

January 28, 2019

Mr. Dan Butterfield
Wallowa Lake Irrigation District
85393 Bicentennial Lane
Joseph, OR 97846

Subject: Wallowa Lake Dam Rehabilitation
 Letter of Support

Dear Mr. Butterfield:

NRCS is currently working with Irrigators in the WLID (Wallowa Lake Irrigation District) and has had great success in the past working on irrigation efficiency improvements within the WLID. We are excited for the opportunity to assist and potentially leverage additional Federal funds to support the overall irrigation modernization within WLID. The rehabilitation of the dam will not only help to ensure the safety of the communities downstream but will allow water storage to return to its former capacity allowing more water to be stored for irrigation and fish. We are encouraged that State of Oregon funding will allow the Project to move rapidly forward with a construction completion by spring of 2021. We are eager to participate in the process to discuss and develop the final Project rehabilitation design. We look forward to working with the WLID and the project stakeholders to advance the Project in the coming months. Please do not hesitate to contact us if you need additional information.

Sincerely,



Abe Clark
USDA-Natural Resources Conservation Service
401 NE 1st Street Suite E
Enterprise, Oregon 97828
(541) 263-3044 Direct Line (541) 426-4521 Office
Abe.clark@or.usda.gov

CITY OF JOSEPH

201 N. Main
Joseph, Oregon 97846

January 30, 2019

Mr. Dan Butterfield
Wallowa Lake Irrigation District
85393 Bicentennial Lane
Joseph, OR 97846

Subject: Wallowa Lake Dam Rehabilitation
 Letter of Support

Dear Mr. Butterfield:

We appreciate the opportunity to participate in the Wallowa Lake Irrigation District (WLID) information and strategy meeting held at the City of Joseph Community Center on January 16, 2019 for the Wallowa Lake Dam Rehabilitation (Project). The presentation provided by Mort McMillen provided us with a firm understanding of the history of Wallowa Lake Dam, the work completed to date, and the proposed strategy to move forward with the Project development and implementation utilizing the potential State of Oregon funding. We recognize the importance of Wallowa Lake Dam and Reservoir to the community. The reservoir storage provides flood protection to the downstream communities of Joseph, Enterprise, and Wallowa, as well as serving as the engine for the local economy. Incorporating fish passage into the dam as part of the Project implementation provides the stakeholders and resource agencies valuable facilities in managing local fishery resources and planning for potential Sockeye Salmon re-introduction in Wallowa Lake.

We have worked with the WLID over the past years in the planning of the Project and discussion of issues important to consider in the Project implementation. We are excited about the opportunity to obtain State of Oregon funding which would allow the Project to move rapidly forward with a construction completion by spring of 2021. The three-phase project development strategy outlined by Mort McMillen provides a logical process and timeline to implement the Project while maintaining strong stakeholder participation. We are excited to participate in the process to discuss and develop the final Project rehabilitation design which incorporates features to address our specific concerns. We fully support the WLID proposed strategy, work activities, and timeline, and are committed to working closely with the WLID to advance the project through the preplanning, final design and regulatory/permitting, and construction phases.

We look forward to working with the WLID and the project stakeholders to advance the Project in the coming months. Please do not hesitate to contact us if you need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Sajonia, Mayor". The signature is written in black ink and is positioned above the printed name and title.

Teresa Sajonia
Mayor, City of Joseph



February 5, 2019

The Honorable Kate Brown
Office of the Governor
900 Court Street NW, Suite 254
Salem, OR 97301

Re: Oregon State Budget Allocation of \$16 million for Wallowa Lake Dam

Dear Governor Brown:

It was with great interest that we learned of the \$16 million grant included in your 2019 budget to rebuild the Wallowa Lake dam. This project presents a tremendous opportunity to benefit not only out-of-stream uses, but to also restore summer in-stream flows to the benefit of regional downstream and upstream ecosystems and the species that depend upon them. While we are encouraged to see the proposed investment of public dollars in this project, we are concerned that the approach utilized is unduly narrow.

In its Treaty of 1855, 12 Stat. 945, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) reserved rights to fish, hunt, and gather in its traditional use areas. The CTUIR has been a steward of the salmon since time immemorial, and for the past many decades has worked with its co-managers in the Columbia Basin to restore salmon throughout this vast ecosystem, including the Wallowa Valley. As a fisheries co-manager in common with other tribal, state, local and federal entities, it is incumbent that the CTUIR be included in the discussions and planning regarding this auspicious project.

