



Chehalis Basin Partnership

Meeting Summary – January 23, 2004

A. GENERAL PARTNERSHIP BUSINESS

Introduction

Chairman Spahr welcomed everyone and opened the meeting. Nineteen of the Partnership's twenty-eight member organizations had a representative or alternate at the meeting. Eleven additional citizens, alternates, or visitors were at the meeting.

Raman Iyer introduced Harry Pickernell who will be attending for the Chehalis Tribe.

Steering/Technical Advisory Committee

The STC continued working on additional recommendations to bring to the Partnership. The most current version of the plan was sent out with the information for this Partnership meeting. A table showing all the recommendations was also handed out. The short version of the plan is backed up by the thick draft plan that was distributed in September. After today's Partnership meeting the STC is hopeful that the Partnership will be ready to approve the plan at its February meeting. The next meeting of the STC will be on February 5th from 10:00 until 3:00 in Olympia.

Water Quality Committee

The WQC met at the Newaukum Grange in Lewis County for a presentation on the Upper Chehalis River Fecal Coliform Bacteria TMDL. The meeting location was intended to make it easier for interested members of the general public to attend. Unfortunately, heavy snowfall resulted in low attendance from even committee members. No members of the public attended.

The following question was asked by a Partnership member: The TMDL states that 40% of the loading to Grays Harbor comes from the upper basin (above Porter); how does the TMDL take into account the amount of flow the upper basin provides? In other words, is the fecal coliform bacteria loading from the upper basin 40% because the quantity of water flowing downstream at Porter is 40% of the total flow into the harbor? How does this 40% relate to the loading coming from Elk Creek (a small sparsely inhabited creek entering the southern portion of Grays Harbor)?

The WQC also discussed the status of the Detailed Implementation Plan for Chehalis Basin TMDLs. The WQC completed its review of the Detailed Implementation Plan several months ago and now it needs to be reviewed by the Partnership. Ecology's representative to the Partnership – Kahle Jennings – has been reluctant to bring the Detailed Implementation Plan before the Partnership because it would take attention away from completion of the 2514 Watershed Plan. As soon as the Watershed Plan is complete a discussion of the TMDL Detailed Implementation Plan will be held.

The water quality monitoring plan report has been completed by TetraTech/KCM. State water quality grant/loan applications are due in February and the WQC will need to schedule its local

prioritization process for its March meeting. The next meeting of the Water Quality Committee will be February 12th from 9:00 until noon in Montesano.

Other Business

Lori Morris (USACE) attended Lee Daneker's retirement at EPA, thanked him on behalf of the Partnership for all his contributions and presented him with the pine-needle basket several people contributed towards. Lee was very grateful.

Bob Spahr handed out a letter from the City of Chehalis to Ecology regarding the City's proposed mitigation for potential impacts to downstream water right users as a result of the City removing its wastewater discharge from the Chehalis River to meet the requirements of the Upper Chehalis River Dissolved Oxygen TMDL. Chehalis resents being penalized twice – once under the TMDL that is forcing them out of the river and a second time for taking the water out of the river and putting it to a beneficial use under the reclaimed water laws. Since both Napavine and Sewer District #1 discharge to the Chehalis wastewater treatment plant they both should participate in the mitigation. Unfortunately neither has excess water to contribute towards mitigation. The requirement to mitigate all downstream users regardless of seniority when water is treated to reclaimed water standards and put to a beneficial use out of the river was written into state law by the legislature. This "double jeopardy" issue is one the Partnership could still choose to include in its watershed plan. The Nisqually Watershed Plan contained language related to this issue that will be made available to the Partnership.

B. SPECIAL PROJECTS

Watershed Planning

The Partnership reviewed sections of the plan that have been updated since the December meeting. Text that is underlined in the 1/15/2004 version that was sent out with the January meeting announcement has been added or modified since the December meeting.

General Discussion Comments on the January 15, 2004 version of the plan:

- Updating the Plan - Language has been inserted that describes a process for updating the plan. Has anyone checked with a state attorney general or county attorney to determine if plan updates made using this process will carry the same weight as the initial plan? Sustaining private citizen involvement after the plan is approved is important. Any process for updating the plan must include opportunity for the public to participate.
- The plan needs to contain a paragraph about federally reserved rights.
- Action 1.5 -- This action needs to be revised so it describes an action to be taken.
- Action 2.6 – This action was approved with the changes recommended.
- Action 2.11 – This action was approved with the changes recommended.
- Action 2.14 -- This action needs to be revised, some people do not understand it as it is currently stated.

- Action 2.16 -- As currently stated this action does not say anything. The Partnership revised the action and it was approved.
- Action 2.17 – This action was approved with the changes recommended.
- Action 2.20 – This action was approved with the changes recommended.
- Action 3.3 – This action was approved with the changes recommended. However, this action should clearly link the Watershed Plan developed under RCW 90.82 with the Salmon Recovery Plan developed under RCW 77.85. If it isn't done here it needs to be done somewhere else.
- Action 17.1 – This action was approved with the changes recommended.
- Actions 17.4, 17.5, 17.6 – these actions should be combined into one statement that identifies what the problem is, what needs to be done and establishes process for developing recommended changes. For example: “The current system of managing water rights is clumsy and difficult to use. The Partnership recommends a review of how water is currently managed and development of a more workable system.”

What are the next Steps the Partnership should take on Watershed Planning?

There are two basic options. The Partnership can: 1) continue to review and seek agreement on unresolved actions, or 2) agree to approve a plan containing the actions that have been agreed upon and then continue work on unresolved actions over time.

The recommendation of the Steering/Technical Committee is to proceed with option #2. According to the language in the Watershed Planning Act (RCW 90.82.130(1) (b)) the plan should have been completed by October 31, 2003. The Partnership has a plan. Not everything has been addressed, but the required elements have been addressed to some degree. The Partnership should move forward and use the February 27th meeting to approve the plan in the form it exists on that date. The plan contains a process for incorporating updates. Unresolved issues can be reviewed by the Steering/Technical Committee and prioritized for future action.

Salmon Recovery Project

The Salmon Recovery Funding Board has initiated another funding cycle. Applications are due to the SRF Board July 15, 2004. The Technical Advisory Group met December 18th to discuss how Chehalis Basin projects should be selected. Contact Lee Napier (360) 249-4222 if you have a project you are considering. Project pre-proposals need to be submitted by March 19th. Actual applications will be due the first week of June to allow time for local review and development of a priority list.

Approval of the watershed plan for the Chehalis Basin will be discussed at the February Partnership meeting. The meeting will be scheduled for 9:00 until 11:30 but it could run longer. It will be held at the Lucky Eagle Casino.

Decisions

- Agreement on additional plan recommendations and suggested actions

TMDL ANNOUNCEMENT __ REMINDER