

Section 1

Introduction and Purpose

1.1 Overview of the Watershed Planning Process

Every Water Resource Inventory Area (WRIA) in the State of Washington has unique water resource issues. Watershed planning provides a method to help balance the competing demands upon water resources. These demands include irrigated agriculture, which provides a significant economic base in WRIA 35 – Middle Snake River Basin; and although the current population base is not as large as other watersheds across the state, water is still needed to meet domestic, commercial and industrial needs. Critical habitat for fish species listed under the federal Endangered Species Act, and a diversity of non-listed fish and wildlife are also supported by water resources in the Basin. Moreover, segments of the surface water system within the WRIA have been identified for clean-up plans (TMDLs) under the Clean Water Act. Finally, the Basin's water resources offer recreational opportunities and natural beauty for citizens and visitors alike.

Given a limited resource and a range of potentially competing needs for water, it has historically been difficult for citizens, businesses and public agencies to make water-resource management decisions without some controversy. The State of Washington's Watershed Planning program offers a tool that is designed to allow for local guidance in identifying, prioritizing and developing solutions to water resource management issues within the state's watersheds, including the WRIA 35 Basin.

1.1.1 Background and Legal Basis for Planning

In 1998, the Washington State Legislature passed the Watershed Management Act (Chapter 90.82 RCW; ESHB 2514) to provide a framework for citizens, interest groups, and government organizations to join together to develop a management plan for water resources in each of the State's major watersheds as described in Chapter 173-200 WAC. The Watershed Management Act (WMA) enables, but does not require, local groups called "planning units" to form for the purpose of conducting planning. Funding is provided through the WMA for areas in Washington State that wish to undertake planning and specifies ground rules for use of the funding. WMA identifies a group of "initiating governments" that are empowered to select a lead agency, apply for grant funding, determine the overall scope of planning, and convene a "Planning Unit." The initiating governments include specified county and city governments, certain public entities that distribute water supply, and tribes with reservation lands within the watershed.

The WMA identifies the Planning Unit as the group that develops and initially approves the watershed plan. It calls for either a consensus approval by all members of the Planning Unit, or a consensus of the governmental members and a majority vote by remaining members of the Planning Unit. Following approval by the Planning Unit, WMA calls for a joint session of the

legislative bodies of all counties in the watershed to consider the plan. The county legislative bodies can recommend changes in the plan, but only the Planning Unit can make such changes. Once the plan has been approved by both the Planning Unit and joint session of county legislative bodies, it requires counties and State agencies to implement plan elements which they agreed to be obligated to implement.

Three phases of planning are identified in the law:

- Phase I: Organizing Phase
- Phase II: Assessment Phase
- Phase III: Planning Phase

The watershed assessment developed under Phase II must meet the following general objectives:

- *Level 1 Assessment:* A comprehensive compilation and review of existing data relevant to defined watershed plan objectives. If the Planning Unit determines that existing data is sufficient to support needed management decisions, they may choose to bypass Level 2 and move straight to Level 3 and Phase III. This determination could be made separately for the various issues being considered, or for different sub-basins.
- *Level 2 Assessment:* Collection of new data within the time frame of the planning process, to fill critical data gaps and support well-defined decision needs.
- *Level 3 Assessment:* Long-term monitoring of selected parameters following completion of the initial watershed plan. The data collected over time can be used to improve the watershed management strategies in the long term, using “adaptive management.”

Phase I has been completed. This document contains a summary of the Phase II Level 1 Assessment.

In addition to outlining the process for development of a watershed plan, the WMA specifies certain types of information that must be addressed during the watershed planning effort. The general areas of concern include: water quantity, instream flows, water quality, and habitat. Water quantity is a required element, while the remaining three are optional. All four topics are being addressed in WRIA 35. Required water quantity elements include:

- An estimate of the total water resources present in the basin, the amount available, the quantity of existing water rights (including claims and federally reserved rights), and the quantity of water actually used in the watershed,
- An estimate of future needs,
- Identification of areas where aquifers are recharged and where they discharge to surface water bodies,

- An estimate of surface and groundwater available for future appropriation, taking into account minimum instream flows for fish.

