

ICICLE STRATEGY
Icicle Work Group Meeting
Thursday, May 11, 2023; 10:00-3:00
Confluence Technology Center, Wenatchee

Meeting Summary

Members/Alternates Present: Mike Kaputa, Chelan County; Shon Smith, Chelan County; Carl Florea, City of Leavenworth; Sharon Lunz, ICWC; Chuck Brushwood, CTCR; Cory Kamphaus, YN; McLain Johnson, USFS; Bill Gale, USFWS; Mat Maxey, USFWS; Dan Church, Reclamation; Teresa Hauser, Reclamation; Greg McLaughlin, WWT; Nate White, WDFW; Levi Jantzer, IPID; Lisa Pelly, TU; Brock Hoenes, WDFW; Tom Tebb (afternoon), Ecology-OCR; Dan Wilkinson (afternoon), COIC
Melissa Downes (online), Ecology-OCR

Guests Present: David and Margie Van Cleve, Sierra Club; Jennifer Hadersberger, ICWC; Trish Rolf (online), CELP; David Ortman (online)

Staff/Consultants Present: Cynthia Carlstad, NHC; Mary Jo Sanborn, Chelan County; Abby Hendrickson, Chelan County; Dan Haller, Aspect Consulting; David Rice, Anchor QEA; Jason Breidert, CTCR; Peter Dykstra (online), Plauche & Carr; Ingrid Eckstrom (online), Ecology-OCR; Kelsey Mach (online), Aspect Consulting; Phil Lefler (online, COIC topic only), Ecology-OCR; Scott Turner (online, COIC topic only), Ecology-OCR

Decisions or Direction Items for this Meeting

- Meeting summary approval via email? Process would be to email draft, ask for edits – if something was substantive a revised draft would be sent out for final approval. If no substantive edits, summary would be finalized and distributed.
- January IWG Summary Approval
- Funding request for habitat assessment
- Instream Flow Rule Amendment next steps
- Outreach Strategy next steps

IWG Decision: Meeting Summaries can be approved via email moving forward

IWG Decision: January Meeting Summary – Approved!

March Steering Committee Report

- Project funding retrospective – working on filling out for all projects, will expand characterization of in-kind, and will try to show full cost of projects (i.e. concept-implementation).
- COIC status – this will be covered in more detail this afternoon

- Instream Flow Rule Amendment/Municipal Water Element – discussed by Steering committee and reviewed graphic to help guide rule amendment pathway. We need to determine a pathway for this element which is in the guiding principles. The memo sent out to the IWG for this meeting was requested by Steering Committee to provide more context.

Icicle Strategy Budget

- OCR 2023-25 Budget (Melissa): OCR budget in general – last day of legislative session was April 23. Budget passed. OCR request was \$49 Million, Icicle was \$5 Million within that request (\$20 Million Odessa). Budget passed is \$60 Million with several projects zeroed out. Increase came to Odessa Groundwater Replacement Implementation. The Icicle portion of this budget will be up to \$5 Million but this may be reduced some to help fill some gaps on other projects. This is an increase from the 2021-23 budget at \$4 Million.

- Funding Request (Mike) – Icicle Habitat Assessment and Reach Characterization (\$53,815)
The Upper Columbia Regional Technical Team (UCRTT) has been updating their prioritization to a GIS data intensive format based on habitat restoration and protection priorities. There has been a big push to fill data gaps so all reaches have an equal level of information/data. Currently, in areas with no data, projects get 0 points for priority because there’s nothing to base the points on. Icicle Creek has significant data gaps which impacts scores for projects that get reviewed by the RTT.

The RTT Chair and UCSRB staff have developed this funding proposal before the IWG. If funding is approved, this field work can be done this summer before the prioritization updates by the RTT stop. Chelan County is willing to contract with the consultant to get the work completed.

Discussion

Bill Gale – the RTT prioritization tool is mostly focused on steelhead and spring chinook. How would this apply to bull trout? Spring chinook in Icicle are not listed under ESA, not sure steelhead would go that far up as some of these reaches included.

