

**Meeting Summary**  
**WRIA 54 & 57 Instream Flow Recommendation Work Group**

Tuesday, October 23, 2007  
1:30 p.m.—4:30 p.m.

**Location:** Washington Department of Fish & Wildlife, Spokane Valley, WA

**Meeting Purpose:** To discuss and propose approaches for the following:

- Setting control points in the stream – What are the control points? Are two or three potential points adequate? Monroe Street? Barker Road? Gun Club? Others?
- What is the geographic extent of the recommendation(s)?
- What are the flows that the Work Group wants?
- Should the Work Group address exempt wells in the instream flow recommendations?
- Should the WRIA 54 tributaries be recommendations out of the Planning Unit Plan or out of this instream flow Work Group? (Could the Work Group prioritize the mainstem of the Spokane River and focus on tributaries afterward?).

**Work Group members and guests recorded on the sign-in sheet were:**

<b>Name</b>	<b>Representing</b>
Bart Haggin	<i>Lands Council</i>
Charlie Peterson	<i>Spokane County Conservation District</i>
Doug Robison	<i>Washington Department of Fish and Wildlife</i>
Lloyd Brewer	<i>City of Spokane</i>
Mike Hermanson	<i>Spokane County</i>
Rachael Pascal Osborn	<i>Sierra Club &amp; Center for Environmental Law and Policy</i>
Rob Lindsay	<i>Spokane County</i>
Sara Hunt	<i>Department of Ecology</i>
Stan Miller	<i>Consultant to Spokane County</i>
Steve Skipworth	<i>Vera Water and Power</i>
Tim Vore	<i>Avista Corporation</i>
Ty Wick	<i>Spokane Aquifer Joint Board</i>
Blake Trask	<i>Triangle Associates</i>

**Action Items**

- Work Group will meet on December 11, 2007 to develop recommendations for the following items:
  - **Identifying control points in the Spokane River** – What control points should be used? Are one or two control points adequate or should three be adopted? These could include control points, such as Monroe Street, Barker Road, and/or Gun Club.
  - **What is the geographic extent of the instream flow recommendations?**
  - **What flows does the Work Group want to recommend?**
  - Should **exempt wells** be addressed in the instream flow recommendations?
  - Should the **WRIA 54 tributaries** be recommendations developed out of the **WRIA 54 Planning Unit Plan** or out of this **joint WRIA 54-57 instream flow Work Group?**

- Tim Vore will report back to the Work Group if the Avista flow data at Nine Mile Dam can be used as a control point.
- Sara Hunt will seek to address some of the following questions:
  - Which control points downstream are preferred to manage an instream flow and why? (Spokane Gage, Gun Club Gage, Nine Mile Gage)
  - What are the habitat concerns when setting a minimum flow at the Spokane gage—which reach is more critical?
  - What are the options/regulatory tools (state and local) for managing groundwater within the watershed? What are the pros and cons of those options
  - For the tributaries, including Deep, Coulee, Spring and Little Chamokane Creeks, is there sufficient data to set a minimum instream flow? Is the Toe Width Study in the EES Report sufficient?
- Mike Hermanson will begin running the Bi-State Aquifer Model for the 75% and 100% inchoate water right model run. He will report back at the December 11 meeting.
- Triangle Associates will make the necessary changes to the “live” White Paper.

### **Welcome and Introductions Agenda Review, Meeting Purpose, and Announcements**

Blake Trask welcomed the Work Group and outlined the purpose of the meeting and the planned agenda for the day. The Work Group reviewed and approved the September 25, 2007 meeting summary.

### **Setting control points in the stream**

Stan Miller and Mike Hermanson gave presentations to the Work Group.

**Stan Miller** explained the technical memorandum that he provided to the Work Group, including the following:

- He described his methodology and his findings in his technical memorandum.
- He posed the question, “If we meet the needs for juvenile and adult rainbow trout at Barker Road, what does that mean for other fisheries at other reaches along the River mean?”
- Stan summarized that if one is focused on rearing rainbow trout and mountain white fish, if one can achieve the goal set for Barker Road, flows will be adequate down the River. He noted that there are additional criterion that could be applied to change the desired flow levels, but that the analysis contained in his memo simply looked at aquatic habitat for Rainbow Trout and Mountain Whitefish.

Question: Why is there a discrepancy between the flow data from the Post Falls gage and the flows recorded at the Spokane gage?

Answer: It might be a result of gage automation: the gage is real time now. This situation highlights a recent issue where the Post Falls gage went up and Spokane gage did not change accordingly. This is the first time a discrepancy like this has taken place in 100 years of recorded data. Somewhere recharge was lost to the river. It was noted that the data that contains the discrepancy is provisional data and it has not been verified.

