



Oregon Solutions-WISE

June 27, 2012 Project Team Meeting Summary

RVCOG offices in Central Point

Participants:

Convener **Representative Peter Buckley**

Lesley Adams, Rogue Riverkeepers; **Amy Amrhein**, US Senator Merkley; **Bryan Baumgartner**, Rogue River Valley Irrigation District; **Carol Bradford**, Medford Irrigation District; **Mark Grenbemer**, Oregon Watershed Enhancement Board; **Jeff Griffin**, Governor Kitzhaber's Office; **Brian Hampson**, Rogue River Valley Irrigation District; **Craig Harper**, Rogue Valley Council of Governments; **Bob Hunter**, WaterWatch; **Kate Jackson**, Department of Environmental Quality; **Leigh Johnson**, Medford Water Commission; **Bob Jones**, Medford Water Commission; **Steve Mason**, WISE; **Larry Menteer**, Oregon Water Resources Department; **Bob Morris**, Talent Irrigation District; **Jim Pendleton**, Talent Irrigation District; **Ken Phippen**, (by phone) National Marine Fisheries Service; **Marilyn Rice**, Jackson Soil & Water Conservation District; **John Roberts**, Oregon Water Resources Commission; **Bill Ryan**, Jackson County Farm Bureau; **Roger Thom**, City of Medford; **Jim Thrailkill**, (by phone) US Fish & Wildlife Service; **Heather Tugaw**, Department of Environmental Quality; **Phil VanBuskirk**, Southern Oregon Research & Extension Center; **Henry Vaninetti**, Medford Irrigation District; **John Vial**, Jackson County; **John Ward**, Rogue Flyfishers; **Dawn Wiedmeier**, Bureau of Reclamation.

Staff:

Jim Jacks, Oregon Solutions

Welcome & Introductions:

Representative Buckley welcomed everyone and thanked them for participating. Individual self-introductions were made.

Workgroup Status Reports:

1. Agriculture/Irrigation District – Bryan Baumgartner summarized the Workgroup's recent activities. *See attached 6-14-12 and 6-26-12 Workgroup Meeting Summaries*
2. Instream – Bob Hunter summarized the Workgroup's recent activities. *See attached 6-13-12 and 6-26-12 Workgroup Meeting Summaries*
3. Municipal Stormwater – Kate Jackson described the agenda for the Workgroup meeting scheduled for later in the day. *See attached 6-27-12 Workgroup Meeting Summary*
4. Governance – Jim Jacks described the agenda for the Workgroup meeting scheduled for later in the day. *See attached 6-27-12 Workgroup Meeting Summary*

5. Communications/Media – Jim Jacks described Governor Kitzhaber’s June 19th visit, thanked Mark Grenbemer for briefing the OWRD new Deputy Director, and then talked about now that the Plan is close to being done, we can start sharing it with community leaders and doing public outreach.
6. EIS Funding – Jim Jacks explained the goal of developing three funding scenarios: federal, state, and local/private sector/foundation. It is likely we will need to pursue a hybrid of these three sources.

As per the co-conveners direction at the kickoff meeting, any WISE project team member has an open invitation to participate in any workgroup. A workgroup sign-up sheet was circulated for project team members. *Please see the attached and updated workgroup member list* (it is two pages) to see who is on which workgroups. If you want to join a workgroup please tell Jim Jacks.

EIS Agreement (Full Project or Multiple Phased EISs)?:

The critical question of do we pursue a “Full project” EIS or multiple “Phased project” EISs was discussed at length and in detail. About seven years ago the historical decision was to do a “Full project” EIS. The Project Team is interested in reconsidering this decision.

