Steering Committee (SC)
Walla Walla Basin Integrated Flow Enhancement Study
January 10th, 2018 – WWCC Water & Environmental Center
Meeting Minutes

(Note: A 1-hour Steering Committee voting-member only meeting was planned from 9-10 prior to the general open meeting from 10:00-3:00. The meeting was called due to an apparent lack of integration of the USBR-funded work with the ongoing Bi-State Flow Study process/products and the WADOE-funded actions. The meeting was adjourned early and discussion continued into the main meeting because not everyone agreed that a closed session was the right venue to discuss and resolve the issues).

1. Introductions, Opening Remarks, Minutes Review, Agenda Review

Attendance - See Sign-In Sheet Attached

Gary James had submitted comments to draft meeting minutes from 10/11/17 SC mtg. Comments were incorporated in meeting minutes distributed for review. No further comments; minutes of 10/11/17 SC meeting adopted by consensus of group.

Public Comment: None

2. Discussion of Scope of Work – Bureau of Reclamation Grant Contract

The Steering Committee entertained an extensive discussion of scope of work for BOR contract and coordination efforts with Flow Study objectives.

Gary J: Expressed concerns regarding the WWBWC-Aspect contract which called for renaming of the SC, identification of other projects, and the potential scope of the SC; concerns regarding changing the focus of the SC from improving instream flows in the mainstem to a broader watershed focus. BOR contract appears to be poorly integrated with the ongoing Bi-State Flow Study process and products and WADOE-funded products and pre-supposes changes in direction that may not be necessary and were not appropriately coordinated with the SC as per our process.

Mark W: Provided a short summary of the closed session. Suggested that many of the relationships within the SC were rather tenuous, and that there was a critical need to assess these relationships and do what is necessary to strengthen these relationships. Inability to communicate and work together will ultimately defeat the process.

Brian W: Stated he was not trying to change direction of SC, or set up parallel track with BOR scope. He was trying to help find bridge funding after the current OCR grant expired to keep the effort moving forward, and to conform to language to meet BOR grant requirements.
Multiple parties expressed frustration regarding not having adequate time to review the BOR scope of work/Aspect contract/Umatillas handout prior to meeting; did not feel adequately prepared to have informed discussion. Several comments that materials need to be e-mail to all participants for review, and then get back together to resolve issues.

A distinction was made between the BOR contract, which is providing bridge funding for the Flow Study and expires Sept. 2018, and the $500k Ecology funding scope of work, which expires June 30, 2019.

After further group discussion, Dan H summarized group comments/next steps as follows:

- Need to clarify process for obtaining future funding going forward
- USBR Scope needs to be reviewed by Planning TWG and then SC in one month
- Determine if there is an amendment process in the USBR contract.

Gary J made motion to have Planning TWG provide clarification as to process for obtaining funding going forward. Specifically, Gary repeated a motion from last meeting to have the planning TWG identify our organizational needs in order to advance the project and determine if our existing organization/process can address the anticipated needs or if modifications are needed. If process is broken, recommend fixes. Get back to SC within 1 month. No objections to motion were expressed.

**ACTION:**
- Ask Planning TWG to review processes/guidelines for obtaining funding for Flow Study. Make recommendations to SC as to any specific amendments which may be necessary. This could include differentiating between the types of funding requests by SC members that require notice to the SC vs. approval by the SC.

Bill D: Inquired as to whether funding process would impact individual projects, e.g. MAR, or if it would only impact more overarching funding for Flow Study. The Planning TWG incorporate this question into their analysis. After further discussion, it was agreed by the SC that the following actions would go forward:

**ACTIONS:**
- Materials (BOR scope of work, Aspect contract, Umatillas handout) will be e-mailed to all SC members
- SC members will e-mail comments to Chris Marks (Planning TWG chairman) within 1 week
- Planning TWG will review documents and comments and send recommendations to SC by February 9th.
- SC will meet on February 14th to review and discuss Planning TWG comments and recommendations.
Ray W: Questioned grievance process. If players are not conforming actions to adopted guidelines/procedures, what are the repercussions? Was agreed by SC that this question should be evaluated and recommendations made as part of Planning TWG review.

Brian W: Noted that multiple references had been made to SC bylaws; SC has not bylaws, operate under adopted ground rules.

**ACTION:**
- Planning TWG to address grievance or dispute resolution process and bring back to SC for consideration. This can be prioritized after the current 1 month short-term tasks.

Eric: The Walla Walla District, U.S. Army Corps of Engineers would like input on the first three chapters of draft Supplemental Environmental Impact Statement for the Operation and Maintenance of our Mill Creek Project. A discussion on the draft SEIS will occur at the Corps Annex, 725 E Street, Walla Walla; east of the Walla Walla airport on January 29, 2018 from 10:00 to 12:00. Eric will distribute for further SC review.

3. **Discussion of Scoping Recommendations by Planning TWG - $500k Washington Funding**

Brian W reviewed the recommendations of the Planning TWG (handout dated 12/29/17). Dan H provided review of SEPA/NEPA process.

**Project Management & Facilitation:**

Guy G: indicated there appear to be fund allocation issues with the proposed scope of the ECY funding. Stressed that the funding will not move forward without CTUIR support. Needs to run by staff, internally, to determine specific hold downs, e.g facilitation allocation.

