

CHEHALIS BASIN PARTNERSHIP
Chehalis Tribe “Lucky Eagle” Casino
Rochester, Washington
April 25, 2008
9:30 a.m. – 12:30 p.m.

Meeting Summary

MEMBERS & ALTERNATES PRESENT

Bonnie Canaday, Chair, Mayor Pro Tem, City of Centralia
Lee Napier, Grays Harbor County (Alternate)
Lyle Hojem, Citizen, Lewis County
Bob Beerbower, Grays Harbor
Mark White, Confederated Tribes of the Chehalis
Reservation (Alternate)
Charles Caldwell, Port of Grays Harbor
Ron Schillinger, City of Montesano
Terry Willis, Citizen, Grays Harbor
Chris Hempleman, Department of Ecology
Chad Stussy, WDFW (Alternate)
Ellie McMillan, Chehalis Basin Fisheries Task Force

Bob Macleod, Thurston County
Chanele Holbrook-Shaw, Citizen, Thurston
County
Terry Harris, City of Chehalis
Art Lehman, Port of Centralia
Jim Hill, Citizen, Lewis County (Alternate)
Lyle Hojem, Citizen Representative, Lewis
County
Patrick Wiltzius, City of Chehalis (Alternate)
Kahle Jennings, City of Centralia (Alternate)
Bill Schulte, Lewis County Farm Bureau

OTHERS PRESENT

Jerry Louthain, HDR Engineering Inc.
Randy Lehr, Grays Harbor College
Susan Bogni, Thurston County
Dr. John Henricksen, One Voice
Stephanie Pickernell, Confederated Tribes of the Chehalis
Reservation
Glen Connelly, Confederated Tribes of the Chehalis
Reservation

Lonnie Crumley, Streamworks Consulting
Andrew Baskett, City of Elma
Pete Holm, Chehalis River Council
Theresa Julius, Grays Harbour Council of
Governments
Cheri Lindgren, Puget Sound Meeting Services
Corinne Tobeck, Lewis County
John Penberth, Citizen, Pe Ell

GENERAL PARTNERSHIP BUSINESS

Welcome, Introductions, and Roundtable Comments

Chair Bonnie Canaday called the meeting of the Chehalis Basin Partnership (CBP) to order at 9:32 a.m. Everyone present provided self-introductions.

Ms. Napier distributed copies of a revised meeting agenda.

Discuss and Adopt Draft Meeting Summary for March 28, 2008

The March 28, 2008 minutes were approved by consensus.

SPECIAL PROJECTS AND PRESENTATIONS

Anatomy and Outcomes of the December Storm

What transpired at the Executive Committee Meeting on April 2, 2008?

Ms. Napier reported the Steering Technical Committee (STC) scheduled *Anatomy and Outcomes of the December Storm* as an ongoing agenda topic to keep everyone apprised of flood recovery activities. A

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memorandum outlining future CBP meeting agenda topics was distributed. A copy of a communication from Lewis County Commissioner Ron Averill was also distributed.

Mr. Hojem arrived.

Ms. Napier reported the Executive Committee is responsible for work on the flood control project. The committee was re-energized following the December 2007 storm. She reviewed the history of the previous interlocal agreement, which expired in December 2003. An overview of the committee's April 4, 2008 meeting was provided. Lewis County is taking the lead on the agreement. The Cities of Chehalis and Centralia, Grays Harbor County, Thurston County, and the Confederated Tribes of the Chehalis Reservation have submitted comments concerning the new interlocal agreement. The cities of Montesano and Aberdeen were added along with the Town of Bucoda. The committee discussed voting options. A consensus approach was a concern because a member could block a decision. The committee agreed with having consensus as a goal. In the event a consensus can't be reached, decisions require a supermajority of 60% of the voting members. The next step for the Executive Committee is to draft bylaws.

