryll Olsen, Columbia Snake River Irrigators Assc.
Merrill Ott, Stevens County Commission
Gary Passmore, Confederated Tribes of the Colville Reservation
Lisa Pelly, Washington Rivers Conservancy
Phil Rigdon, Yakama Nation
Dave Sauter, Klickitat County
Mike Schwisow, Columbia Basin Development League, Irrigation Districts
Theresa Scott, Washington Department of Fish and Wildlife
Craig Simpson, East Columbia Basin Irrigation District
Richard Stevens, Grant County Commissioner
Rob Swedo, Bonneville Power Administration

Others in attendance:

Nancy Aldrich, City of Richland
Vicky Angelini, aide to Representative Hinkle
Mark Booker, East Columbia Irrigation District
Stuart Crane, Yakama Nation
Michael Crowder, Barker Ranch
Steve Dauma, Washington Department of Fish and Wildlife
Christi Davis-Moore, Bureau of Reclamation
Mike Dixel, Department of Health
Shannon Dininny, Associated Press
Bill Eller, Washington State Conservation Commission
Bernie Erickson, East Columbia Irrigation District
Joel Freudenthal, Yakima County
Dan Haller, Department of Ecology
Wally Hickerson, CH2MHill

Tim Hill, Department of Ecology
John Houck, Freestone Environmental Services
Perry Huston, Okanogan County Planning
Al Josephy, Department of Ecology
Terry Keehan, Yakima County
Paul LaRiviere, Washington Department of Fish and Wildlife
David Lundgren, Lincoln County Conservation District
Chris Lyle, Washington Association of Wheat Growers
Wes McCart, Stevens County Farm Bureau
Jason McCormick, Washington Water Trust
Dave McClure, Klickitat County
Bill MacDonald, Bureau of Reclamation
Jay Manning, Department of Ecology
Peggy Miller, Washington Department of Fish and Wildlife
Jim Milton, Yakima Basin Water Resources Agency
Mary Lou Peterson, Okanogan County Commission
Rudy Plager, Adams County Commission
Tom Ring, Yakama Nation
Rick Roeder, Department of Ecology
Gene St. Godard, Water and Natural Resource Group, Inc.
Derek Sandison, Department of Ecology
Dave Sauter, Klickitat County
Cathy Schaeffer, Walla Walla County
Peter Scott, Eastern Washington Council of Governments
Jaime Short, Department of Ecology
Dan Silver, facilitator
Paul Stoker, Groundwater Management Area
Tom Tebb, Department of Ecology
Megan Una, Washington Rivers Conservancy
Chad Unland, Department of Natural Resources
Mimi Wainwright, Department of Ecology
Representative Judy Warnick, House of Representatives