



Chehalis Basin Partnership

Meeting Summary – February 23, 2001

A. GENERAL PARTNERSHIP BUSINESS

Introduction

Chairman Spahr welcomed everyone and opened the meeting.

Introductions: William Ruckelshaus, Chairman of the state Salmon Recovery Funding Board was introduced along with other guests.

Nineteen of our thirty-two member organizations had a representative or alternate at the meeting. Twenty-seven additional citizens, alternates, or visitor attended.

Citizens' Advisory Committee

The committee reported that it met in February and with the guidance of Grays Harbor County (acting in its role of Lead Agency/Lead Entity) began work on a public participation plan. The first step was to develop goals. In March the group will begin to formulate outreach strategies.

By-law Review Committee

The committee evaluating the by-laws met for the third time February 15th to continue working on an updated version. The next meeting is scheduled for the afternoon of March 15th.

At this time it appears that a draft will be available to distribute to Partnership members sometime before the April meeting.

Temperature Total Maximum Daily Load (TMDL)

Portions of the upper Chehalis River (WRIA 23) and many of its tributaries don't meet the state's Water Quality Standards for temperature during the summer months. Under the federal Clean Water Act, when violations of the water quality standards occur the State Department of Ecology is required to study the problem and submit a plan to EPA that will correct the violations of the water quality standards. The federal Clean Water Act calls this package (the study and corrective action plan) a Total Maximum Daily Load or TMDL.

Computer modeling of flow, channel shape, and shade has determined that the amount of solar radiation reaching the water is the primary factor responsible for increasing water temperatures

above natural conditions. The modeling shows that the only really effective way to reduce water temperatures is to increase the amount of riparian shade. The draft TMDL identifies segments of the upper Chehalis Basin where water temperatures violate the water quality standards, shows how much water temperatures must be reduced in each of those segments to meet the standards, and sets targets for how much shade must be established to bring about those temperature reductions.

The draft TMDL recommends that a combination of passive restoration – letting trees grow to maturity where they exist – and active restoration - tree planting - be used to achieve the levels of riparian shade necessary to reduce water temperature. The draft TMDL recognizes the effects of river flow on temperature, and recommends that if flows can't be increased from current levels, they at least be protected from further reduction. The draft TMDL also recognizes that restoring shade in the riparian zone won't happen immediately. It establishes a goal of reaching the recommended shade levels by 2065, with an evaluation of progress every five years until then. A detailed implementation plan establishing exactly what must be done, who will be involved, and the schedule for completing the work is required. The draft TMDL recommends that the detailed implementation plan be done in conjunction with the Watershed Planning the Partnership has agreed to do.

A public review and comment period for this TMDL is open through March 16, 2001. The Department of Ecology encourages anyone affected by, or concerned about, the issues raised in this TMDL to express their thoughts and concerns. Each comment received during the public review and comment period will be responded to in the final TMDL that is submitted to the U.S. EPA for approval.

Water Quality Financial Assistance

The application period for water quality grants and loans administered by the Department of Ecology is open through March 2, 2001. Ecology has kept the option for local prioritization of grant/loan applications in the rule that guides its administration of the grant/loan program. This means that the Partnership has the opportunity to prioritize local grant/loan applications from the Chehalis Basin. If the Partnership chooses to carry out the local prioritization, the projects benefit by receiving additional points that help them compete for funding against projects from the rest of the state. If the Partnership (or some other group made up of many of the same members) does not carry out the prioritization, local projects have to compete on a statewide basis without the benefit of the extra points.

During the general discussion that followed it was agreed that the way the funding rule is written, not doing the local prioritization would penalize local projects. The Partnership should move forward to carry out the local prioritization with the understanding that the process we used for the last two years needs to be reviewed, and possibly modified in its approach.

The list of projects will not be available from the Department of Ecology until March 13, 2001, so it will be difficult to complete the local prioritization by the March 23rd CBP meeting. The deadline for completing the local prioritization is April 18th, which is before the April Partnership meeting. Therefore, it may be best to request that the Partnership authorize the Chair to sign the required letter of agreed priority based upon the recommendations of the committee. This is how we handled it last year when faced with the same situation. Three people volunteered to help with the local prioritization process. Kahle Jennings will coordinate the local prioritization process, but since he works for Ecology he will not actually rate the grants.

The Chehalis River Council will be applying for a grant to expand their operation and the library they maintain. They have offered to incorporate the data and reports gathered by the Partnership during the level 1 assessment.

A list of the projects and a proposed procedure for ranking the projects is attached.

B. SPECIAL PROJECTS

Watershed Planning under RCW 90.82

We are at the point where we need to begin working on Phase 3 – development of a Watershed Management Plan. The legislature mandated a four-year schedule for completion of the entire assessment and planning process. According to this schedule we have just about two years, four months left to complete the process.