Mr. Penberth commented that decision-making was discussed when the Partnership was originally formed. The Quinault Indian Tribe (QIN) was interested in a consensus approach. It was agreed that the CBP would use consensus when making decisions. He said he had the opportunity to block two decisions that previously came before the Partnership during his membership on the Partnership. However, the Partnership was able to reach a resolution and moved on. The Executive Committee is concerned with a consensus strategy and adopted a 60% majority if consensus cannot be attained. He suggested the committee must select one form of decision-making and shouldn't utilize both strategies. A majority ruling does not provide a voice for citizens because there are many steps involved in attaining consensus.

Ms. Napier reviewed the pertinent section of the interlocal agreement on voting.

Mr. Schillinger said the City of Montesano supports the committee's decision-making proposal.

Ms. Holbrook-Shaw arrived.

What Transpired at the Tri-County Meeting on April 14, 2008?

Ms. Napier reported the Board of Thurston County Commissioners (BoCC) hosted the tri-county meeting. Commissioner Averill provided an overview of the Governor's Office flood control project and the December 2007 flood. House Bills (HB) 3374 and 3375 for the \$50 million General Obligation Bond were adopted by the Legislature. Signing of the interlocal agreement at the tri-county meeting was not anticipated, but the agreement was discussed. Lewis County Prosecuting Attorney Michael Golden briefed commissioners on how flood districts are formed. Commissioners were asked to take action on a resolution to establish a committee consisting of the legal counsels from Grays Harbor County, Lewis County, and Thurston County to research and prepare documentation to form a Grays Harbor County, Lewis County, and Thurston County Flood Control District. Ms. Napier noted tri-county meeting minutes will be available at a future date.

In response to a request from Mr. Hojem, Commissioner Beerbower provided an overview of the tri-county meeting. The committee needs more information and is unsure of the boundaries of a flood control district. Washington State water law is unique. Legal research is required to inform a decision and make a case about forming a flood district. The U.S. Army Corps of Engineers contributions are limited and will not solve all problems associated with flooding in the area. It will be difficult for

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congressional representatives to secure funding at the federal level to address flooding issues. Everyone needs to understand that it's impossible to entirely prevent flooding. State agencies should assess their programs.

Commissioner Macleod agreed with Commissioner Beerbower's assessment. The committee needs to be mindful of the Governor's interpretation about flood control and management and how it dovetails with the Corps' proposal. The three counties are in general agreement on a direction for flood management. The upper level east of I-5 is just as important as the areas west of I-5. The issue is complicated but there is a sense of optimism. All stakeholders are now concentrating on the problem and the importance of a unified solution.

Mr. Hojem thanked Commissioners Beerbower and Macleod for their feedback.

Commissioner Macleod added that there is an interest to engage the Partnership in the committee's process.

Commissioner Beerbower said he envisions the Partnership playing a major role concerning activities within the Chehalis Basin. The CBP can provide supplemental information and technical assistance on the river with additional financial assistance.

Chair Canady reported the City of Centralia passed and signed the interlocal agreement. Commissioner Averill spoke about the importance of the Partnership at a recent meeting and indicated he plans to work hand-in-hand with the CBP.

In response to a question from Mr. Lehr about the Tribe's position, Mr. White said the Confederated Tribes of the Chehalis Reservation signed the interlocal agreement on April 22, 2008.

Discussion ensued about the future of the Executive Committee if formation of a flood control district is successful. In response to additional comments from Mr. Penberth about excluding citizens from the process, Commissioner Macleod said he supports the concept of an authority at this time pending further discussion on the details of forming a flood control district.

Commissioner Beerbower said the tri-county work session did not afford public comment, but there is no intent by any of the commissioners to hamper public participation.

Discussion followed on the current status of the authority.

What Transpired at the Meeting with the Governor's Office on April 17, 2008?

