

**CHEHALIS BASIN PARTNERSHIP
STEERING TECHNICAL COMMITTEE MEETING SUMMARY
Washington Department of Fish and Wildlife Building
600 Capitol Way
Olympia, WA
February 1, 2007
9:30 AM**

Meeting Summary

PEOPLE IN ATTENDANCE

Chanele Holbrook Shaw, Citizen Representative, Thurston County	Charles Pitz, WA State Department of Ecology
Glen Connolly, Alternate, Confederated Tribes of the Chehalis Basin	Cheri Lindgren, Puget Sound Meeting Services
Terry Willis, Citizen Representative, Grays Harbor County	Marijke van Heeswijk, USGS
Lee Napier, Alternate, Grays Harbor County	Matt Ely, USGS
Teri Franklin, Water Quality Commission	Bruce Jones, Quinault Indian Nation
Steve Craig, WA State Dept of Ecology	Petra Shenk, UCSB
Chad Stussy, Alternate, WA State Dept of Fish & Wildlife	Jim Hill, Citizen, Lewis County
Mark Swartout, Alternate, Thurston County	Steve Boessow, WDFW
Kahle Jennings, Alternate, City of Centralia (10:04 a.m.)	Jerry Louthain, HDR
	Terra Hegy, WDFW
	Tom Loranger, DOE
	Kim Schmanke, DOE
	Phil Crane, DOE
	Vickie Cline, DOE

Announcements and Introductions

Chair Mark Swartout called the Steering Technical Committee (STC) meeting to order at 9:39 a.m. Everyone present provided self-introductions. He reviewed the following agenda:

- Groundwater resources discussion
- Interruptible water rights
- Revise Detailed Implementation Plan (DIP) based on recent actions taken by the Partnership
- Chehalis Basin Partnership February meeting agenda
- Legislative brochure

Mr. Craig reminded members that the Department of Ecology (DOE) has \$150,000 available for water quality activities involving restoration. The Partnership is eligible to compete for "Hussman" grant funds. Ms. Napier added that the information was forwarded to the Water Quality Committee. The deadline for applications is March 1, 2007.

Groundwater Resources Discussion

Chair Swartout acknowledged a letter from Mr. Pitz about groundwater resources. The letter summarizes STC discussions over the last several months about a complicated issue. Mr. Jones provided a status report about answers to questions posed to the group during the last several meetings. The purpose of the

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agenda item is to refine and frame the discussion of issues to present to the Partnership. At its last meeting, the STC agreed to develop a roadmap outlining next steps.

Mr. Pitz summarized his January 23, 2007 letter addressed to Ms. Napier and Chair Swartout. He emphasized the recommendations are not from a water law and permitting perspective, but rather from a technical approach. The communication is divided into two primary topics - assist the STC to better understand the Partnership's specific technical problems and goals for groundwater and the types of hydrologic tools available to address the issues described. The Partnership should consider the development of a larger model for the Chehalis Basin. However, it could be that results from the preliminary work will not justify the significant costs related to conducting a model. Modeling has its limitations. An excellent case history of the process is captured in the experience of the Colville River Watershed (WRIA 59). There are a number of important similarities between the two basins. There are steps the group needs to take under any approach summarized as follows:

- Conduct a comprehensive hydrogeologic characterization study to describe and interpret the three-dimensional geometry and stratification of the basin's groundwater flow system, with emphasis on the unconsolidated valley-fill deposits.
- Design and implement a basin-wide program for monitoring groundwater levels at representative locations.
- Conduct seepage evaluations (also known as synoptic flow studies) along the Chehalis mainstem and major tributaries.

At the request of Chair Swartout, Mr. Pitz explained the term "seepage." Mr. Pitz said there are things the Partnership has the ability to do internally without hiring expertise, such as information gathering at the local level.

Matt Ely, US Geological Survey (USGS), reviewed the Colville River watershed project. The first phase consisted of building a conceptual model to better understand the system from a three-dimensional hydrogeologic framework. There was little data available for the Colville Basin and it took several years to compile the baseline information and two years to complete the model. A numerical model represents an understanding of a conceptual model.

Mr. Jennings arrived.

There were some limitations with the final product. Models are not as effective with final conclusions. The Partnership needs to know what the system is doing as a whole before refining the model and testing various scenarios. The strength of a numerical model is its ability to test scenarios. Once the basic data collection is complete the next steps with modeling can be determined.

Discussion ensued about the WRIA 59 planning unit and its financial resources. Marijke Heeswijk, USGS, said the agreement was with the local conservation district. Mr. Ely added USGS has a Co-op Program where costs are shared. Many organizations compete for the funds. USGS has fully allocated available funds for 2007.

In reply to a question from Ms. Willis about how much money was spent, Ms. Heeswijk responded that the two phases cost approximately \$750,000 five years ago. Mr. Pitz noted the Colville Basin is half the size of the Chehalis Basin. Mr. Ely said a significant expense is related to data acquisition.