To accompany these general guidelines, the WMA outlines a range of specific water-resource management issues to be addressed for each of the four topic areas (see Table 1-1), each of which is addressed in this document. The only exception is the habitat component which is evaluated under the subbasin planning work being completed concurrently under the Northwest Power Planning Council/Bonneville Power Administration and under the Washington State Salmon Recovery Plan being developed by the Lower Snake Salmon Recovery Board. The work from these planning efforts will be incorporated into the watershed plan during the Phase 3 planning activities.

In accordance with the WMA, the initiating governments for the WRIA 35 basin designated Asotin County PUD as the lead agency for watershed planning. Accordingly, the Asotin PUD received grant funding from the State of Washington and contracted with the Department of Ecology (Ecology) to conduct this watershed planning effort. In so doing, a principle is established for coordinating on-going efforts within the watershed and minimizing duplication of effort among local, State, federal, and tribal governments for the WRIA 35 Watershed Plan.

Table 1-1
Technical Assessment Requirements of the Watershed Management Act

<p><i>Water Quantity/ Instream Flows</i></p> <p><i>RCW 90.82.070</i> <i>RCW 90.82.080</i> <i>RCW 90.82.085</i></p>	<ul style="list-style-type: none"> • Estimate of surface and ground water present in the management area. (See Assessment Sections 3-6, 7, 8) • Estimate of surface and ground water available in the management area, taking into account seasonal and other variations. (Sections 3-6, 7, 8) • Estimate of the water in the management area represented by claims in the water rights claims registry, water use permits, certificated rights, existing minimum instream flow rules, federally reserved rights, and any other rights to water. (Sections 2, 3-6) • Estimate of the surface and ground water actually being used in the management area. (Sections 3-6, 7) • Estimate of the water needed in the future for use in the management area. (Sections 3-6) • Identification of the location of areas where aquifers are known to recharge surface bodies of water and areas known to provide for the recharge of aquifers from the surface. (Section 7) • Estimate of the surface and ground water available for further appropriation, taking into account the minimum instream flows adopted by rule or to be adopted by rule under this chapter for streams in the management area including the data necessary to evaluate necessary flows for fish. (Sections 3-6, 7, 9) • Identify various instream flow requirements as they apply in support of anadromous fish passage, hydroelectric power, recreation, pollution abatement and other notable demand. (Section 9)
<p><i>Water Quality</i></p> <p><i>RCW 90.82.090</i></p>	<ul style="list-style-type: none"> • An examination based on existing studies conducted by federal, State, and local agencies of the degree to which legally established water quality standards are being met in the management area. (Sections 3-6) • An examination based on existing studies conducted by federal, State, and local agencies of the causes of water quality violations in the management area, including an examination of information regarding pollutants, point and nonpoint sources of pollution, and pollution carrying capacity of water bodies in the management area. The analysis shall take into account seasonal stream flow or level variations, natural events, and pollution from natural sources that occurs independent of human activities. (Sections 3-6) • An examination of the legally established characteristic uses of each of the non-marine bodies of water in the management area and the impacts to beneficial or characteristic uses caused by changes in watershed hydrology. (Sections 3-6) • An examination of any total maximum daily load established for non-marine bodies of water in the management area, unless a total maximum daily load process has begun in the management area. (Sections 3-6) • An examination of existing data related to the impact of fresh water on marine water quality. (not applicable in WRIA 35)
<p><i>Habitat</i></p> <p><i>RCW 90.82.100</i></p>	<ul style="list-style-type: none"> • The Watershed Planning Act contains no specific requirements for technical assessment regarding the habitat component. However, where “habitat restoration activities” are being developed under the Salmon Recovery Act, such activities must be relied on as the "primary non-regulatory habitat component" under the Watershed Management Act. The watershed assessment and planning is relying upon the subbasin planning and Lower Snake Salmon Recovery planning (includes WRIA 35) processes for the habitat assessment and strategy. • The Salmon Recovery Act requires analysis of "limiting factors" in developing a habitat project list. Limiting factors are defined as "conditions that limit the ability of habitat to fully sustain populations of salmon.... primarily fish passage barriers and degraded estuarine areas, riparian corridors, stream channels and wetlands." The discussion of the Salmon Recovery Act in the law appears to indicate that planning units should rely on studies conducted under the SRA wherever possible, rather than undertaking separate studies. Note: the Limiting Factors Analysis is incorporated into the subbasin plan and salmon recovery plan.