Ms. Napier reported the Executive Committee and numerous state representatives including Keith Phillips with the Governor's Office, Gordon White with Department of Ecology (DOE), and Washington State Department of Transportation (WSDOT), Department of Community, Trade and Economic Development (CTED), and Office of Financial Management [OFM] representatives met. She referred to the e-mail from Commissioner Averill summarizing the meeting. Topics relate to the state team's interests, notes/questions from the state team, and ideas about next steps concerning the study and flood project. One issue is staff resources for the Executive Committee. Commissioner Averill and Mr. Golden have taken the lead at this point. The state asked about jointly hiring a facilitator or a facilitation team. Mr. Phillips plans to introduce the staffing topic at the April 29, 2008 follow-up meeting. A facilitator could

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play a role between the two projects (study and flood control). Other questions Mr. Phillips addressed during the meeting included conflict resolution, funding, and communication.

Ms. Napier said an additional question Mr. Phillips raised concerned the role of the Partnership with the study component. That question was not answered at the April 17 meeting. The Executive Committee discussed and made changes to the interlocal agreement following the meeting. She reviewed specific amendments to the interlocal agreement. The committee agreed changes to the agreement require unanimous approval by the committee and that changes to the bylaws would be better served by a consensus vote. The intent is for all signatories to adopt the agreement or identify a direction by the April 29, 2008 follow-up meeting. However, the agreement in theory is finalized. The role of the CBP as it relates to the other flood organizations is scheduled for discussion at the April 29 meeting.

Discussion ensued about which entities have already taken action and signed the interlocal agreement.

Ms. Napier reviewed future meetings:

- May 1, 2008, 1:00 p.m. to 3:00 p.m. at the Corps office in Seattle
- May 13, 2008, 9:00 a.m. to 10:00 a.m., at the Insurance Building in Olympia

Who and What is One Voice?

Dr. Henricksen identified himself as the representative for One Voice. The organization has been focused on education. One Voice attempts to do two things - develop a comprehensive basin-wide plan to address activities at the top and bottom of the river and identify an entity to administer that plan. Related to the April 14, 2008 tri-county meeting, Dr. Henricksen said the concept is heading in a direction that One Voice hoped it would. He agreed with a statement by Commissioner Oberquell during the meeting that unless there is a comprehensive basin-wide plan, there is no reason to attempt to form a flood control district. Commissioner Averill is involved and instrumental in advancing the work. Dr. Henricksen said he plans to remain engaged in the process. Approximately 50 business people attended a meeting held two weeks ago. The concept of developing a basin-wide plan and identifying an entity (flood control district) to administer the plan was introduced. Attendees unanimously supported the strategy. Business representatives could help promote forming a flood control district if and when the time comes. Dr. Henricksen stated he has considerable experience running bond issues for the Chehalis School District. The same rules apply to establishing a flood control district. The entity can talk about the facts associated with forming a flood control district. Actually establishing a flood control district is up to the citizens and other agencies/organizations supporting the effort. One Voice plans to evaluate an organizational structure, consider fundraising options, and positioning to better support an initiative to voters.

Ms. Holbrook-Shaw said many in the basin lost their homes, incomes, businesses, and the ability to conduct business.

Dr. Henricksen said the Federal Emergency Management Agency (FEMA) didn't understand how the community and volunteers were able to pull together and begin the clean up before the agency arrived.

Chair Canaday said that people often wait for the government to provide assistance when a major disaster strikes. The community didn't do that after the December floods.

Dr. Henricksen added that many people have no funds and no answers at this point.

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Mr. Schulte said One Voice provides an opportunity to demonstrate to local, state, and federal officials that there is interest in the issue, that the public is engaged, and that a solution is desired.

Discussion ensued regarding flood control districts having the ability to pursue options to purchase properties in the floodplain. Mr. White reported CTED is evaluating that option and is considering how to purchase properties from owners wishing to relocate. Mr. Schulte commented that agencies are not willing to pay very much for properties. An owner with a home, barn, garage, and shop will receive approximately \$28,500.

Ms. Willis said asking agriculture to move is out of the question. Assisting farmers to make other improvements, such as building animal pads, is a better mechanism.

Dr. Henricksen reiterated that developing a comprehensive plan and forming a district is the only alternative that makes sense to him.