We also are concerned by the selection of the Special Public Works Fund for this water supply development project. The proposed \$16 million public investment in Wallowa Lake dam will increase the storage capacity of Wallowa Lake by up to 15,000 acre-feet annually. This additional stored water will create a tremendously valuable new asset. However, unlike the Water Supply Development Account (ORS 541.656), the Special Public Works Fund includes no assurances that the public will receive any of the benefits of this new stored water. Given the substantial public investment in this project, we are confident the State wishes to ensure that the public will enjoy the benefits of this new water.

This project offers a tremendous opportunity to respond to economic, social, and environmental benefits by storing water for the irrigated agricultural community, increasing the security of downstream municipalities, and providing both in-lake and in-stream fisheries benefits that will in turn contribute to the region's tourism economy, as well as provide for new and improved treaty-reserved fishing opportunities.



To that end, we are including with this letter an assessment we conducted last year regarding the in-stream flows needed below the Wallowa Lake dam to support the reintroduction of sockeye salmon, which have been extinct in the Wallowa for more than a century. As your representatives in *United States v. Oregon* will tell you, sockeye restoration to the Wallowa River has been a goal of co-managers for many years. Further, restoring summer in-stream flows also would revitalize the local recreation economy, supporting rafting and angling businesses that have been severely impacted by a changing climate. These gains can be accomplished without detriment to the local agriculture industry.

Your stated goals in the 2017 Integrated Water Resources Strategy include investing in both Oregon's in-stream and out-of-stream needs. This project provides a tremendous opportunity to do so. We look forward to working together closely to ensure that it does.

Respectfully,

Gary Burke,
Chairman, Board of Trustees
Confederated Tribes of the Umatilla Indian Reservation

Encl.

CC: WLID
NPT
ODFW
Oregon Water Resources Congress
WaterWatch



1114 J Ave.
La Grande, Oregon 97850

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<http://www.grmw.org>

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January 28, 2019
Mr. Dan Butterfield
Wallowa Lake Irrigation District
85393 Bicentennial Lane
Joseph, OR 97846

Subject: Wallowa Lake Dam Rehabilitation Letter of Support

Dear Mr. Butterfield:

Grande Ronde Model Watershed (GRMW) attended the Wallowa Lake Irrigation District (WLID) information and strategy meeting held in Joseph, Oregon on January 16, 2019. The presentation given by Mort McMillen of McMillen Jacobs Associates (MJA) informed attendees what the project is; who the project team is comprised of; anticipated implementation schedule; and expected deliverables at completion. This project, preceded by 17-years of preliminary engineering, mapping, fish passage concept development, and watershed hydrology analysis includes preplanning, permitting, final design, and construction led by the project team of WLID and MJA. This 3-phased approach to rehabilitate the Wallowa Lake Dam has begun with preplanning work in progress followed by permitting and design in the fall of 2019.

Construction is anticipated during the 1-year period starting in June 2020 and ending in June of 2021. Final deliverables include a rehabilitated structure that continues to provide downstream flood protection for Wallowa Valley communities; a structure that includes fish passage; a dam that meets or exceeds Oregon dam safety requirements; allows WLID to store their permitted amount of water; and a facility that is the foundation for future water conservation efforts in Wallowa County.

Irrigation water stored in Wallowa Lake serves just over 16,000 irrigated acres in the Prairie Creek area. Water storage and delayed runoff in the Wallowa River system has allowed for the development of additional supplemental water rights in the middle and lower areas of the Wallowa Valley. The Cross-Country Canal built in 1935 conveys water from the Wallowa River to irrigated areas of the Lostine River and Bear Creek. These additional irrigated acres, permitted after the construction of Wallowa Lake Dam, demonstrate the value of stored water to agriculture in Wallowa County. This stored water has also benefited fisheries by keeping irrigation influenced river reaches watered during irrigation season. Without stored water, additional reaches of the Wallowa River, Lostine River and Bear Creek would be dry during irrigation season. Restoring reservoir storage capacity to permitted elevation will benefit both farming and fisheries in Wallowa County.