1.1.2 Involved Parties

As part of activities under Phase I of watershed planning, the Asotin PUD convened organizational meetings and established a core Planning Unit and Steering Committee with representation from various agencies and stakeholders in WRIA 35. In addition to the core Planning Unit, four primary specialized committees were organized: Water Quantity/Instream Flow, Habitat, Water Quality, and Public Information/Outreach. Entities in the watershed, including local, state, and federal agencies, are represented on the Planning Unit or one of the committees in a voting capacity. Agency representatives also provide assistance and guidance. Those entities involved in watershed planning for WRIA 35 are as follows:

- Private landowners and land managers
- City of Clarkston
- City of Pomeroy
- Town of Starbuck
- Asotin County
- Garfield County
- Columbia County
- Whitman County
- Palouse Conservation District
- Asotin County Conservation District
- Pomeroy Conservation District
- Whitman Conservation District
- Asotin County DEM
- Asotin County PUD
- Port of Clarkston
- Washington State University Cooperative Extension
- Washington Dept. of Fish & Wildlife
- Washington Dept. of Ecology
- Snake River Salmon Recovery Board
- Tri-State Steelheaders
- Asotin County Sportsmen Association
- Confederated Tribes of the Umatilla Indian Reservation
- Nez Perce Tribe

- Umatilla National Forest
- United States Dept. of Fish & Wildlife
- NOAA Fisheries Service

1.2 Level 1 Assessment Details

1.2.1 Goals and Objectives

Since its formation, the WRIA 35 Planning Unit has expressed a wide range of goals and objectives for the planning process. Fundamentally, the group chose as part of the original grant application to address the one required element (water quantity) and all three optional parts (instream flows, habitat and water quality). The group further decided to seek consulting assistance in completing Phase II, Level 1 assessment work.

Economic and Engineering Services, Inc. (EES) and its consulting partners were retained to complete a Level 1 Technical Assessment of water quantity/instream flow and water quality in the WRIA. Habitat assessment was to be coordinated with the Subbasin Planning work currently being developed. As part of contracting for this work, a set of goals were established, as outlined in the consultant scope of work approved in December 2003. The purpose of this work is to develop an efficient “Level 1” Assessment for Water Resource Inventory Area (WRIA) 35 wherein capitalizing on existing data and reports to the maximum extent possible, while leaving adequate resources for the “Level 2” process. The primary goals for this work are to:

- Review existing data and make a determination as to the adequacy of that information in quantifying the resources in the WRIA, both in terms of water quantity/instream flow, water quality, and habitat;
- Use this information in assisting the Planning Unit to identify the issues and priorities that will be relevant in creating a future management plan for the WRIA.
- In addition, the Level 1 assessment will identify any existing data gaps required in meeting those objectives, along with prioritizing the type of information that will be needed (if any) in making decisions as to the availability of water for both future in and out of stream uses. This information will be used as a guide in conducting future Level 2 assessments (as required), involving the refinement of data and analyses and/or the collection of additional data and information necessary in completing an overall watershed management plan.
- The Level 1 Assessment will establish a ‘water balance’ for the WRIA and identify any water quality limitations present that may prevent future access to the resource. In turn, the information collected will be used to make recommendations to the Planning Unit as to the adequacy of the data in accurately defining the basic hydrologic elements for the WRIA, as

well as establish the range of uncertainties that exist within that knowledge base as it relates to the creation of a future watershed management plan.

