

# *Chehalis Basin Partnership*

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Meeting Summary – September 22, 2006

## **GENERAL PARTNERSHIP BUSINESS**

### *Introductions*

Chair Bonnie Canaday welcomed everyone and opened the meeting. She asked everyone to introduce themselves. Ten of the Partnership's twenty-eight member organizations had a representative or an alternate at the meeting. Thirteen additional citizens, alternates, or visitors were at the meeting. See attendance list on the last page of this summary.

The chair received a request to reorder the agenda, to allow members to participate in the DIP discussion. The agenda was modified.

Napier asked the group to consider hiring someone to help with meeting administration.

## **A. SPECIAL PROJECTS**

### *Watershed Plan Implementation-Phase IV*

John Kliem gave an overview to remind the group of paths, processes, and products that led the group to develop the draft DIP.

- The group began to develop a list of task through STC input.
- The group worked with EFC to further develop tasks and develop rules and a decision making model that prioritized the objectives.
- The group hired John to help facilitate the process in early 2006.
- He developed a process through working with the STC, WQC, HWG and the CBP to further the DIP content.
- The STC, WQC, and HWG hosted five workshops. The workshops allow participants the opportunity to review the prior work of the STC and allowed for input.
- During the workshops, participants were asked to become implementation participants/partners.
- Workshop participants were asked to help define the timelines to implement the workplans.
- Workshop notes were distributed to the CBP, standing committees, and workshop participants shortly following each workshop.

Napier reminded the group that they would be asked to take action regarding the final Draft DIP, Version 3.0

Comments from the group-

John Penberth addressed the group. He mentioned the consensus process and how he had used it as a tool to engage discussions regarding issues of significance to him. He is very interested in hearing the thoughts from the group regarding the letter from the Quinault Indian Nation (QIN). He cannot express how he feels about this letter. He sees it as one of the first times that any

Indian tribe has put in writing what they would like to see for the resources. Two statements stood out in his mind. From the first paragraph, last sentence, "The water rights that are reserved for our treaty fishing rights are senior to any other water right that exists in the Chehalis Basin, with a priority date of time immemorial. And in the middle of the fourth paragraph, "Second, flows must not be further degraded by additional new withdrawals and diversions so they fall even farther below appropriate regulatory flow regimes."

Napier read letters into the record from Terry Willis and Thurston County and comments from Mark White. Mark shared with Napier that the Confederated Tribes of the Chehalis Reservation supported approving the DIP.

Steve Craig commented that Ecology has reviewed and considered the letter from QIN. Based on input he received, he feels it is appropriate to pause at this time and consider this input. The plan we have is not cast in concrete, we intentionally included provisions for adaptive management in the DIP. He recommends we pause, have some conversation, and then proceed with approval of the DIP. In conversations with Bruce, he understands that they are not expecting all the details addressed in absolute terms. The QIN would like some of their issues on the table. He asked Bruce to respond.

Bruce commented that he did begin seeking input from his council once the first draft was released in June. The council asked him how the DIP would address instream flows? They are committed to the CBP and their voluntary efforts. They view this group as one of the few planning unit with a working process. The QIN Chair would like to sit down with the governing bodies of the planning unit.

Kahle asked for clarification. Does the letter suggest that QIN should organize the meeting? No, Bruce replied it should include effort by all.

Bruce went on to say that the organization of the DIP did not go far enough. The STC ended up with most of the work for oversight. If we intend to produce similar products for the remaining 13 objectives, then the STC will face a real challenge for time and energy to focus on the first objectives (1-5). Secondly the instream flow objective, WMP 54, should be addressed through a workshop in the near future. QIN was disappointed that the prioritization model did not rank this action higher. He feels the STC did a good job doing what was done in the time period, but would like to see more effort to further the DIP.

Steve Craig commented that Ecology is working with the tribe to address the issues. Ecology believes the points made in the letter can be addressed and are not a deal breaker.

Jim Hill feels that putting off adoption until the perfect plan comes along will result in the CBP never adopting the DIP. He appreciates the input from the QIN.