Mike Kaputa – all reaches were identified by RTT as important for evaluation.

Lisa Pelly – trying to respect USFS priorities as they have a full plate of work, trying to focus work in areas that are priorities for USFS. We should be careful of expectations on what work the USFS can take on.

McLain (USFS) – the level of information proposed here is very helpful, the more we have the more we can take a step towards implementation. I was surprised this information didn’t already exist.

Cory – YN has been discussing internally the need for a full reach assessment for the Icicle. There could be opportunity to collaborate on information. YN will be bringing more information on reach assessment work – expanding on existing information and being consistent with reach assessments within the region.

Brock – can Cramer Fish Sciences (work proposed today) and Interfluve (YN reach assessment consultant) talk to each other to compare methodology and make sure methods are compatible and not redundant?

Discussion focused on whether this is needed now or should wait to be coordinated with a potential reach assessment by YN. The method that is being proposed is the method being done for all prioritization work being done in the region. Reach assessments may be the same or they may be different. This proposal was developed by the UCRTT Chair (Tracy Hilman) and UCSRB Staff to align perfectly with the regional prioritization.

Cory – would like to bring Cramer and Interfluve together to discuss these details.

Bill – are we outside of our funding process? We should have a set timeline for information to be sent out that prepares the IWG for decisions.

Cynthia – yes, we’re outside the process as normally proposals go through the steering Committee first. This proposal came up after the Steering committee and we bumped the April IWG meeting to May so there was a timeline issue for this potentially time-sensitive request. We have done decisions outside of meetings by email previously (e.g. screen funding), but that has been done with some prior notice to the IWG.

Carl – I’m comfortable having this kind of flexibility to make decisions as they come up, we need to be able to do this at times. If we approve this funding now we can have the caveat that the two consultants meet soon to discuss and coordinate work. This way we don’t lose two months of time.

Mike – suggests that we approve contingent on getting the other key partners together to coordinate work.

Cory – we need to follow our procedures as they are there for a reason.

McLain – supports getting this Level 2 survey done as soon as possible and supports a decision today.

Cory wants to acknowledge this is a procedural foul but we’re trying to figure out how to move forward

IWG approval of next steps:

1. Mike will confirm with Cramer Fish Sciences (CFS) on availability for field season timeline and coordination needs.
Mike called CFS Phil Roni during lunch: they can wait on this decision until June 8 at the latest to plan field work.
2. Coordination on scopes of work to occur with YN consultant (Interfluve) and Cramer Fish Sciences.
3. IWG funding decision via email after coordination follow up.

Outreach

- Videos have been sent out. USFWS has used the videos within agency and they have been helpful. More filming would be helpful to capture ongoing work: Before/after projects, LNFH intake, City of Leavenworth source feasibility, Alluvial Water Storage field work, water conservation landscaping at Icicle River Middle School. **If any IWG members have needs please reach out to Mary Jo to coordinate.**
- Website is under development – a draft will be sent out to the IWG for input/edits.

- Upcoming Events – Some IWG members will be presenting to the Northwest Power and Conservation Council on May 17th, any other IWG members who'd like to participate, let Mike know.
- Needs Discussion: There are other opportunities to participate in locally. We could focus some outreach on existing efforts and/or convene Icicle specific meetings. We could focus on work going on, completed projects instead of just hot topics. One idea is to connect with the river ambassadors with information on the Icicle Strategy. Another idea is to connect with the Good Neighbor Handbook update to add an Icicle page.
Outreach committee – Peter noted that we had a committee which ended up being Ecology, Chelan County and Bill Gale and focused on guiding the videos.

Next Steps: Peter will reach out to all IWG members to re-establish this committee.

Municipal Water Elements

- Leavenworth Source Replacement Study (Mayor Florea)
Engineers have been selected and they are beginning work. At the next meeting we should have more detail on work completed, timeline for test wells, etc. The City will be doing the rate study to determine how the smart meters can be used to help with conservation efforts. The City will also update the conservation plan as a part of this effort.

Next Steps: At the July meeting have a presentation on all the work planned and underway by the city.