1.2.2 Assessment Document Structure

This Level 1 Assessment document is organized in such a way as to group the information by resource or related topic. The Level 1 assessment also includes separate sections for the four major geographical areas defined as “Implementation Areas” which focus on the surface water resources and water quality specific to those areas. The definition of implementation areas is discussed further in Section 2.

An outline of the documents contents are as follows:

- Section 1 – Introduction and Purpose
- Section 2 – Watershed Characteristics and Planning Data
- Section 3 – Asotin Creek Implementation Area
- Section 4 – Middle Snake River Implementation Area
- Section 5 – Pataha Creek Implementation Area
- Section 6 – Tucannon River Implementation Area
- Section 7 – Ground Water Resources
- Section 8 – Water Balance
- Section 9 – Instream Flow
- Section 10 – Recommendation and Conclusions

1.2.3 Limitations

It is recognized that this assessment document may not provide complete and detailed information for all water resource management strategies or water quality actions that may be considered in the Planning Phase. Further, the collection of existing data is subject to time and budget limitations. Some data may be “existing” but not readily available during the assessment phase due to its format or extent. Despite these limitations, this Assessment Document represents a collection and analysis of the best information available in WRIA 35 and lays the foundation for development and subsequent implementation of a comprehensive watershed plan. Consistent with the requirements of RCW 90.82.120, nothing within this Assessment shall:

- Conflict with existing state statutes, federal laws, or tribal treaty rights;
- Impair or diminish in any manner any existing water rights;

- Require a modification in the basic operations or a federal reclamation project with a water right priority date before June 11, 1998, or alter in any manner whatsoever the quantity of water available under the water right for the reclamation project;
- Affect or interfere with an ongoing general adjudication of water rights,
- Modify or require the modification of any waste discharge permit issued under chapter 90.48. RCW;
- Modify or require the modification of activities or actions taken or intended to be taken under a habitat restoration work schedule developed under chapter 246, Laws of 1998; or
- Modify or require the modification of activities or actions taken to protect or enhance fish habitat if the activities or actions are consistent with the parameters and requirement of RCW Chapter 90.82.120(1)(g).

In addition the identification and estimation of surface and ground water rights for various entities and persons contained within this assessment report are for the sole purpose of estimating water availability, water needs, and to provide a general understanding of water-resource and management issues in each basin to assist in watershed planning. The estimations of water rights are neither an admission nor an opinion on the validity or extent of any respective water right by any participant in the planning process, or any other entity or person identified within the Watershed Assessment.

1.3 Coordination with Parallel Planning Activities

In virtually every basin around the State, a variety of regulatory programs, ongoing water resource management activities, and past or ongoing studies must be factored into watershed planning. A watershed plan under the WMA does not supersede other federal, state, or local requirements but instead provides a framework for state, local, and even federal agencies to modify and coordinate existing or pending actions to reflect documented findings and local management direction in each watershed. If there is clear definition and broad support of planning recommendations, State and federal agencies may construe the watershed plan as an expression of the public interest, lending significant credibility and support for consistent and complementary agency actions. For example, forming water quality improvement strategies in line with State Total Maximum Daily Load requirements can improve coordination between local initiatives and state and federal requirements. Establishing similar formal and informal linkages between the watershed planning process and other programs can be a valuable tool to coordinate planning and management.

Table 1-2 lists a variety of programs at the local, tribal, State, and federal level that are relevant to watershed planning. The table also summarizes potential relationships between watershed planning and related programs. In some cases, programs may be viewed as a direct input to watershed planning, such as the parameters established by county or city land use planning documents. In other cases, existing programs may constrain available options for watershed

management, or provide valuable data sources. In the long-term, planning units may wish to consider how implementation of the watershed plan can dovetail with other planning activities that are funded as part of routine government operations.

1.3.1 Salmon Recovery Act

The Washington State Legislature passed the Salmon Recovery Act (RCW 70.46; ESHB 2496) during the same session as the WMA. The Salmon Recovery Act (SRA) specifies a process for prioritizing habitat restoration projects in a “habitat projects list” for each region of the State. It requires a “critical pathways methodology” for development of the habitat projects list. One component of this methodology is a “limiting factors analysis” addressing habitat conditions for salmon in each region. The State Conservation Commission is responsible for developing the limiting factors analysis for each WRIA.