The Chair asked about the ramification of not adopting the DIP by the September 30<sup>th</sup> deadline? Napier explained that we were contractually obligated to adopt a plan by September 30<sup>th</sup>. She believes that since the group has made every effort to prepare a plan for adoption and based on comments made by Ecology to pause, she believes that a contract amendment would be plausible.

Councilman Harris asked for clarification regarding targets/measurable outcomes we are expected to meet? Are there numbers to determine if fishery resources are declining? Generally speaking he finds the letter acceptable, except that he does not understand the targets we are trying meet.

Commissioner Beerbower asked how much time would the QIN need to address their concerns and formulate a response back to the CBP? He asked Bruce to give him a timeline for QIN to respond back to the CBP. Bruce responded that this issue has been elevated to the Natural Resource Committee's agenda. He feels that QIN is ready to respond in a timely manner.

Kahle asked if there was a political commitment (tribe and governor) to help move this situation in a positive direction. Bruce responded not the Governor, but they are communicating with Ecology.

Steve suggested the group send a letter back to the Quinault Indian Nation thanking them for their response, that we would be agreeable to meeting, and that we see the relevance of their issues.

Chanele thanked Bruce for his continued participation. Can the CBP approve the DIP, acknowledge that the issues from the letter are important to address and make a commitment from the group to continue working with QIN.

John Penberth asked the group to consider accepting the invitation by the QIN to their reservation to meet. Napier, asked Bruce, as tribal staff, to initiate a meeting with both tribes and the group.

Kernen pointed out that many of the points in the letter are tasks identified in the DIP. He supports adopting the plan while continuing to address the points made by the QIN.

Councilman Harris echoed Kernen's comments and hoped that it would not send a message that we are not listening to their comments.

Commissioner Graham sees similarities between this effort and the six-year road plan. Each year that plan is modified and believes that process would apply in this situation. Prior to the meeting, Lewis County Board advised him to approve the plan. Considering the comments from today, he believes the process should continue and the group should commit to meeting with the tribes.

Commissioner Macleod is concerned that glacial movement of funding if the plan is not adopted. He would like to see the plan adopted, the group should send out a letter responding to the QIN, and the group commit to meeting with the tribes.

Ann Wick would like to see plan adopted, but is reluctant to follow through because of the letter.

Councilman Harris asked if we could carry this issue over to next month and meet with the tribes, with the expectation that the Quinault's take the lead in addressing tribal invitation. Bruce suggested a letter be sent by the CBP inviting the tribal policy folks to attend. Bruce will start working on organizing the meeting prior to the CBP sending out a letter.

The group supported deferring a decision for a month, with the understanding this would not continue much beyond the October 27<sup>th</sup> meeting.

Bob Fink shared that Mason County BoCC voted to approve the plan. He feels that they would also support the decision of the group based on conversations today.

Randy Lehr shared his perception of the group. He is impressed by the variety of interest groups participating in this process.

Steve called for consensus regarding three points:

- Delay action on the DIP for one possibly two month.
- Send a letter responding to QIN from the CBP chair. Steve Craig volunteered to draft a letter for review by the STC.
- Agree to meet with the QIN to discuss the points from the letter.

The motion passed with endorsement and some reservations.

The group resumed conversation related to Napier hiring staff for meeting management assistance. The group endorsed Napier pursuing services to help with meeting administration. She will put a request for services.

#### *Chehalis Basin Watershed Festival*

Chanele reported that significant progress was made to make the festival happen. She thanked the City of Centralia for their support and for hosting the first festival. The planning group tried to coordinate this effort with other activities. This resulted in vendors for environmental education, activities for the children, skateboard competition, dedication of the Chehalis Discovery Trail, and Centralia art trails, and lots of outreach.

Thanks to Cathy Jacobson, CBEC, FIN the salmon is traveling around to many schools and classroom. Many of the schools in the upper Chehalis do not have access to extra curriculum activities. A visit from FIN was a welcomed surprise to the school children.

