

Draft
National Water Resources Association
Western Water Seminar
Hilton Portland Downtown
Portland, Oregon
August 7-9, 2019

*Submitted by
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Written by
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The National Water Resources Association Western Water Seminar was held at the Hilton Portland Downtown in Portland, Oregon on August 7-9, 2019 with 147 people attending. Don Kraus, Lyndon Vogt, Tom Knutson and Milt Schmidt attended the conference from Nebraska.

Wednesday, August 7

Policy Development Committee

Wade Noble-Chair; Megan Scott – Vice Chair

Wade discussed the need for revisions to the NWRA Policies and Position Statements to address “Forever Chemicals” – PFAS (Per- and polyfluoralkyl substances), PFOS (perfluorooctane sulfonate) and PFOA (perfluorooctanoic acid). PFAS are a group of man-made chemicals that have been used in consumer products worldwide and in the United States since the 1940’s.

Thousands of different variations of PFAS exist, but PFOA and PFOS are the most extensively produced. There is evidence that exposure to PFAS can lead to adverse human health effects and PFAS are increasingly being detected in drinking water systems.

PFAS are commonly used to make nonstick cookware, food packaging, water repellent clothing, and firefighting foam commonly used in military bases. People can be exposed to these chemicals through drinking water and contaminated soil and water used to grow food.

There are no federal standards in place, but EPA has announced a nationwide PFAS action plan which includes establishing a Maximum Contaminant Level (MCL) under the Safe Drinking Water Act.

NWRA does not currently have a policy on PFAS. The Policy Development Committee will look at revisions to the policy to address the issue and bring an amendment to the Annual Meeting in November.

Irrigation Caucus

Tom Davis, Chair

Tom introduced Kiel Weaver, Principal Deputy Assistant

Secretary – Water and Science. Kiel discussed the process to approve the Title Transfer legislation. Only 30 projects have been approved since the original legislation was passed. Carl Stock, Acting Director Policy and Administration reviewed the new process. The “eligible entity” who will receive the transfer must be the current operator of the facilities. The project finances and environmental issues will be detailed in the application. When USBR confirms the application meets all requirements, the Transfer must sit for 90 days pending congressional review. If there is no action by congress to block the transfer, the transfer is approved.

Tom Davis indicated that he would be stepping down as Chair of the Irrigation Caucus after this meeting. Anyone interested in assuming the Chair should contact him. Tom Knutsen will continue as Vice Chair.

Thursday, August 8

Cheryl Zittle, President welcome the group the Western Water Seminar. She discussed the scholarship presentation by Women in Water and the first recipient – Allison Britain. Cheryl then introduced Brenda Burman, Commissioner of the United States Bureau of Reclamation.

Brenda Burman, Commissioner of the USBR

Brenda discussed the accomplishments of the USBR:

- Investment in infrastructure

 - Extension of the Win Act (50% funding by Federal partners)

- Maintenance & Improvement Projects

 - Derby Dam, NV – Improvement to address fish passage

 - Cle Elum, Yakima, WA – Increase water storage over 14kaf

 - Drought Contingency Plan - Lake Mead has been in a drought cycle since the turn of the century- May 20, 2019 Drought Contingency Plan approved by seven states and USBR

- Legislation – Title Transfer legislation approved

- International

 - Mexico City meetings on Colorado River issues

- Future

 - Central Valley Project and State Water Projects in

 - California biological opinion needs revision

 - Continue to develop drought contingency plans for

Colorado River

Colorado River Drought Contingency Plans - Jim Broderick, Southeastern Colorado Water Conservancy District; Peter Nelson, Colorado River Board of California; Rebecca Mitchell, Colorado Water Conservation Board

Peter Nelson, a farmer from Coachella valley discussed the drop in the combined storage in the Colorado River system from over 95% in 1999 to 48% in 2004. He discussed the 2007 Interim Guidelines which will be effective through 2016 – agreement for sharing shortages. Unresolved issues include – deliveries during shortages; deliveries if Lake Mead falls below 1075.

Becky Mitchell discussed development of a Demand Management Storage Agreement – nine work groups have been established.

Endangered Species Act and the Deschutes Basin Conservation Plan – Legal, Irrigation and Conservation Perspective. David Filippi, Partner, Stoel Rives LLP; Mike Britton, General Manager, North Unit Irrigation District; Craig Horrell, Managing Director, Central Oregon Irrigation District

David Fillippi discussed the eight irrigation districts Oregon who joined together in 2002 to develop a Habitat Conservation Plan (HCP) and get incidental take permits.

Species – Steelhead Trout, Bull Trout, Oregon Spotted Frog; Reservoirs – Crane Prairie Dam, Crescent Lake Dam, Wickiup Dam. The final HCP was done in 2008 with a goal of flow restoration of 80kaf and habitat restoration.

An update is currently underway with a completion date of 2020.

Mike Britton discussed the conversion of many miles of open later to pipe to save water. State and Federal funding will be used to assist with the conservation over 30 years.

Craig Horrell discussed the need to improve public perception of the HCP and the goal of putting 30 cfs back to the river through the conversion of open ditch to pipe.