The SRA is directly linked with the WMA that requires “where habitat restoration activities are being developed under [the SRA], such activities shall be relied on as the primary non-regulatory habitat component for fish habitat.”

The WRIA 35 Limiting Factors Analysis was published by the State Conservation Commission in March 2002 and was used extensively in preparation of this document. In addition, the Lower Snake River Salmon Recovery Board has been organized and is responsible for addressing SRA issues in the Snake River Basin, which includes WRIA 35. Watershed planning efforts are being closely coordinated with salmon recovery efforts. The recovery strategy and associated actions will be the habitat component of the watershed plan along with the subbasin plans (see below). This habitat assessment will be supported by SRA activities and will ultimately be integrated into the WRIA 35 watershed plan. By maintaining close ties, the development of State and federal recovery plans will be anticipated, tracked, and integrated into the watershed planning process in the assessment, plan development and plan implementation stages.

1.3.2 Subbasin Planning Efforts

The 2514 Watershed Planning effort will integrate portions of the Bonneville Power Administration/Northwest Power Planning Council’s (NPPC) Subbasin Planning initiative. The Subbasin Plans include hypotheses, objectives and strategies that have been identified for specific priority geographic restoration areas to improve habitat conditions for salmonid lifestages. Management strategies address stream, riparian and upland practices in both urban and rural settings within the priority restoration areas. Draft subbasin plans have been completed in May 2004 for each the geographic areas encompassing WRIA 35, with final plans expected in early 2005. Development of the subbasin plans have been supported by the WRIA 35 Planning Unit, and the strategies will serve as the primary list of strategies to be applied to improve habitat conditions throughout the watershed along with strategies and actions in the regional salmon recovery plan (see above).

Table 1-2 Relationship of Existing Programs to Watershed Planning					
Gov't. Level	Program	Relationship to Watershed Planning			
		Data Availability	Constraint on Mgmt Options	Potential Funding Source	Implementation Tool
Local	County-wide Planning Policies				X
	Comprehensive Plans	X			X
	Coordinated Water System Plans	X			X
	Drinking Water Source Protection Plans			X	X
	Shoreline Master Plans				X
	Salmon Recovery Plans/Documents	X	X		X
	Nonpoint Source Control Plans	X		X	X
	Stormwater Plans	X		X	X
	Onsite Septic System Inventory	X			
	Critical Areas Ordinance				X
	Water System Plans	X			X
	Water Conservation Plans				X
	Wastewater Plan	X		X	X
	Irrigation District Plan			X	X
	Groundwater Management Plans	X			X
Tribal	Fishing Rights		X		
	Reserved Water Rights		X		
	Hatchery Plans				X
	Local Gov't. Planning Functions	(See Local)			X
State	Water Rights Records	X	X		
	Instream Flow Regulations/Studies	X	X		
	Salmon Recovery Plans	X	X	X	X
	Wastewater Permit Life Cycle System	X	X		X
	TMDL Studies/Water Quality Plans	X	X		X
	WQMA Needs Assessment	X			
	Designated Use Regulations	X			X
	Water Quality Program	X		X	X
	Drinking Water Grants/Loans			X	X
	Water Quality Grants/Loans			X	X

Table 1-2 cont					
Gov't. Level	Program	Relationship to Watershed Planning			
		Data Availability	Constraint on Mgmt Options	Potential Funding Source	Implementation Tool
State (cont.)	Forest Practices Watershed Analysis	X	X		
	Limiting Factors Analysis (2496)	X	X		
	Hatchery Plans				X
	DOT Fish Passage Grant Program	X	X	X	X
	Water Resources Program	X		X	X
Regional/ Federal BPA/NPPC NOAA Fisheries USFWS USBR ACOE FERC	ESA Listings/ Documentation	X	X		
	Irrigation Projects	X	X		
	Flood Control	X	X	X	X
	Wetlands		X		
	Hydropower	X	X		
	Subbasin Planning	X			X