

Walla Walla Watershed Management Partnership *Policy Advisory Group (PAG) Meeting Minutes*

Date: December 8, 2009

Time: 4:00PM–6:00PM

Location: WWCC Water and Environmental Center, 500 Tausick Way, Walla Walla, WA

PAG Members Present: Hedia Adelman, Rhonda Barker, Mike Bireley, Phil Brick, Ron Brown, Andrea Burkhardt, Bob Carson, Diane Driscoll, Stuart Durfee, Paul Hartwig, Stan Heller, Roger Lizut, Kay Mead, Tom Page, Yancey Reser, Roland Schirman, Craig Sivley, Gene Warren, Brian Wolcott, Mark Wachtel.

Staff Present: Cathy Schaeffer and Matt Rajnus.

Others Present: John Houck, Mark Grandstaff, Judith Johnson.

Minutes:

Introductions were made, and an overview of the Policy Advisory Group (PAG) Charter and Walla Walla Watershed Management Partnership (Partnership) progress to-date was given by Cathy Schaeffer.

The PAG discussed potential candidates to serve as PAG chair. Roland Schirman was nominated, and with consensus vote was identified to serve as the PAG chair for the period of his current two-year term.

Cathy Schaeffer gave a presentation on the mission, goals, and objectives of the Walla Walla Watershed Management Partnership. Background was provided on the reports that described why Walla Walla is appropriate for a local pilot program, and why the Partnership was identified as the organization to implement the new program. The presentation provided the mission adopted by the Board, and draft goals, objectives, and vision. The mission adopted by the Board is *"...to implement the pilot local Walla Walla water management program in accordance with the enabling legislation under Ch. 183, 2009 Session Laws created by Second Substitute House Bill 1580."* The PAG was notified that the Board will likely be moving to initiate a strategic planning process in the coming months that will rely largely upon the PAG to assist staff in drafting and vetting the goals, objectives, and vision of the Partnership as well as helping in identifying strategic actions for the Partnership.

Cathy Schaeffer presented an initial proposal for the proposed manner in which the Policy Advisory Group will advise the Board. The presentation focused on the role of the PAG in being the forum for providing input and review as well as collecting input for the Partnership Board. The PAG discussed how to get input from those not currently represented on the PAG specifically the USFWS, industry groups, and environmental advocacy groups. The group discussed their desire to see a USFWS representative and the potential for a Cattleman's representative. Gene Warren noted that he is on the Farm Bureau State Board so he can help provide that connection. PAG members tasked themselves with considering their connections and advising staff of any potential additional PAG members to be proposed to the Board.

Discussion then shifted to plans for outreach to landowners; the role of the PAG in advising the Board; and comments that future work products include a more formal comment period.

Matt Rajnus presented on the two programs under development, Local Water Plans and Water Banking, and provided the draft guidelines and criteria for discussion and comment. As background, Matt noted that the two programs are both authorized by RCW 90.92/HB1580 but they have

separate process requirements. The water banking is a much simpler process, compared to the local water plan process. Both programs are for valid water rights and will result in participating rights being protected from relinquishment while participating. The water banking program will focus on providing a simple process for people who would voluntarily agree to not use all or a portion of their right, if conservation or non-use was not penalized through relinquishment. The presentation emphasized that Local Water Plans will focus on providing an opportunity for water users who are willing to enter into a performance based agreement to provide "flow from flexibility," meaning water users will propose changes in their water use that they will benefit from (flexibility) that in turn will allow for "substantial enhancement" of instream flows (flow). There are a number of checks and balances in both programs, and the draft guidelines and criteria spell out and add additional methods. It was noted that while the Department of Ecology used 43 documents some as long as 85 pages to administer their water resources program; the current draft guidance and criteria document is 23 pages long. The Partnership Board may be ready to adopt final guidelines and criteria at their January 5, 2010 Board meeting; so comments on the guidance documents are requested.

Discussion occurred related to the application of these programs in specific circumstances and potential incentives for participation. The possibility for participation in the program to provide a tax-deductible donation was discussed, and identified that it will only be applicable for permanent donations. It was discussed that the program will be working in combination with the State Trust Water Right Program and the Washington Water Trust to focus on areas not currently served.

With regard to baseline flows, it was suggested that baseline only consider flows prior to the bi-state "settlement agreement" (an agreement between the three largest irrigation districts where they agreed to bypass water in the Mainstem Walla Walla River), circa 2000. It was identified that since the current Ecology process recognizes use since 2000, implementing that strategy may be less attractive to potential participants than the current Ecology process.

It was clarified that water banking agreements will not result in protection (i.e. regulation on the river by Ecology). The potential for a water banking agreement to facilitate the use of an out-of-priority right was discussed, and clarified that water banking agreements will focus on providing protection for the non-use of the right in question while Local Water Plans have the capacity to allow such an arrangement if the requirements of Local Water Plans can be met.

Monitoring and the concept of how to show success were discussed. Direct monitoring of participation will be preferable since reliance on showing a positive response in gauge flows can be difficult. It was noted, case in point, that the gage on the mainstem Walla Walla River below the Touchet River has shown a decrease in flows during the current decade as compared to the previous decade. This decrease is in light of significant reductions in out of stream diversions by the three large irrigation districts in Oregon and Washington and water being placed in the Trust Water Right Program. As such, project level monitoring will need to be able to demonstrate that on a project level the participant is using less water. Multiple PAG members expressed a desire to see an upper limit or target for stream flows. The concept of providing guidelines for the requirement to "substantially enhance" instream flows was discussed as an additional element to include in the guidance documents.

Comments on the draft guidelines and criteria were requested to be sent to matt.rajnus@wwcc.edu by December 15, 2009.

The meeting ended at 6:05pm, with notation that the PAG will be convened again based on the request of the Partnership Board, possibly in January or February.