

CTUIR & OWRD
7/23/24 Staff-to-Staff Consultation
WWBWC Limited License Application Discussion Summary

Confederated Tribes of the Umatilla Indian Reservation Department of Natural Resources (CTUIR DNR) and Oregon Water Resources Department (OWRD) staff convened a staff-to-staff consultation meeting on July 23, 2024, to discuss a joint Hudson Bay District Improvement Company (HBDIC) and Walla Walla Basin Watershed Council (WWBWC) limited license application (LL application). The LL application requested continuation of the existing LL as requested and approved in 2019.

If approved, the limited license would enable the existing shallow aquifer recharge program to continue operating as is for an additional five years. The proposed purpose from the cover letter is to limit declines and stabilize alluvial aquifer levels by diverting up to 45 cfs and using to recharge at up to seventeen (17) existing recharge sites. The description from the application states the project intends to test artificial groundwater recharge at multiple sites throughout the Walla Walla Basin.

ORS Section 537.143 (8) states that “the department may not issue a limited license for the same use for more than five consecutive years.” There is an exception to 537.143 (8) but it involves secondary use permits and therefore does not apply to the proposed shallow aquifer recharge limited license application. To meet rule requirements, as well as changed circumstances in the basin, modifications to the proposal should be considered.

While there are activities underway that could modify and impact water availability in the future, as of now there is water currently available to support the LL application. However, since the shallow aquifer recharge program was developed, there has been an increased emphasis on acknowledging and protecting the value of winter stream flows, including peak and ecological flows. Potential modifications to consider to integrate winter stream flow values include:

1. Restricting period of use consistent with Division 33 Watermaster comments.
2. Revisiting Walla Walla River minimum flow requirements and potential utilization of WWW 2050/Stillwater Sciences ecologic flow recommendations during the period of use as condition for use.

Circumstances, that could inform what the LL is “testing” and the LL application monitoring plan, have changed in the Basin since the aquifer recharge program was initiated. The shallow aquifer recharge program and shallow aquifer recharge in general is identified as a priority strategy to achieve Walla Walla 2050 Strategic Plan (WW2050 Plan) desired future conditions. A joint Oregon-Washington-United States Geologic Survey (USGS) Basin Study is also underway and outcomes are expected to inform, among many things, how shallow aquifer recharge might provide benefits consistent with the WW2050

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plan in a more strategic manner. Potential modifications to consider to better integrate the LL application with changed circumstances include:

1. Improve/Integrate monitoring plan with ongoing USGS Basin study **if appropriate** - design monitoring plan to help fill data gaps, confirm assumptions, inform next steps, etc.
2. Improve/Integrate LL application “test” with information needed within the Walla Walla 2050 process – better identify what/who is benefiting, cost to provide those benefits, and willingness to pay for benefits received.

Review indicates that the LL application, as proposed, does not meet the requirements of ORS Section 537.143 (8) and must be modified to avoid denial. One approach the applicant could take to achieve this is making the LL application consistent with improved protection of winter stream flows and the ongoing USGS Basin Study and WW 2050 Plan.

Alternatively, ceasing the shallow aquifer charge program, in concert with targeted monitoring plan, could help identify and quantify the proposed benefits and beneficiaries of the program by eliminating the inputs.