The Lead Agency distributed a schedule (see attached handout) developed by the Technical Advisory Committee that identifies the steps that need to be taken to complete the plan, and the best current estimate of when those steps need to be taken. The Lead Agency requested that the Partnership authorize the Lead Agency and TAC to develop a Statement of Qualifications (SOQ) or Request for Proposal (RFQ) to bring to the Partnership at the March meeting for approval. The SOQ or RFQ will be used to solicit for a consultant or consulting firm to help the Partnership begin the Watershed Planning process. Advertisement will not occur before the Partnership authorizes the Lead Agency to proceed.

The Partnership members agreed that the Lead Agency and TAC should develop a draft SOQ or RFP to bring to the Partnership in March. The decision of how the consultant or consulting firm will be selected will be held after the decision to move forward has been made.

Legislative update: Senate bill 5586 would allocate additional funding for Local Planning Units that have chosen to take on the optional elements of water quality and habitat, in addition to the required element of addressing water quantity (availability). The Partnership agreed to take on the optional elements so if the legislation passes we would be eligible for the additional funds.

Salmon Recovery RCW 77.85

Limiting Factors Analysis

The status of the LFA along with a schedule for the next meetings is explained in the attached memo from Grays Harbor County.

Flood Control

Centralia Flood Damage Reduction Project

The U.S. Army Corps of Engineers (ACOE) shared that there is still a lot of work being done on this project. They anticipate that modeling of existing conditions will be completed by around the end of April. The biggest change has been the schedule for deciding on a preferred alternative. Originally, the projection was that the preferred alternative could be selected by June 2001. Now that date has been changed to December 2001. The method used to select the preferred alternative has also changed some.

The ACOE is still considering an independent review of the model when it is ready. The model will also be made available to organizations that want to review it before it is finalized.

Chehalis Basin Study

The ACOE did determine that there is a federal interest in this study. They are now working with Grays Harbor County on a specific project plan that identifies who will do what, the associated costs, and how it will be funded. During this process other activities such as Limiting Factors Analysis and projects funded by the Salmon Recovery Funding Board will be carefully reviewed so that they are considered in the project plan.

The U.S. Army Corps of Engineers web-site about the two studies described above is still under development. It should be available in a few more weeks.

C. SPECIAL PRESENTATION

William (Bill) Ruckelshaus, was re-introduced as our special speaker. Mr. Ruckelshaus is currently the Chair of the Washington State Salmon Recovery Funding (SRF) Board. A brief description of some of Mr. Ruckelshaus' other accomplishments and responsibilities was provided on the back of the agenda for this meeting.

Mr. Ruckelshaus provided a brief description of why the SRF board was created and how the salmon recovery funding programs works. He then responded to specific questions. Here are some of Mr. Ruckelshaus' comments and responses:

- Recovering salmon is only possible if Lead Entities such as Grays Harbor County//Chehalis Basin Partnership are successful. There need to be strong local groups who can provide direction and coordinate among all the issues that are faced at the local level.
- The Lead Entities and their advisory groups are critical because the further away the "government" is from the problem, the blunter the instrument that is used to address the problem. The federal government and its laws such as the Endangered Species Act (ESA) or the Clean Water Act (CWA) are the bluntest instruments. The result is a complex, interwoven set of laws and regulations that often seem confusing, contradictory, or lacking in common sense. For example, the CWA is a command and control process. It is run from the top down. This worked very well when the primary sources of pollution were point sources (end of pipe), and point sources of pollution have been reduced significantly. It worked so well, that now nonpoint sources have become the largest remaining source of pollution. The CWA is not a very effective tool for addressing non-point sources; a different approach is needed that has a much stronger component of local control of solutions.
- Local groups such as the Chehalis Basin Partnership and the SRF Board need to see themselves as partners – we need each other if we are to be successful. The SRF Board will do whatever is within its power to make this partnership work.

- The Endangered Species Act is not a very responsive tool. Once ESA becomes the driving force it just keeps marching forward. If opportunities are missed then the consequences in terms of local flexibility just keep getting worse.
- Three things are needed to identify the best projects for recovering salmon: a good assessment of the problem, a strategy on how to approach the problem, and a strong advisory group made up of informed citizens. In addition, we need an effective monitoring system so we can demonstrate that the projects we implement are being successful.

Questions/Responses

The SRF Board process seems to emphasize land acquisition, why is that? Before the SRF Board there was no state authority to acquire critical habitat. The legislature wrote that option into the law it passed authorizing the SRF Board. The legislature wanted to make sure that acquisition received equal consideration, so the law has very strong language about acquisition. Keep in mind that in some watersheds the purchase of relatively small areas of land and placement of those lands into some kind of protected status can have a very important effect on sustaining salmon.

What happens if salmon are successfully restored, is there some kind of follow-up management strategy? Long-term monitoring to ensure that the project benefits continue.

Does the SRF Board have policies in place ensuring that protection of non-listed species gets the same amount of consideration as restoration of listed species? We have no stated policy, however it makes sense to protect healthy runs and make sure they remain healthy. When good projects that will improve runs that are already healthy are submitted those projects should be considered.

What is the long-term funding prognosis? That is hard to say. The state legislature is facing budget shortfalls, and there has been a change in our representatives at the national level.

The Next Partnership meeting will be at 9:00 a.m. on March 23rd at the Lucky Eagle Casino.