Melissa D: suggested that facilitation, outreach, and report writing activities be separated from project management work, so as not to exceed what is believed to be a 10% hold down on administrative costs.

Guy G: Pointed out that there are separate $75k allocations to Project Management through Partnership funding and through the Flow Study grant. Not clear how they are to fit together. Need to be some agreement (memo) between CTUIR and the Partnership as to how the money is to be divided.

**ACTIONS:**
- Guy will forward budget proviso language for both Flow Study and Partnership funding to SC. Guy will also provide guidance and clarification regarding $ and tasks associated with each funding source.
- Planning TWG will review material submitted by Guy G. and provide recommendations to SC as to $ break down to different categories.

**Data Gaps:**
Brian W: Planning TWG prioritized data gaps.
Mike I: Question as to the definition of “anchor project”. Needs to be better defined to ensure inclusion of both storage and exchange projects.
Gary J: Majority of funding should extend to “mega-contractor” to refine project alternatives. More efficient to use one contractor.
Guy G: There is a data gap that still exists, and that is information justifying the Flow Study Target Flows, which are lower than flows adopted by rule in Washington, and lower than many other recommendations.
Gary J: Put together summary of all references to flow recommendations he could find on past flow studies and justification of Target Flows. -- this is complete. What is still needed is to complete the limiting factor assessment and demonstrate that low instream flows are still the primary issue limiting fisheries resources in the WW Basin and therefore providing justification for our flow project and major costs that are expected - Guy agreed. Gary would be willing to work with other fish managers to summarize information to complete the assessment report.
Bill D: Sees connection between Target Flows and Oregon process for storage allocation to determine water necessary to remain instream; the Oregon recommendations likely to be higher than Target Flows.
Mike I: Need to be able to justify Target Flows asap; otherwise entire project, which is being sized to meet Target Flows, could be in jeopardy.

ACTION:
• Dan H. will re-circulate Gary James’ paper to SC for comment and to solicit input for assistance to help with completion of the assessment.

Steve P: need to prioritize filling data gaps before funding engineering and design work. For example, with reservoir, need to determine how much/when water can be used for project prior to putting out contract to refine design.
Mike I: Contract needs to include process w/Oregon to determine availability of water for reservoir.

It was agreed that availability of water in Oregon is the primary data gap to fill.

Discussion as to pros/cons of separating work into separate projects vs consolidated scope of work. Several comments regarding facilitation should be separate from project development; Facilitator should not steer process in a particular direction.

ACTION:
It was agreed to integrate the contract into a single scope of work (excluding Project Facilitation), and to use RFQ bidding process.

Environmental Review:
Mike I: Inquired as to how to pay for OR environmental review. Was noted that OR has no separate process as in WA (SEPA); all handled through NEPA.
ACTION: Within the next week, have Planning TWG provide revised Scoping Recommendations for ECY funding incorporating Guy G’s guidance information and SC comments.

4. Outreach Efforts/Communication Plan

A video of Columbia Basin Water Issues was shown as an example of the kind of outreach which would probably be necessary to convey message to legislators and funders as project moves forward.

Brian, Chris H., and Dan met with Ecology and OWRD outreach staff to discuss the project and collaborate on outreach materials and a strategy. Various examples were discussed including Focus Sheets, Frequently Asked Questions, website materials, videos, etc.

ACTION: Chris H. will work with Planning TWG to develop key talking points/Q&A from the Flow Study. This will then be vetted through the SC and OWRD and Ecology are available to assist and help craft outreach materials.

Letters reviewed by the SC were sent to existing and future SC members by Brian and Chris H.

ACTION: Brian and Chris H will provide a summary of those that replied at the February SC meeting.

5. Legal Protection of Water Across Stateline

Mike L. ECY/OWRD Mtg: discussed cooperative USGS ground water study; both sides very interested in moving forward. OR seeking funding to advance process.

Mike L/Guy G: No “silver bullet” regarding interstate protection of instream flows. Ideas brought to management by Mike & Guy were rejected. Efforts continuing, but likelihood of any success appears to be slim.

Resulting discussion around the SC being more pro-active in drafting and proposing statutory language to address issue, rather than relying on agencies to come up with solution. Recognition that this would be a lengthy process, but may be only way to actually develop a solution to the issue.

ACTION: Legal TWG will convene and discuss drafting initial legislation for SC review.

Melissa D: Agency (ECY) request legislation generally needs to be firmed up by May for it to move forward. Will discuss potential for agency request legislation with her superiors.

Brief discussion of Agreements Not To Divert.
Brian W: Had an agreement with Touchet water users several years ago, who agreed to bypass water for fish migrations during a drought period. Agreement was not implemented due to timely rains, but holds some promise for future agreements going forward.

Mike I: Has discussed concept with fellow water users on lower WW River, stressing that they would only be bypassing water that would not otherwise be there but for actions to purposely forgo water for instream flow. Skeptical reception; going to be a tough sell.

Gary J: Does not want ANTD to get in the way of a potential legal solution. States need to start making progress on a legal regulatory flow protection fix that is reliable and permanent or our project may be moot (Gary noted that 10-year Corps Flow Feasibility Study died due to no flow protection).

ACTION:

- Chris H. will provide a white paper to SC on ANTD within the next week. Will be discussion item on SC meeting next month.

6. Public Comment
None. Meeting Adjourned