



Chehalis Basin Partnership

Meeting Summary – October 25, 2002

A. GENERAL PARTNERSHIP BUSINESS

Introduction

Chairman Spahr welcomed everyone and opened the meeting. Fifteen of the Partnership's thirty-two member organizations had a representative or alternate in attendance. Seventeen additional citizens, alternates, or visitors were at the meeting.

The Chairman briefly reviewed his involvement the day before on a panel discussion held for Department of Ecology staff that work on Total Maximum Daily Load (TMDL) water quality projects. He was invited to speak as Mayor of Chehalis and describe the implications of TMDLS for communities. The Mayor introduced the City of Chehalis' two new mascots – a pair of goldfish that live in the treated effluent from the City's wastewater treatment facility. They have affectionately named the fish after two of the Ecology staff that have been responsible for TMDLs that affect the City. The mayor explained that at a different meeting with Ecology TMDL staff recently, one of them made the comment that “nothing will live in effluent!” Mayor Spahr was aware of toxicity studies that showed no short-term effect of undiluted effluent on several aquatic species and developed this visual display using the goldfish to demonstrate his point that the city produces a very high quality effluent. (Editor's note: While this clearly shows that goldfish can live in the city's effluent apparently no one has determined they are happy to live in the effluent. One wonders if this demonstration contains a hidden lesson for us humans – if we are not careful we may create an environment we can survive in but that may not be an environment we want to live in.)

The Mayor's presentation led to a discussion about how the Partnership could provide a forum for discussion with the Department of Ecology about its water quality programs. It was agreed that the Partnership's Water Quality Committee should continue its meetings with Ecology on various water quality issues (Water quality standards, the process of developing a list of impaired waters, and TMDLs), use this information to carefully frame the issues for discussion and then invite managers from Ecology's Water Quality Program to come and meet with the full Partnership.

Citizens' Advisory Committee

The Citizen's Advisory Committee (CAC) participated in ranking Salmon Recovery Funding (SRF) Board grant applications. The committee's review focused on evaluating each project proposal for its demonstration of community support. This evaluation was then added to the project scores from the technical review panel to come up with a total score.

After completing the evaluations, the citizens who participated felt their involvement was a positive contribution to the overall process and they volunteered to help with the review questions and outreach for next year's solicitation of projects.

Steering/Technical Advisory Committee

A summary of the October 5th STC meeting was included in the packet for this Partnership meeting. The issues the STC focused on will be discussed later during the meeting. The STC may have to increase its meeting frequency from one to two times a month because of both an increasing workload and the approaching October 2003 deadline for completing the plan. Two STC meetings will be held in November. The first meeting (a special meeting) will be on November 1st and will focus on discussing and prioritizing issues that should be included in the watershed plan. The second meeting (the regular STC meeting) will be on November 7th. Both meetings begin at 10:00 a.m.

Water Quality Committee

The Water Quality Committee met on October 10th. Two representatives from the Department of Ecology attended to describe and discuss 1) the proposed changes to the state water quality standards and the schedule for making those changes, and 2) policies for determining which water bodies are placed on the state list of impaired waters -- called the 303(d) list. These topics were interesting and complex enough that the entire three hours scheduled for the meeting was spent on these two subjects alone.

There are still questions that members of the committee would like to discuss further such as how much testing has to be done to remove a water body from the state list of impaired waters and whether the state holds groups that want to demonstrate that a water body currently listed as impaired based on data a couple of years old is now meeting state water quality standards to a higher standard of proof than the state uses to place those waters on the list. The results of decisions like these have a real economic cost for communities.

The Partnership is a forum for raising this kind of issue and Ecology's representative to the Partnership agreed that it is their responsibility to communicate these issues to Ecology and then work on developing opportunities for discussing them at Partnership meetings.

Partnership members were encouraged to attend Water Quality Committee meetings. The next meeting will be on November 14th at the Grays Harbor County Forestry Building on 310 W. Spruce in Montesano starting at 9:00.