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Discussion ensued about the importance of collecting the right data from the right places initially and whether a report about phase 1 was available for the STC to review. Mr. Ely said he's not sure what internal documents are published. The Colville Watershed Plan and USGS reports are available electronically. The links are provided in Mr. Pitz's letter. Ms. Heeswijk said USGS could provide the STC with an example of a proposal. Mr. Pitz emphasized each refinement comes with an additional cost.

Mr. Jennings asked whether it is possible to phase projects. Mr. Ely confirmed that it is possible to phase projects.

Discussion followed about a seepage study of the Satsop and Chehalis mainstems and tributary flows.

Mr. Ely said USGS regional offices review proposals for scientific integrity. The two proposals for the Colville Basin were written at different times. USGS doesn't do small, focused data gathering activities. Ms. Heeswijk said more and more of the work is shared, such as local agencies monitoring wells with USGS populating the database with the information. Mr. Ely stated if the end product is a numerical model that USGS builds it is helpful to involve USGS in the data gathering. Ms. Heeswijk indicated USGS could build the hydrologic framework with assistance from local groups. Mr. Ely added that there is a degree of uncertainty with any modeling effort. USGS would need a clear understanding of all the modeling components.

Mr. Pitz pointed out that USGS is not the only organization that can build a model. He encouraged the STC to explore other options. The committee's focus should be with the characterization work.

Chair Swartout illustrated on a white board some potential phases:

- Phase 1: Build a conceptual model using known data first. Initial focus is hydrogeologic characterization that could include determining groundwater recharge; groundwater monitoring, seepage evaluation, an understanding of current ground and surface water use.
- Phase 2: A numerical model.

Discussion ensued about where to begin, how much of the Chehalis Basin to model, how to present the modeling idea to the Partnership, costs involved, and appropriate projects for USGS involvement.

Mr. Craig conveyed that Mr. Pitz has taken a deliberate systems approach and his technical letter provides a good starting point. USGS indicates the next step should include flushing out a proposal or work plan using a collaborative approach. Once a work plan is drafted, stakeholders can begin to develop a budget for the various components.

Ms. Heeswijk said USGS could put together a one-page bulleted mini-proposal document in time for the Partnership's meeting in February.

Mr. Hill said that the Partnership should understand the work is a long-term process.

Mr. Pitz emphasized the term "phasing" shouldn't not be confused with "piecemeal."

Mr. Hill commented that each study should be accompanied with an assumptions list, known exclusions, and defined parameters.

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Dialogue about a phased approach followed. Mr. Jennings said he's convinced each Partnership member will be required to contribute to the effort. Mr. Ely said taking a holistic approach and assigning tasks is a more effective way to expend the dollars.

Chair Swartout pointed out a model uses large areas. It makes sense that the cities within the basin would build their own cells over time. It is important to agree on how to use the broader model so information can be plugged in and is then useful to the basin.

Mr. Jones stated the STC should inform the Partnership that expertise is needed to develop a proposal. A subcommittee of members could develop a proposal for the committee's consideration. He reminded the group that the STC is looking at a static model for the entire watershed that includes ridge tops. The Partnership needs to develop a framework so that individual projects can plug into the larger watershed model.

Ms. Napier asked USGS representatives to provide her with the one-page bulleted proposal by February 8, 2007 to enable members to review it before mailing it to the Partnership on February 15, 2007. Mr. Craig and Chair Swartout stressed that the proposal is informational at this point. Ms. Heeswijk said USGS could include options and decision points as well.

Mr. Pitz noted that the pieces needed to build a conceptual model are identified in his letter.

Discussion ensued about at what point it would be helpful for USGS representatives to attend a Partnership meeting to potentially answer questions.

Mr. Pitz said the STC has identified a good direction. There are five pages of disclaimers at the end of Colville's modeling report. Models have limits and are not perfect tools. Partners within the Colville watershed are somewhat frustrated because the model didn't get them what they wanted or answer all the questions. The results of a model may be very disappointing. There are reasons to proceed with a model for the Chehalis Basin. The STC should let the Partnership know that the high cost commitment might not have an answer at the end.

Mr. Craig said the model could be open ended with refinements as time goes on.

Ms. Holbrook Shaw added that she is looking for the model to also serve as a planning and management tool.

Mr. Jennings said data are vital when managing a water utility. Decisions are being made without all of the information.

Steve Boessow, Washington Department of Fish and Wildlife (WDFW), indicated that the person producing the local model is aware the proponent needs a product that is defensible. There are third party appeals occurring.

Mr. Jones said it's important to engage the Partnership in Phase 1. There are issues in front of the group currently.

Discussion ensued about what happens if the model yields unfavorable answers.

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Mr. Pitz raised a sidebar issue of the inability to separate water quality from a water supply management question.

In response to comments articulated by Jerry Louthain with HDR, Ms. Napier asked how much new data are generated when someone wants to transfer water rights. Mr. Louthain responded most applications involve changing a groundwater irrigation right to a municipal supply right, which basically changes an agricultural right to a domestic supply right. For most requests, an applicant hires a hydrogeologist to determine the impacts when changing from one type of water use to another. The file is eventually transferred to DOE. Data collected for a particular application goes with the water right.