WLID Irrigators have been proactive in water conservation over the past decade. In that time, they have converted irrigation delivery to 11,000-acres from open earthen canal to enclosed pipeline eliminating seepage and evaporation, reducing pumping cost, reducing waste water, and improving flow in the Wallowa River. This near 70% conversion of Prairie Creek irrigated acres from open canal to pipeline conveyance; the recent formation of the Wallowa Lake Irrigation District; and their willingness to engage stakeholders regarding the Wallowa Lake Dam

Cooperators: Union County • Wallowa County • Northwest Power Conservation Council • Bonneville Power Administration
Oregon State Natural Resource Agencies; ODFW, ODF, OWEB, ODA, OWRD, DSL, DOGAMI, EDD, DEQ
Eastern Oregon University • Union & Wallowa Soil & Water Conservation Districts • Oregon Cattlemen's Association
Boise Cascade Corporation • U.S.D.A. Forest Service & Natural Resources Conservation Service • U.S.D.I. Bureau of Reclamation

demonstrates the proactive nature of the District.

Consistent with the Oregon Plan for Salmon and Watersheds this project benefits community, economy and watersheds. The rehabilitation of the Wallowa Lake Dam provides the foundation for future improvements including fisheries and the reintroduction of sockeye salmon to Wallowa Lake, potential hydropower generation, and improved water management in both Prairie Creek and the rest of the Wallowa Valley. As such, GRMW looks forward to supporting this effort to the extent we are capable.

GRMW feels that the team of WLID and MJA is well qualified to plan, permit and implement this project. For the reasons stated in this letter GRMW supports State of Oregon funding for the rehabilitation of the Wallowa Lake Dam.

Sincerely,



Jesse Steele, GRMW Executive Director



Susan Roberts, GRMW Board Chair



Nez Perce

TRIBAL EXECUTIVE COMMITTEE
P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

4 February 2019

Governor Kate Brown
Office of the Governor
900 Court Street NE, Suite 254
Salem, OR 97301-4047

Re: Wallowa Lake Dam Rehabilitation and Fish Passage

Dear Governor Brown:

The Nez Perce Tribe (Tribe) writes to state its support for state funding of rehabilitation of the Wallowa Lake Dam, and for fish passage to and from Wallowa Lake. The Tribe is copying the Wallowa Lake Irrigation District (WLID), the owner of the dam, with this letter to indicate our support as a cooperating partner.

The Nez Perce Tribe is a co-manager of the fisheries resources in Northeast Oregon, including those in the Wallowa River and its lake. Most of what is now Northeast Oregon, and all of what is now Wallowa County, whose name is a *Nimiipuu* word, is the homeland of the Nez Perce Tribe. In the Nez Perce Treaty of June 11, 1855 with the United States, the Tribe reserved all rights not expressly ceded to the United States and – in partial consideration for ceding land that became parts of the future states of Oregon, Washington, and Idaho – specifically reserved rights it had exercised since time immemorial, including the right to take fish at all usual and accustomed places, and the right to hunt, gather, and pasture animals on all open and unclaimed lands. The treaty rights reserved by the Tribe are vested solely in the Nez Perce Tribe and its members. United States v. Oregon, 29 F.3d 481 (9th Cir. 1994). The Tribe's reserved rights in Northeast Oregon are continually exercised by its members, and are critical to the present-day subsistence, culture, religion, and economy of the Tribe.¹

The Tribe has long partnered with state and local governments and private entities to help restore fish populations and to create a sense of stewardship, throughout Nez Perce treaty territory in Oregon, Washington, and Idaho. The Tribe provided congressional testimony in support of the

¹ The Tribe's work as a fisheries co-manager through the federal case of U.S. v. Oregon, and its coordination with the Oregon Department of Fish and Wildlife, has provided for local fisheries that benefit both Indians and non-Indians alike in Oregon. The Tribe's Department of Fisheries Resource Management office in Joseph, Oregon employs 19 full-time staff, and eight to ten part-time workers. These individuals staff Research, Production, and Watershed divisions throughout Northeast Oregon. The Tribe's local office has an annual budget of approximately \$2.4 million that provides a significant contribution to the Northeast Oregon economy through implementation of multiple fisheries projects on Northeast Oregon rivers.