Public Affairs – Key Steps to Community Outreach – Jennifer Persike, JP & Co; Ashley Metzger, Desert Water Agency; Karry Rathje, Washington County Water Conservancy District; Chris Treese, Colorado River Conservation District

Jennifer, Karry and Chris provided examples of ways to improve customer perception:

Training for staff, know facts, do not speculate,

assume everything is on the record

Add tours for agencies that District works with

Improve web site

Publicize positive events for organization

**Wildfire – Identifying Solutions and Protecting Watersheds
– Dave Eggerton, Association of California Water Agencies;
Dave Fecko, Placer County Water Agency; Mark Stern,
Nature Conservancy; Chris Marklund, USDA**

Andy Fecko discussed the NEPA costs (\$1.3M) for the French Meadow Forest Restoration project with a cost of over \$600 M.

Mark Stern discussed the benefits of forest thinning.

Chris Marklund discussed ways to reduce NEPA costs

**Columbia River – Managing the Resource – Paul Arrington,
Idaho Water Users Association; Kristin Meira, Pacific
Northwest Waterways Association; James Pinkham,
Columbia River Inter-Tribal Fish Commission**

Paul Arrington discussed the significant economic impact of agriculture production that moves down the locks/dams on the Columbia/Snake River system. Over 50% of all wheat produced in the US moves through this system. The area is the third largest grain export region in the world. A twenty year project is proposed to deepen the river channel by 43 feet. All locks have been refurbished in the last ten years.

Kristen Meira discussed issues with the tribes in the Pacific Northwest. The rights to water were guaranteed by the US Supreme Court – Winters Doctrine. The of federal Indian policy was reviewed. The Columbia River Inter-Tribal Fish Commission was approved by all tribes. The following areas of improvement were identified:

- Better law enforcement – 31 fishing villages
- Better access to river – 31 sites
- Completion of fish studies by Genetics Lab
- Better spill management

Jaime Pinkham discussed the need for more progress to address concerns of the tribes. The level of contamination of salmon needs more study as the fish consumption is much greater among the tribes. The 1961 agreement between the US and Canada requires that “ecosystem based functions” be incorporated into the treaty. Avian predation of salmon is an issue.

**Biological Opinions – Major BiOps affecting Western Water
Users – Dave Solem, South Columbia Basin Irrigation
District; Paul Sommons, Klamath Water Users Association;
Jordan Smith, NESARC, Van Ness Feldman**

Paul Simmons discussed the impact of the Endangered Species Act on the Klamath water users over the past 18 years. The Klamath project was authorized in 1905 and deliveries water to over 200,000 acres in Oregon and California. The USBR terminated deliveries of irrigation water in 2001 to provide water for endangered fish. The Klamath Water Users Association filed a takings claim which was denied in 2007. While legal claims continue in the Oregon Supreme Court, operations are governed by a 2013 consultation through 2023. Additional litigation was initiated because the “take” was exceeded in 2018.

Jordon Smith discussed the priorities of the National Endangered Species Act Reform Coalition (NESARC).

1. Improve consultation procedures under Section 7
2. Establish delisting criteria
3. Revise Procedures for the Designation of Critical Habitat
4. Revise Economic Analysis of Critical Habitat Designations

Legislation was submitted in July of 2018 which reflects may of NESARC priorities. It is expected that oversight hearings will be coming out soon.

Friday, August 9

Federal Affairs Committee

Christine Arbogast, Kogovsek and Associates; Ada Benavides, Senior Policy Advisor – Army COE

Christine Arbogast discussed funding options for infrastructure.

Ada Benavides reviewed the WRDA funding from 2014 through 2018. She also discussed what is needed to provide a framework for major infrastructure funding.

Leadership from the President and congress will be required.

Keynote Session – David Palumbo, Deputy Commissioner of Operations, Bureau of Reclamation

David Palumbo identified the Key Values of the USBR:

1. Professional Excellence
2. Respect
3. Safety

He also discussed revisions to the Directive and Standards (D&S) to become more efficient:

1. Substantial Change – Become more efficient in application; develop a “skinny” standard
2. Design, Engineering and Construction Standard (DEC) – Verify that cost estimates are appropriate,

technically sound, complete and provided in a timely manner.

David also discussed development of a Value Program to increase the Cost/Benefit ratio,

Federal Funding Opportunities at the USBR and COE – Steve Stockton, Former Director of COE; Mark Mazzanti, Chief of Programs Southwestern Division; Jay Gibbs, USDA; Avra Morgan, USBR

Steve reviewed the annual testimony before congress and dealing with completion for project funding.

Mark Mazzanti discussed the USACE Infrastructure Initiative which would expedite the permitting process and increase funding through loans and Public Private Partnerships. He also discussed the need to bring certainty to the water supply rules of COE reservoirs.

Jay Gibbs discussed the 2018 Farm Bill and funding for the EQIP funding program, Regional Conservation Partnership Program, Watershed Protection and Flood Prevention Program, CSP and AGEF programs.

Avra Morgan discussed the six categories of funding available through the Water SMART program.

NWRA Board Meeting

NWRA Board Meeting:

Don Kraus, Tom Knutson and Lyndon Vogt attended the NWRA Board meeting at 10:00 AM. An amendment to the bylaws was approved which addressed seating of Directors and added a section to remove a board member for cause upon two-thirds vote of the board.

The cash flow is in good shape and expenses are tracking for the time of the year. The Audit Report for 2016 and 2017 was presented which recommended an accounting manual to inform employees of policies and procedures. A draft policy and procedures manual has been prepared and was approved.

Federal Affairs - NWRA had four witnesses testify before congress this year. A Title Transfer Law was approved this year and the USBR is revising rules to streamline the process.

The annual meeting is November 6-8 in Houston, TX.