In response to additional comments from Mr. Penberth, Dr. Henricksen explained One Voice is not opposed to the Corps project. However, the agency is severely limited when it comes to implementing solutions. A flood control district would be responsible to evaluate solutions and how alternatives affect both the upper and lower reaches of the river. Mr. Penberth pointed out that a flood control district is self-governed and possesses unlimited control.

Mr. Harris said a grass roots organization is often more effective when approaching local and state representatives. A flood authority answers to the voters. Mr. Penberth contended the flood authority is not required to solicit public opinion on issues. Dr. Henricksen pointed out that flood control districts can also be sued.

Discussion ensued that it is incumbent upon individuals to follow up with One Voice concerning rumors.

Mr. Crumley asked if a flood control district would oversee FEMA's new designated flood area. Ms. Napier said a flood control district's scope is undefined at this time and the boundaries follow the watershed (WRIA) at this point until the scope of the project and area is defined. Legal counsels are researching what's involved in establishing a flood control district.

Members discussed the number of votes property owners can have dependent upon the amount of land owned by a property owner.

Commissioner Macleod added it will take a great deal of time to bring all of the components together.

Commissioner Beerbower left the meeting.

What is the Role of the CBP in Relationship to Other Flood Organization?

Ms. Napier said one question emerging is the role the CBP will play with respect to the Executive Committee. Ideas include serving as an informational forum, or in an advisory capacity to the committee and/or flood control district. She reported she's attending all local meetings as the CBP's project manager. Mr. Golden has asked that she remain engaged with legal staff conversations. The question will be asked again at the April 29 meeting and the Partnership does not meet until the end of May. She offered to carry the Partnership's message forward at the meeting. The basin-wide study could help to

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implement the Detailed Implementation Plan (DIP). Another question is whether it's possible to access funding identified by the Governor to implement assessment work identified in the DIP that would inform the flood control project.

Discussion ensued about how the Partnership's mission relates to the flooding issue.

Mr. Holm said the Partnership could take an active role in evaluating activities in the basin, such as fishing, recreation, and ecosystem maintenance. The subcommittees could provide expertise concerning characterization of the watershed.

Ms. Napier said implementation of the DIP has been postponed because of the flood discussions.

Mr. Lehman suggested the Partnership should focus on how to preserve salmon as soon as possible, as that was a major goal of the CBP. Ms. Napier noted that the Habitat Work Group is working to address preservation of salmon.

Mr. Schillinger said the Partnership is well represented on the flood authority. There is a connection between the CBP and the authority.

Mr. Hill suggested that the authority and flood control district should be a signatory to the interlocal agreement.

Mr. Crumley noted that the December flood was devastating to salmon in the Chehalis basin. Flood projects are an integral part to salmon recovery. It's important habitat protection is not lost as a flood project(s) moves forward.

Commissioner Macleod encouraged the Partnership to draft a concise position paper limited to one or two pages describing why the Partnership was created and its accomplishments. The position paper could be offered to authority members describing what the Partnership can contribute and its willingness to serve in that capacity.

Ms. Holbrook-Shaw said she and others choose to live in the basin because of its beauty and resources. The CBP provides an opportunity for citizens to participate, keep informed, and share ideas. It's important to remain engaged with all aspects and activities within the Chehalis basin.

Discussion followed about securing additional funding to implement projects identified in the DIP, such as the groundwater characterization work and storage projects that in turn will inform and benefit a flood control district.

Mr. Schillinger expressed support of Commissioner Macleod's suggestion to draft a position paper. Houses outside the floodplain might be contributing to flood problems in the basin.

Chair Canaday advised that she plans to attend all flood related meetings from this point forward.

Mr. Penberth complimented elected officials in attendance. He agreed the CBP should concentrate on water quality and fish habitat goals.

Ms. Napier reviewed elements that should be included in a draft position paper to the authority:

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- Discuss the CBP and its accomplishments
- Roles the Partnership could play
- Contributions such as the storage grant
- Outreach
- GIS Clearinghouse
- Water quality work
- Implementing the DIP
- Obtaining supplemental information for contribution to flood control projects

Mr. Harris offered a suggestion of including the 18 priority actions identified in the DIP as an attachment to the position paper.