Wallowa Lake Dam Rehabilitation and Water Management Act of 2005. We wrote letters to congressional delegations urging their backing, submitted multiple press releases, participated in numerous public and private meetings, and made commitments to seek further funding. The Tribe's driving concern was and remains the historic opportunity to reintroduce Sockeye salmon and ecologically reconnect Wallowa Lake to its river. The Tribe also supports and acknowledges that rehabilitation of the dam will provide many other benefits to Wallowa County, including enhanced flood control, improved water management for irrigation withdrawals and downstream flow releases, and greater stability of the City of Joseph's water supply.


The Tribe intends to continue collaborative dialogue with the State of Oregon, the Oregon Department of Fish & Wildlife (ODFW), and local public and private partners, to learn more about the WLID's rehabilitation plan. The Tribe's particular focus will be on additional detail in fish passage planning, including involvement with ODFW's Fish Passage Program, and on planning for water releases for purposes of additional instream flow. The Tribe believes that due diligence as a fisheries co-manager requires focus on volitional fish passage options as part of dam rehabilitation planning. Oregon's statutory and regulatory requirements with respect to fish passage at constructed or maintained dams should be viewed as a positive opportunity for the region, through the significant economic, recreational, and ecological benefits fish passage to and from Wallowa Lake would represent.

Repairing the dam also will result in additional water storage capacity. Consequently, the Tribe is interested in what the anticipated purpose and timing of downstream water releases will be, and to continue to work with Oregon, the WLID, and downstream water users to maximize the ecological benefit of releases. Additional stored water made available after the dam is restored represents a unique opportunity that merits the careful consideration of all stakeholders.

The Nez Perce Tribe strongly supports your proposal to allocate funds needed to rehabilitate the Wallowa Lake Dam. The Tribe appreciates your leadership on this important issue. It is our belief that healthy fish populations and healthy communities are not mutually exclusive – and indeed should be naturally linked. The Tribe is hopeful that the collaborative efforts of many individuals, local governments, non-profits, and the State of Oregon will result in the return of Sockeye salmon to Wallowa Lake and a vibrant economy for Wallowa County.

Thank you for your time and consideration of this important matter and please contact me directly at any time to discuss any aspects of it.

Sincerely,


Mr. Shannon F. Wheeler
Chairman

cc: Dan Butterfield, Wallowa Lake Irrigation District



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

East Region
107 20th Street
La Grande, OR 97850
(541) 963-2138
FAX (541) 963-6670
www.dfw.state.or.us/

January 30, 2019

Mr. Dan Butterfield
Wallowa Lake Irrigation District (WLID)
85393 Bicentennial Lane
Joseph, OR 97846



VIA Email

Subject: Wallowa Lake Dam Project

Dear Mr. Butterfield:

The Oregon Department of Fish and Wildlife (Department) appreciated participating in the recent Wallowa Lake Dam Project (Project) meeting and the effort WLID has made to involve us in this process.

Resolving concern over the status of Wallowa Lake Dam has been a priority for northeastern Oregon for some time. The Dam provides unique benefits for agriculture, flood control, recreation, tourism and the economy of the region. Governor Brown's initiative to resolve concerns over its status provides a unique opportunity to secure these benefits and address Department and Nez Perce Tribal goals.

The Department has been involved in planning the renovation of Wallowa Lake Dam for quite a while. Most of our involvement has been in trying to help the Project comply with Oregon fish passage statutes and Administrative Rules. The Project design and construction timeline proposed by WLID's consultant Mort McMillen is ambitious. We believe, however, it is achievable with an open and collaborative design effort to complete the fish passage approval process.

The Department is eager to provide assistance and is encouraged by this opportunity.

Please feel free to contact Jeff Yanke at 541 426 3279 directly for assistance.