Other Business

Intergovernmental Agreement – At the last Partnership meeting John Penberth questioned the legality of the Intergovernmental Agreement that established a framework for the Partnership to work together on watershed planning and other issues. John's reason for questioning the legality of the agreement is that every party that has a signature block has not signed it. He has contacted the state Attorney General's Office but has not received a response as of this meeting. Grays Harbor County asked an attorney to look at the agreement on behalf of the Partnership. The attorney said that in their opinion it is legal but the county should make sure that the transfer of lead agency from Lewis County (as stated in the Intergovernmental Agreement) to Grays Harbor County is well documented, and that the four counties with small land areas in the basin that are not actively participating in the planning process (Cowlitz, Jefferson, Pacific and Wahkiakum) continue to support the planning process even if they are not actively participating.

Nominations of officers – Bob Spahr (representing the City of Chehalis) was nominated for another one-year term as Chair of the Partnership and John Hare (representing the Confederated Tribes of the Chehalis Reservation) was nominated as Vice-Chair. Agreement on these nominations will be an agenda item for the November Partnership meeting.

Operating Procedures – The first four chapters of the draft Operating Procedures have been reviewed previously so today's discussion focused on the last chapter (Chapter 5) on "Managing Partnership Membership."

Paragraph #2 of "Selection Process" under Section 5.3 (Other Members) of the October 3, 2002 draft was modified to read "The Steering Committee will review written material submitted by the applicant and, if necessary, interview the applicant to identify their specific interest in the watershed. The Steering committee will advise the applicant about the different ways they can be involved in the Partnership (see Section 2.1.6), determine if the application is complete and forward the application to the Partnership for action."

Paragraph #3 of this section was deleted and the first sentence of Paragraph #4 (which is now paragraph #3) was modified to read "The Partnership will make a decision on the application for membership after reviewing and discussing submitted materials and interview information when applicable." The remainder of the section retains the wording in the October 3, 2002 draft.

After some discussion it was determined that Section 5.4 (Replacing Partnership Members) needed further revision in recognition of the fact that some members are required to participate under the law while others only participate because they choose to. Any language discussing procedures for replacing members must reflect this basic difference.

A suggestion was made during the discussion that, with the exception of citizen representatives from each county appointed by the County Commissioners, membership be limited to organizations that have some form of recognized official standing. That could take the form of a recognized non-profit or some other corporate status. The key would be some kind of accountability.

B. SPECIAL PROJECTS

Watershed Planning under RCW 90.82

Water Balance – The Draft Water Balance is nearly complete. Preliminary results indicate that on an annual basis approximately 55% of the water runs off in streams and rivers, 30% goes to evaporation-transportation; approximately 0.5% goes to consumptive uses; and the balance (14%) flows through groundwater system. The final product will break these figures down seasonally so that they are more useful in evaluating actual management issues.

Under the Level 2 Assessment of important new information, work on a more detailed evaluation of sub-basin grouping #1 (Newaukum, Skookumchuck, Salzer Creek, and Chehalis through the cities of Chehalis and Centralia) is progressing. Maps locating water rights in this area are under development and an evaluation of the largest water rights is being conducted to better understand the potential impacts on stream flow.

In-Stream Flow Study – The gauges are still recording data. Weather permitting the gauges will stay in the streams until the end of October and possibly early November. The preliminary results indicate that flows this year were below regulatory minimum flows at most but not all

sites. However, the study still needs to correlate these results with climatic and flow data for the whole region before conclusions can be drawn.

Plan Approval Process - There is no language in RCW 90.82 that will allow counties to choose to not participate in the planning process or plan approval even if they do have a very small territory within a planning area. This could pose a problem in the future when the plan is nearing completion or when the plan approval process begins, either because a county does not have the resources to participate in the approval process or because they don't want to approve a plan that they chose not to participate in developing. The law as it is currently written clearly states that counties with territory in the planning area must meet and jointly approve the watershed plan.