- Municipal Conservation Activities Update (Mary Jo)
Abby Hendrickson is new with Chelan County and will be leading the development of the WaterSmart landscaping program discussed before. This is the program where landowners can be reimbursed for removing lawn/turf and replacing it with drip irrigation and drought tolerant native plants. The implementation of this will begin under the 2023-2025 Biennial contract with OCR.

Mary Jo showed design drawings completed by middle school students for the WaterSMART garden to be implemented at the Icicle River Middle School. The 7th grade STEM class designed the garden which includes an outdoor classroom space, walking path, and planting areas for the native drought tolerant plants. The site will be prepped during summer break with a contractor removing grass and changing the irrigation system to drip irrigation. Planting will occur with students in the Fall.

Mat Maxey has an idea for another demonstration site at LNFH – Mary Jo will follow up with Mat.

- Source Options for City/County Water Supply
This is a follow-up from previous discussions on how Eightmile Lake will **not** provide the domestic water first envisioned in the guiding principles and that there is still a need to fill this gap with another project. Dan noted that next steps in the draft IPID conservation plan is to convene a meeting with the City and County and IPID to discuss potential opportunities to meet this need.

- Instream Flow Rule Amendment

Cynthia provided some background noting that we have needed a clear path forward on this for a while. The current instream flow rule established 0.1 cfs available in a reserve for domestic use. There is a provision in the rule to increase this to 0.5 cfs with flow restoration efforts. Currently, less than 10% of this reserve remains available. Amending the instream flow rule is a long process and could take several years. Dan developed a memo to provide more context as a result of the Steering Committee meeting.

Dan reviewed the memo, which synthesizes information that has been previously discussed into one place and describes the Ecology process to amend an instream flow rule. Today Chelan County is requesting that the IWG send a letter to Ecology regarding getting in line for the rule amendment process. A sample letter is included in the memo.

Discussion

Shon: Is it possible to measure 0.4 cfs?

Dan: when we talk about 40-100 cfs it's hard to distinguish this small amount of 0.4 cfs. This amount is important and tracked by Ecology and through the County's debiting process.

Cory noted that YN wants to see actual water instream and not just projections. He would like to informally get an idea from Ecology on timeline for rulemaking.

Dan – this request is to get permission from the IWG to ask Ecology that question. Three years ago when Chelan County asked the question informally, Ecology was unsure. We'd like to more formally ask with this letter supported by the IWG in hopes of getting a more definitive response.

Cynthia restated the request in front of the IWG today –to send a letter to Ecology and ask for the Wenatchee instream flow rule to be put in line and for Ecology to estimate when the agency would be able to begin the rule-making process.

Cory – can you have this conversation without a formal letter and without getting in line right now?

Greg – is this group tasked with making a recommendation on the amount of water needed instream to enable the amendment to move forward?

Cynthia – yes, that's the intent for the IWG to figure out. The IWG committed to work on all guiding principles together. The hard part here is that this has not gotten any movement so we don't yet have a pathway to work on it.

Cory – I think we decide on the pathway but it's the timing that is the issue.

Nate – we need to coordinate internally with WDFW science team before we could agree on an instream flow rule amendment.

Sharon – the language in the letter does not obligate us to anything but asking Ecology the question about what their process is. Perhaps adding the clarification that we need **permanent** water in trust to do rulemaking would help us approve sending such a letter.

Brock – Can you clarify what this means for the County as far as timeline and development?

Mary Jo – this varies but growth has been much higher than originally projected.

Approximately 35 homes remain in the reserve but this varies based on whether homes are using COIC or IPID for outdoor irrigation, then it can accommodate more homes because for those we debit indoor water use only.

Melissa – Ecology can have internal discussions to get a sense of timeline for amending a rule.

Dan – the two components to getting a rule amendment done are 1) is there community support and 2) does Ecology have capacity to take on the rule amendment.