Some comments and questions during this discussion included:

1. NEPA is about (1) public involvement and (2) identifying impacts. All the rest is covered by permitting.
2. An option for the group to consider is to “fast track” one component of the WISE project and start construction as soon as the Record of Decision (ROD) is official. This means that while the EIS for the whole WISE project is being done, we simultaneously do the following: select a Phase I component, secure funding, design it, permit it, and do everything else possible up to construction. Construction must wait until after the ROD. ODOT and the Highway 62 project are an example of this approach.
3. We need to be really careful about a “fast track” approach and how we word this and structure it so that we avoid “predecisional” lawsuit risks.
4. Several of our components are the same in each alternative that the EIS would evaluate. It is possible to use one of these to take this fast track approach and avoid “predecisional” problems.
5. We should consider a “Programmatic” EIS. This is a whole project umbrella EIS which is broad in scope and less detail on each component than a regular EIS. Later on, you do more specific detailed work as you get to each particular component. For example the Yakima Basin has a Programmatic EIS and BLM did a multi-state Programmatic EIS for herbicide use.
6. Within a “Programmatic EIS” specific components do not necessarily require a full EIS. For instance irrigation districts doing a piping project would very likely only need a “Categorical Exclusion (CE) which takes 30 days and only a few thousand dollars. Some pieces of WISE might only need an Environmental Assessment (EA) which is less involved than a full EIS. However, doing things related to the dams will be a full EIS.
7. Q: Regardless of the EIS path chosen, can irrigation districts do piping projects on their own? A: Yes.
8. We should assume that our EIS will cost \$3 million dollars, take 3 years and the document will be three inches thick. The document will include both the Feasibility

Study and Environmental Impact Study (FS/EIS). The BOR FS/EIS process includes several phases. We appear to be in the BOR's "Assessment Phase."

9. The BOR's WISE authorization indicates that the EIS is a 50/50 cost share. So, \$1.5 million needs to come from non-federal sources. In addition, we need to successfully advocate for the \$1.5 million federal dollars that would be both authorized and appropriated to go in BOR's budget for WISE.
10. Q: Does the \$243,000 grant from the Oregon Water Resources Department "count" towards the local cost share? A: Yes.
11. Q: Rep. Buckley asked if other state investment in WISE would count as local cost share? A: Yes. However, if the state money originally came from federal sources then it would not count.
12. Q: Does a decision about what kind of EIS to pursue need to be made before the end of the Oregon Solutions process? A: Yes.
13. Q: What is the existing BOR authorization? A: Dawn Wiedmeier & Jim Jacks will get it.

Who Does EIS (BOR or WISE with consultant)?:

During this short discussion Dawn Wiedmeier indicated that it is possible to do it either way. However, the BOR prefers to be the lead.

The WISE Project Team unanimously **agreed** that the Bureau of Reclamation would be the lead to do the EIS.

Review, Discuss & Agree on Draft Plan:

The Project Team reviewed and discussed the latest version of the Plan. Staff had emailed the draft a few days before the meeting and also distributed hard copies at the meeting. Project Team members thought this was on the right track and suggested several changes. These revisions have been made. *See attached Draft Plan.*

Governance Discussion Begins:

The Project Team made some brief comments recognizing how important this topic will be to successfully moving forward to implement WISE. A couple of Project Team members indicated they would be joining the Governance Workgroup meeting later in the afternoon.

Declaration of Cooperation:

Jim Jacks distributed copies of the Declaration of Cooperation (DoC) for the Gateway Green project to the Project Team. The WISE DoC format is likely to look a lot like this. Jim asked the group to look at the agreements section and think about whether this will serve their needs. The Project Team thought was helpful to see a real DoC from another project.

Action Items/Next Steps:

- **Jim Jacks** will make the suggested revisions to the Draft Plan and circulate to the group.
- **Steve Mason & Dawn Wiedmeier** will have a meeting with appropriate BOR staff (including Wendy Christiansen) to discuss EIS (programmatic, full, or multiple) options and related questions. They will report back at the July 31st meeting.
- **Jim Jacks** will add Jeff Griffin to the federal funding Congressional strategy meetings/calls.

- **Jim Jacks and Dawn Wiedmeier** will track down the existing BOR authorization for the WISE project and share at the July 31st meeting.
- **Jim Jacks & Steve Mason** will circulate Draft DoC sections to each participating organization before the July 31st Project team meeting for their review, feedback and revisions.
- **Everyone** -- Next Project Team meeting is Tuesday, July 31st from 8:30 am – 12:00 pm at RVCOG.
- **Jim Jacks** will send a doodle poll to schedule the August Project Team meeting date.

Adjourn:

Representative Buckley thanked RVCOG for hosting us this time and for hosting us next time and adjourned the meeting at 11:15 am.