**Mike Hermanson** (see attachment #x, which contains a PDF of his PowerPoint presentation) presented the following:

- The control point chosen could determine the geographic extent of the recommendation.

- It would be possible to set a control point at Nine Mile, Gun Club, or Spokane. Where one sets it may determine the geographic extent. The location of the control point also will determine the issues that will have to be addressed (i.e., exempt wells, etc.).
- If a control point is set in WRIA 57, exempt wells would not be an issue to deal with because the majority of them are located downstream in WRIA 54.
- Assumption: It is difficult to gage below Nine Mile because Long Lake Dam does not operate as a run-of-river dam. The river between Post Falls and Nine Mile Dam could be gaged.
- If control points located lower on the river are used, exempt wells could become an issue. Even if the Work Group does not recommend using exempt wells, Ecology might consider including permit exempt wells in the rule.

Additional Work Group discussion points:

- It was noted that long-term data indicates that there is a linear relationship between the flows at different points along the Spokane River.
- Can a flow be set at Spokane Gage and relate it to Barker or Post Falls to set instream flows? One control point could likely be used instead of multiple control points.
- It was noted that Barker Road was the control point that the WRIA 55/57 Watershed Planning Group previously agreed on.
- The FERC discharge application was for 600 cfs at Post Falls, and for low flow years at 500 cfs. This application is ongoing.
- If one is certain of the linear relationship of river flow, a control point higher along the river could be used to manage flows downriver (e.g., using the Spokane Gage to manage instream flows in WRIA 54).
- A question was raised about using both control points and gages to improve the accuracy of instream flow information.
- An observation was made that financial resources may limit the number of gages and control points used.
- The idea of having a lower control point on the Spokane River would be that one would then control everything that is tributary to that point.
- Nine Mile as a control point would be able to measure flows in the lower channel of the Spokane River.
- Nine Mile Dam is a run-of-the-river dam.
- There was some discussion about FERC relicensing and the changes that may be made in the future to Nine Mile Dam. There may be limitations for placing a stream gage at the Dam—the validity of the discharge data would have to be studied before it could be used.

**What are the flows that the Work Group wants?**

Following the conclusion of the presentations and the discussions tied to Stan and Mike's presentations, the Work Group continued its discussion related to control points and instream flows, including:

- One participant observed that the control point location selected may be a moot point because of the linear relationship between flows at different points along the river.
- A question was asked if more information is required before one can assume this linear relationship.
- One suggestion to be made was to use the Planning Unit's previous recommendation for Barker as a control point.
- What should the Work Group use as criteria for setting the instream flows?
  - It was noted that water quality is not just based on aquatic habitat, but for beneficial uses such as aesthetics and recreation

- Does this Work Group want to look at the political-economic decision about setting North Channel flows at Spokane Falls?
- It was noted that overshooting flows (providing additional water in the river) is neither a concern nor is it perceived as a problem by WDFW for aquatic habitat.
  - Is the purpose to control flows (to actually depress them if necessary) in this Work Group?
  - Need to consider the tradeoffs of having higher or lower flows in the river.
- A Work Group member saw a presentation where it was mentioned that Ecology would like to see instream flows set at 10% exceedance flows (aiming for a flow that would be met 1 out of 10 years).
  - The rationale is that minimum flows that are set with a 100% exceedance could depress the river to minimum flows, thus limiting stream hydrograph variability. Such variability has been deemed important by scientific studies and stream hydrograph variability could be bolstered by setting an instream flow rule at 10% exceedance flows.
- There was a discussion about water reservations and their place in rule setting.

## **General Discussion Items**

### **Should the Work Group address exempt wells in the instream flow recommendations?**

The Work Group discussed issues related to possibly including exempt wells in its recommendations.

- The relationship of pumping in one basin and the effect of this pumping on adjacent basins (WRIAs 57, 55, and 54).
- Recent data was passed around the table that listed statewide rates of exempt well drilling by county (and how Spokane County ranks high for its number of exempt wells).
- Deep Creek and Coulee Creek are experiencing growth and new placements of exempt wells are likely growing. Exempt well problems could be an important issue to deal with in the future.
- A discussion occurred over whether exempt wells could affect instream flows or the aquifer at all.
- It was noted that additional information would have to be collected on the Deep Creek and Coulee Creek tributaries. Might need to establish a control point in a meaningful location near the tributaries. A control point in the Nine Mile location would be best to have a meaningful assessment of Deep and Coulee Creeks.
- One of the intentions to conduct instream flow studies on those aforementioned tributaries is to look at what the effects are on instream flows. A recommendation by the Work Group could be made to ask for additional studies. Additional investigation (and funding for those studies) on those tributaries would be better founded if the Work Group chooses to have a control point downstream.
- If one wants to include permit exempt wells in the rule recommendation, one probably should have a control point set at a lower location in the two WRIAs.
- If a control point is set at Nine Mile, exempt wells can be considered. Similarly, having a control point set at Nine Mile does not lock the Work Group into including WRIA 54 tributaries in the rule.
- A question was asked about whether the Work Group would look to set instream flows in the WRIA 54 tributaries.
- It was suggested that if one is looking at the local effects from permit exempt wells, there may be a high likelihood of seeing an effect from the wells on the tributaries.