Napier announced that the Cities of Centralia and Chehalis together with the counties of Lewis, Mason, Thurston and Grays Harbor proclaimed September 17-23 as watershed week.

#### *Monthly River Flow Report*

Jennings reviewed the flow charts he created for this month's report. The graphs describe real time data from the USGS gage sites at the Newaukum River near Chehalis, Skookumchuck near Bucoda, Chehalis River near Grand Mound, Chehalis at Porter, Satsop River near Satsop, Wynoochee River above Save Creek near Aberdeen, and Humptulips River below Highway 10 near Humptulips. The graphs show the regulatory flow, the actual flow, and the median flows for the 15<sup>th</sup> day of the month, measured the flow in cubic feet and described discharge. During this reporting period, the Satsop, Newaukum and Humptulips all fell below the minimum flows. He also added a graph of monthly flows for May through September.

#### *Inchoate Water Rights*

Napier reminded the group that this project was grant funded by Department of Ecology. The expectation for today would be to take action on the plan.

Lee Daneker updated the group regarding this project. Copies of the water system plan table were distributed to the group. Lee D. thanked the group for spending time to develop a

transmittal letter which he used to gather the data for the table. The group's input into the letter created a positive working relationship when he contacted the water systems. Out of the 38 systems contacted, 32 responded. He did not get a response from Elma or Hoquiam. Of the 32 that comments half said the data looked good, a quarter said good information, but wanted to clarify the data, and the remaining quarter wanted changes to reflect new information since adoption of their water system plans.

Regarding Phase two options, he did receive some input from the group last month, which he incorporated. He highlighted GMA and watershed plan coordination, which means coordination related to water service. He did hear feedback that some systems would like to serve exempt wells, but there is not an impetus to allow this action. The provider would support changes to the current legislation. Recommendations 7-9 all related to the need for a groundwater study. He feels this issue may be addressed through current efforts of the STC to develop a scope of work to implement WMP Action 2.

Why use an ERU instead of population? That information came directly from the WSP.

Chanele commented that Lee's work is something new in this state. She appreciated his efforts.

Bruce supported moving forward with this document, but asked the CBP to put it back to the STC for implementation suggestions. He thought the STC should ask all the "W" questions. Including how do we continue watershed planning with this information.

Steve Craig read a response from Ecology to the group. This is the first report from any planning unit regarding inchoate water right. The letter did not confirm status of water rights because they do not have the statutory right. The group did not really know what was implied in the letter, but appreciated the acknowledgment of their work. Kahle heard that the group was the only planning unit in the state to try to determine inchoate water rights.

The group accepted the document as presented by Lee Daneker.

## **B. Open Comment-None**

**The next meeting of the Chehalis Basin Partnership will be held on October 27, 2006 and begins at 9:30 AM at the Lucky Eagle Casino near Oakville.**

## **Decisions**

- **Postponed action to approve or reject the DIP for one to possibly two months.**
- **Approved the Final Draft Inchoate Water Rights Report**

Chehalis Basin Partnership Attendance Record	
Bob Beerbower	Grays Harbor County
Lee Napier	Grays Harbor County
Bob Macleod	Thurston County
Bob Fink	Mason County
Kernen Lien	Lewis County
Richard Graham	Lewis County

Chehalis Basin Partnership Attendance Record	
Terry Harris	City of Chehalis
Patrick Wiltzius	City of Chehalis
Kahle Jennings	City of Centralia
Bonnie Canaday	City of Centralia
Art Lehman	Port of Centralia
Chuck Caldwell	Port of Grays Harbor
Chanele Holbrook-Shaw	Thurston County CAC member
Jim Hill	Lewis County CAC member
Steve Craig	Department of Ecology
Dave Rountry	Department of Ecology
Ann Wick	Department of Agriculture
Chad Stussy	Department of Fish and Wildlife
Bruce Jone	QIN
Annette Grainger	Weyerhaeuser
Randy Lehr	Grays Harbor College
Lee Daneker	Consultant
John Kliem	Consultant
Ken Norberg	Lewis County Commissioner Candidate
John Penberth	Lewis County resident