Grays Harbor County handed out a draft document for review that explains this situation and suggests that it may be in the interest of all parties to find a solution. The document could be sent out as individual letters to legislators and other key government representatives from organizations that are a member of the Partnership and by the Partnership itself. The use of state grant funds for any activity that could be considered lobbying is prohibited in Ecology's guidelines for administering grants and loans. It was the opinion of the Partnership members present that this letter would not be considered lobbying because the intent is to explain a concern about the plan approval process.

Other planning units across the state also face this issue. Copies of the final document can be shared with other planning units so that if they choose to they can use the basic information to also comment on the issue.

The Partnership agreed that Grays Harbor County should prepare a letter from the Partnership on this issue and share the file electronically so any member organization that also wants to comment directly can use the information.

Salmon Recovery Project

The Salmon Recovery Lead Entity – Grays Harbor County – reported that the process of evaluating and ranking local Salmon Recovery Funding Board project applications has been completed. Sixteen projects were ranked based on technical merit (evaluated by a technical committee) and reviewed for social objectives (evaluated by the Citizens' Advisory Committee). The resulting priority list of sixteen projects requesting a total of \$3,383,564 from the SRF Board is attached to this summary.

Each project was briefly reviewed for the Partnership before final approval of the priority list (attached along with a basin map showing where the projects are located). Grays Harbor County was commended for its handling of this intensive effort to solicit, screen and prioritize these projects that will now move forward to compete statewide for SRF Board funds.

U.S. Army Corps of Engineers Work in the Chehalis Basin

Flood Damage Reduction Project sponsored by Lewis County: The Corps has compiled the comments on the draft Environmental Impact Statement they received during the public comment period, reviewed them and is preparing its responses to the comments. The Seattle office is waiting for comments from its headquarters office before completing this phase of the work. The final content of the EIS will be developed after all the comments have been reviewed and responded to.

Ultimately the construction of this project depends upon authorization and funding. The status of the Water Resource Development Act (WRDA) for 2002 is unknown but the project team is working to finalize the reports and submit to Corps Headquarters this year in order to be prepared for submission to Congress when a WRDA action would occur. The WRDA bill is where the project would get authorized by Congress.

Ecosystem Restoration Project sponsored by Grays Harbor County: The Army Corps of Engineers continues to work with the Department of Fish and Wildlife on completing an Ecosystem Diagnostic Treatment (EDT) analysis. It should be done by the end of the year for most of the basin. The remainder should be completed in early 2003. The Corps is also working with its partners on a basin characterization that will use a computer model to estimate how the basin has changed from historic pre-European conditions. This work should also be completed by the end of 2002. Both models will be linked to identify actions that could be taken to restore aquatic environment functions and reduce flooding. The combined effort is predicted to be complete by June 2003.

C. SPECIAL PRESENTATION

Due to a technical problem at the September meeting the data viewer CD could not be demonstrated with the computer projector for the Partnership. At that meeting J. Roach, citizen representative to the Partnership appointed by Thurston County Commissioners, presented an update on work to create a CD of data for the upper basin (WRIA 23). This is the second phase of a pilot effort to make a wide variety of information available to the public that can be displayed geographically on computer-generated maps. The first phase of this effort was a CD of 90 different data layers for the lower basin (WRIA 22) that has been well received and used by a variety of groups.

This month he returned and successfully demonstrated the data viewer CD.

CHANGE FROM THE PARTNERSHIP'S REGULAR MEETING DATE FOR NOVEMBER: The next meeting of the Chehalis Basin Partnership will be at 9:00 a.m. on November 15th at the Lucky Eagle Casino.

Decisions

- Bob Spahr was nominated for Chair and Jon Hare was nominated for the position of Vice-Chair.
- Changes to sections 5.3 of the draft Operating Procedures were agreed upon.
- Agreed that Grays Harbor County should prepare a letter from the Partnership to key governmental representatives on the issue of county's with small land areas participation in watershed plan approval.
- Approved the prioritized list of SRF Board funding applications.