- Does the instream flow setting process have to address exempt wells or can that be through another watershed planning process?
- Instream flow rules may be the most effective way to deal with exempt wells.
- A clarification was made that while they are popularly called instream flow rules, they are technically called “water management rules.”
- No decision was made on whether to address exempt wells or not, but discussions will continue at future meetings.
- Land use patterns were also seen as a potential contributing factor to exempt well issues.

### **Bi-state aquifer model—consideration of potential model runs**

Mike presented some of the models available and asked the Work Group if there was a priority for which model he should run first. After a discussion, he said he would begin running the first option, the 75% and 100% inchoate water right model. Mike explained that he would report back to the Work Group on the model’s status at the December 11 meeting.

### **Additional changes (or suggestions) made by the Work Group to the Elements/ Components Section of the White Paper included:**

#### **Exempt Wells**

- Need for additional information to quantify impacts of exempt wells (if the Work Group chooses to address exempt wells).
- Exempt wells primarily affect the West Plains. If Deep Creek and Coulee Creek sub-basins are considered, it would be good to use a control point lower on the river and it would be important to understand the influence of exempt wells in this geographic area.

#### **Tributaries**

- Need lower control point if we choose to include Deep Creek and Coulee Creek sub basins.

#### **Elements/Components of the Instream Flow Rule**

- Instream flow recommendations
  - What are the criteria we should use for setting instream flows?
    - Existing studies focus on aquatic habitat
    - Recreational uses
    - Aesthetics
      - Whether to consider North Channel flows as they relate to aesthetics (i.e., Avista relicense; 90.82 issues, and 401 certification)
      - North Channel flows are a subset of the overall instream flow question (which channel are flows directed to?), but still germane to recommending instream flows.
    - Which have a greater impact on aquatic habitat: lower or higher flows from the studies’ recommendations?
  - Overshooting with high flows is not a concern, meeting minimum flows are a higher priority
  - Balance of appropriate flows to account for concerns of waste water
  - What do we have now?
  - Data indicates that 600 cfs at Post Falls does not meet 500 at Barker, but it does meet the other goals for aquatic habitat at Monroe.
  - 550 cfs at Rifle Club would be exceeded 100% of the time

- How do inchoate rights affect this process?
- Instream flow monitoring, data collection, and analysis
- Measuring point(s) for instream flows
  - Post Falls could serve as a control point (one control point).
  - Barker could serve as a control point (based on the 55/57 watershed planning work group recommendation).
  - Consider a control point at the lower end of the stream, and one additional control point at Barker.
  - Nine mile represents an additional control point.
  - Lower control point might be necessary.
  - Nine Mile Dam control point: would need to validate Avista data if this data is adequate for ISF purposes
    - Is Nine Mile a gageable spot?
  - 55/57 recommends an ISF of 500cfs at Barker Road
  - Does this Work Group want to use this control point or another one? Should it follow from the 500

### Summary and Next Steps

Blake Trask explained that at the next meeting Bob Wheeler will walk through a set of ground rules for a decision making framework as the Work Group brings ideas for recommendations to the next meeting. He thanked the Work Group for meeting and adjourned at 4:30pm.

### Schedule and Tasks

The Work Group will meet on **December 11, 2007 from 1:30-4:30 pm at Spokane County Fire District 9, Station 93 building, 9915 West Charles Road located in Nine Mile Falls WA (nearby the Nine Mile HED)**. At that time the Work Group will look at Planning Unit operating procedures to develop a decision making framework in order to begin setting recommendations for instream flows. Future meetings with tentative meeting dates are shaded in gray.

ISF Work Group Dates	ISF Work Group tasks/products	Sub-Group Dates	Sub-Group tasks/products
Sept. 25	Develop template and approaches; element/component refinement and agreement, goals and objectives, and schedule	Oct. 23	See the action items list for Sub-Group goals in the October meeting
Dec. 11	Substantive development of document recommendations; fact finding		Development of sub-group information/recommendations
Jan. 22		Jan. 22	Compile sub-group information/recommendations to present to the ISF Work Group
March 25	Draft Issue Paper and Recommendations		
May 27	Finalize Issue Paper and Recommendations		