Update Regarding Watershed Plan Implementation – Water Rights Mapping Pilot Project

Mr. Jennings provided a status report on the City of Centralia's water rights mapping pilot project in the Skookumchuck, which also serves to implement an element of the DIP. The Grays Harbor County, as fiscal agent for the Partnership, is contracting with Centralia for the work. An interlocal agreement between Centralia and Grays Harbor County should be completed by April 28, 2008, giving Centralia the authority to complete the project.

The City of Centralia is working with Jerry Louthain and HDR on the pilot proposal in the Skookumchuck basin. Deliverables include implementing a pilot water rights mapping project to include point of withdrawal, quantity, type of use, developing a Scope of Work (SOW) for an assessment of the water right claims, and compiling information on the claims for adjudication purposes.

Jerry Louthain, HDR, presented a map of the Skookumchuck basin, and commented about the project and scope. Water rights and points of use will be plotted on the map. HDR completed a similar project in the Skagit basin. HDR will also develop a spreadsheet showing water rights and related information.

Ms. Willis said the data will eventually be included on a website. She asked if it's wise to attach a property owner's name to a water right as that could place private citizens at jeopardy. Mr. Louthain said that issue came up with the Skagit project. The map was made available but the sheet showing the identification number and property owner was not released. The listing will be turned over to the City of Centralia and/or the Partnership. DOE is in the process of undertaking a statewide water rights mapping project.

Ms. Holbrook-Shaw commented that there is historical evidence that old coal mines are contributing to the contamination of well water particularly in the Bucoda area. Mr. Louthain said data of that type is available from DOE's well logs, which is available on the web.

Mr. Louthain provided water right information in the Skookumchuck basin. The largest permit is with Trans Alta of 80 cubic feet per second (CFS). DOE reduced the permit to 54 CFS. The Town of Bucoda had a water right of 11 CFS from the Skookumchuck River that was never used. DOE contacted Bucoda and Bucoda relinquished the water right. HDR will also develop a SOW to analyze water right claims.

Mr. Hill asked if the end product will be rolled into the GIS Clearinghouse. Mr. Louthain replied that HDR is working with Lewis County and Grays Harbor College on that element of the proposal.

Discussion ensued on the scope of the Skagit River project.

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Mr. Jennings described how the pilot project could benefit agriculture and promote the retention of agriculture and forestry within the Chehalis basin.

Discussion followed for HDR to provide the STC with a progress report on the pilot project at its June meeting.

Mr. Jennings advised that he will keep the Partnership informed on the project's process.

Mr. Louthain added that the Corps project addresses salmon recovery and ecosystem restoration components.

Watershed Facilitator – Update Regarding the Hiring Process

Randy Lehr, Grays Harbor College, reported 10 candidates applied for the Watershed Facilitator position. The applicants represent a wide range of background and experience. Staff is reviewing the applications. He said he is meeting with the review committee and distributing applicant packet materials. The goal is to identify three candidates by the end of next week and invite them to participate in the interview and hiring process.

Mr. Lehr reviewed Watershed Facilitator position responsibilities.

CLOSING COMMENTS, DISCUSS AGENDA FOR APRIL MEETING

Chair Canaday reported the CBP's next meeting is on May 23, 2008.

Ms. Napier reported students are scheduled to attend and share water quality findings and results of the logo contest. She noted Kathy Jacobson may or may not be involved in coordinating the festival in the future. The annual watershed festival will be held at Morrison Park on September 27, 2008.

Commissioner Macleod asked that promotion materials clearly describe the location of the festival including driving directions.

Ms. Holbrook-Shaw reported meetings for discussions on the festival will begin next month.

In recognition of National Secretary's Week, Mr. Hill and the CBP acknowledged the work of Puget Sound Meeting Services.

ADJOURNMENT

With there being no further business, Chair Canaday adjourned the meeting at 11:52 a.m.

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services