Sincerely

Bruce Eddy
East Region Manager

CC:

Nez Perce Tribe

Dave Johnson

ODFW

Curt Melcher

Shannon Hurn

Ed Bowles/Bruce McIntosh

Jeff Yanke

Oregon Solutions

Courtney Crowell

Mort McMillen



January 31, 2019

Mr. Dan Butterfield
Wallowa Lake Irrigation District
85393 Bicentennial Lane
Joseph, OR 97846

Subject: Wallowa Lake Dam Rehabilitation: Letter of Support

Dear Mr. Butterfield:

Thanks for the invitation to participate in the Wallowa Lake Irrigation District (WLID) information and strategy meeting held at the City of Joseph Community Center on January 16, 2019 for the Wallowa Lake Dam Rehabilitation (Project). Mort McMillen's presentation provided a good summary of the history of Wallowa Lake Dam, the work completed to date, and the proposed strategy to move forward with the Project development and implementation with State of Oregon funding. The Wallowa Lake Dam and Reservoir are vital to the community – including flood protection to the downstream communities of Joseph, Enterprise, and Wallowa, as well as serving as the engine for the local economy. Incorporating fish passage into the dam as part of the Project implementation provides the stakeholders and resource agencies valuable facilities in managing local fishery resources and planning for potential Sockeye Salmon re-introduction in Wallowa Lake.

We look forward to working with the WLID in the planning of the Project and discussion of issues important to consider in the Project implementation. We are excited about the opportunity to obtain State of Oregon funding which would allow the Project to move rapidly forward with a construction completion by spring of 2021. The three-phase project development strategy outlined by Mort McMillen provides a logical process and timeline to implement the Project while maintaining strong stakeholder participation. We are excited to participate in the process to discuss and develop the final Project rehabilitation design which incorporates features to address our specific concerns. We fully support the WLID proposed strategy, work activities, and timeline, and are committed to working closely with the WLID to advance the project through the preplanning, final design and regulatory/permitting, and construction phases.

We look forward to working with the WLID and the project stakeholders to advance the Project in the coming months. Please do not hesitate to contact us if you need additional information.

Sincerely,

Nils D Christoffersen
Executive Director

State of Oregon
WALLOWA COUNTY
BOARD of COMMISSIONERS
101 S. River Street #301
Enterprise, Oregon 97828

541-426-4543 ext#130

Fax: 541-426-0582

Email: commissioners@co.wallowa.or.us

CHAIRMAN, SUSAN ROBERTS

COMMISSIONER, TODD NASH

COMMISSIONER, JOHN HILLOCK

Mr. Dan Butterfield
Wallowa Lake Irrigation District
85393 Bicentennial Lane
Joseph, OR 97846

January 22, 2019

Dear Mr. Butterfield;

The Wallowa County Board of Commissioners attended the recent information and strategy meeting concerning the Wallowa Lake Dam Rehabilitation Project presented by Mort McMillen of McMillen Jacobs Associates on behalf of the Wallowa Lake Irrigation District. The presentation was extremely informative and provided not only a historical view of the dam and its original construction and safety upgrades; the presentation included the current rehabilitation and safety upgrade plans. The attendees were able to get a clear picture of the preceding 17 years of preliminary engineering, fish passage discussions, mapping etc. up to the final design.

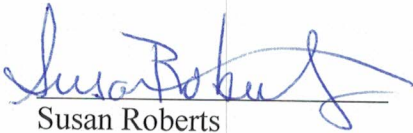
The Wallowa Lake Dam has been an integral part of flood control, water storage, irrigation and recreation for Wallowa County for 100 years. The Dam has provided critical flood control for the downstream communities. In the past 50 years the City of Enterprise and portions of the Wallowa Valley have suffered two flooding events from sudden snowmelt that caused significant damage. These could be yearly events if the Wallowa Lake Dam is not functional.

The Wallowa Lake Irrigation District (formerly Associated Ditch Company) has been very active in addressing this issue for many years. The ADC recognized the need for the rehabilitation and began working on re-organizing their structure to better position themselves to negotiate the intricacies of the three phase project development strategy outlined by Mr. McMillen. The County is very supportive of this project and feels that the

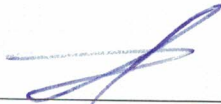
plan as presented answers and assuages the concerns that our citizens have articulated over the years.

The Commissioners look forward to working with WLID in the future to bring this much needed project to fruition.

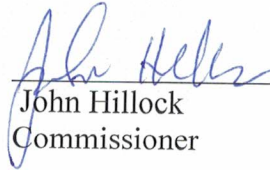
Sincerely,



Susan Roberts
Chairman



Todd Nash
Commissioner



John Hillock
Commissioner