IWG Decision and Next Steps: 1) Ecology (Melissa and Tom) will inquire internally about the rulemaking timeline knowing that a letter requesting this will come from the IWG soon. 2) Cynthia will revise the draft letter to be clear about needing permanent water in trust before rulemaking. This revised letter to Ecology asking to get on their calendar for instream flow rule amendment will be circulated for review/refinement by the IWG before being finalized and sent to Ecology.

COIC Project Update

Water Right Change Report of Examination (ROE): When we met last with Steering Committee, the draft ROE was out for review. Some significant comments have been received by Ecology. Phil Leffler and Scott Turner with Ecology have been gathering additional information to respond to the comments on the draft ROE. Ecology staff completed a field visit to better understand the COIC and LNFH water systems and revisited adjudication records. Phil and Scott are working on a re-write of the ROE shoring up the conclusions that were made. Additional information includes COIC ledgers and accounting records, meeting minutes, and aerial mapping information which are all included. This information is helping describe the unique nature of the water right with the 1940 Ecology Change Authorization that splits use among both COIC and LNFH for fish propagation. Ecology hopes to share a re-write of ROE next week.

Tom expressed thanks to Ecology staff for going in depth to gather all of this additional information, it's been a lot of work.

The revised draft ROE will go out for another public comment period.

Funding: Greg reminded the group that there are two portions of funding: one is focused on 11.9 cfs instream flow benefit from diversion and the second is focused on 3.9 cfs instream flow benefit below the new pump station location. WWT is handling water transactions. Mike noted that a lot of construction funding is tied to results of the water right change process. Reclamation WaterSMART funding is in place, but may need to be extended as the construction schedule changes. Chelan County is applying for SRFB funding now as well.

Construction Timeline: Originally, Chelan County had planned to go out to bid this spring to meet the in-water work window in 2023. They cannot meet that schedule now as we wait for the resolution on the water right change and funding commitments. The bid process will go out this fall – likely September with construction in 2024. This is tied to funding being secured which is tied to the water right change. There are unknowns on construction costs with inflation and some uncertainty with funding requests.

The COIC team expects to request funding from the IWG to meet gaps. The COIC team will need to work with IWG on information and timing as the amount needed is not known right now.

Short Updates

- Lake releases for 2023- will meet in June to discuss release schedule, trust needs, etc.
- IPID Pump Station – the project team will meet in June to refine the preferred pump station location and discuss scope needs.
- Eightmile Draft EIS – public meeting tonight in Leavenworth at 6:30 PM
The draft EIS was released on April 19th with a 47 day review comment period ending June 5. One virtual public meeting was last week and another virtual meeting will be next week in addition to the in person meeting tonight. The powerpoint presentation is the same for all meetings and is available online.
- IPID screen is completed and in use now. Some adjustments need to be made.
- Tribal Fishery AMP – the committee met to review results of the geomorphic and hydraulic assessment and establish next steps. Next steps include developing a scope for feasibility of sediment management of the hatchery channel/plunge pool, developing a scope to fix issues at structure 5 regarding picket installation, develop conceptual designs for habitat projects in the historic channel, and more long-term evaluate fish passage improvement options at structure 2.
- LNFH SWISP – screens are in place and working. In-water work this year is focused on the new passage improvements.

Public Comment

David Ortman (Seattle WA) I have provided comments previously. IWG membership should be more clearly listed on websites. Meeting summaries should be available on the website sooner. Icicle Wilderness is a national treasure and should be identified and discussed in the text of the website in that way. Meeting schedules make it difficult for the public to participate, Ecology should make it a priority to avoid meeting conflicts across the state.

Action Items

1. Outreach: Peter will convene and outreach committee soon.
2. City of Leavenworth will present scope and status for Source Replacement Feasibility Study at July IWG meeting.
3. Proposed Habitat Assessment Project: Mike and Cory will coordinate follow up with CFS and Interfluve.
4. Instream Flow Rule Amendment
 - a. Ecology staff will do an informal timeline check in on Ecology rulemaking.
 - b. Cynthia will send out a revised letter to the IWG for review/refinement and approval before sending to Ecology.

Upcoming Meetings

June 8th Steering Committee

July 13 IWG meeting