Chair Swartout summarized the next steps as approaching the Partnership about implementing “this” part of the watershed plan and USGS drafting a one-page bulleted work plan for STC review. The work plan will be provided to the Partnership for informational purposes only

Mr. Jennings said he asked a consultant to draft a scope of work for a seepage run. He asked if the group is interested in looking at the scope. Members expressed an interest in reviewing the document.

Mr. Ely said USGS is not allowed to make recommendations or suggestions. He noted it’s never a waste of money to collect good, basic data. Mr. Pitz said measuring water levels as quickly as possible throughout the basin should be at the top of the data acquisition list.

Discussion ensued about forming subcommittees and whether there are members that could be responsible to chair a subcommittee or act as the “go to person” for a particular project. Ms. Napier said the same approach could be taken for the interruptible water rights issue. Mr. Jones said the STC should develop its own work plan and identify activities and lead persons. Chair Swartout said the group has developed an annual work plan for the Partnership that typically becomes a work program for the STC.

In reply to a question from Mr. Craig, Mr. Swartout said the goal is to present a draft work plan to the Partnership at its February 23, 2007 meeting. As topics emerge, STC members could volunteer to address them.

Mr. Pitz and USGS representatives left the meeting at 11:31 a.m.

Revise Detailed Implementation Plan (DIP)

Chair Swartout noted the Partnerships agreed to modify Interim Milestone 3.1 in response to the Quinault Indian Nation (QIN) letter. He asked if the STC should revise the DIP to reflect the change and present it to the Partnership for approval. Ms. Napier explained the Partnership approved the Detailed Implementation Plan (DIP) in October. The STC reviewed the QIN letter at its November meeting. There was agreement to amend one of the Interim Milestones to address comments and concerns raised in the letter. She reviewed the text amendments. Members were also provided with copies of DIP Strategy #18.

It was determined that the best approach is to incorporate the changes within Interim Milestone 3.1 and solicit the Partnership’s approval of the suggested amendments prior to hosting a workshop about amending the DIP.

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Mr. Jones said he is comfortable with the suggested language changes and the process as outlined. He noted DIP Strategy #18 was modified approximately one year ago.

Ms. Napier said a work group representing basin-wide interests had a strategy that went with the work. She asked if the STC wants to incorporate the strategy as well. Another option is to create a stand-alone Interim Milestone with tasks. Terra Hegy, WDFW, indicated that it appears instream flows should be a separate task.

Discussion ensued about the process used to identify the milestones and tasks and the best way to amend the DIP.

Chair Swartout indicated it appears there's general consensus to make DIP #18 its own separate Interim Milestone. He suggested including a cross reference to Interim Milestone 3.1. The committee previously talked about presenting the top five milestones to the Partnership. The Partnership would then sequence the priorities. Mr. Jones said the STC still needs to refine the first five milestones. Chair Swartout suggested the Partnership's February agenda include consideration of a revised DIP, prioritizing the first five, followed by interruptible water rights.

Discussion ensued about how to facilitate the Partnership ranking the first five milestones.

Mr. Jennings suggested another approach of presenting the Partnership with a recommendation.

Discussion followed about STC members meeting after the Partnership meeting to flush out issues and the role of the STC (frame discussions for the Partnership to make policy decisions).

Chair Swartout said the STC must engage with the Partnership as much as possible. Instream flows and water quality are controversial topics and it's the Partnership's responsibility to make the critical decisions.

Discussion ensued about the STC providing the Partnership with a recommendation about prioritizing the top five interim milestones, clarification of what priority means, funding opportunities, and timelines. Mr. Jones suggested the STC schedule a workshop to discuss its work plan.

Ms. Napier reported the STC will present Strategy #18 to the Partnership as a proposal to amend the DIP (creating a new interim milestone, 3.5) with the understanding that a public process is required prior to integrating it in the DIP.

Chair Swartout recessed the meeting from 12:05 p.m. to 1:05 p.m.

Chehalis Basin Partnership February Meeting Agenda

Chair Swartout drafted a proposed agenda for the Partnership's February meeting with input from the STC as follows:

- Engage Partnership in interruptible water rights discussion – *DOE lead* 60 minutes
- QAPP – Water quality monitoring plan update – informational – approve/endorse Randy's work 15 minutes
- Introduce GIS Instructor and Clearinghouse Coordinator

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- Present revised DIP – Informational – *Ms. Napier lead* 15 minutes
- Alternative B – Five strategies using rules when prioritizing interim milestones – *Ms. Napier lead* – bring model, apply rules already adopted, based on feedback develop additional rules, general reminder about prior process, asking for approval of process 20 minutes
- Begin discussions about ground/surface water, hydrologic study, modeling, one-page work plan to present to Partnership – *Mr. Jennings lead* – PowerPoint presentation out to members for review and comment – informational – discuss need, why its coming to partnership 15 minutes
- Festival update – feedback on proposal (*Kathy Jacobsen*) 10 minutes

Ms. Willis said the Water Quality Committee will brief the group on accomplishments at a future meeting. Ms. Napier suggested the Water Quality Committee work on the Hussman grant.

Members discussed a potential project along the Chehalis River that would create a new recreational fishing pond for youth in the community and other amenities.

Legislative Update

Mr. Craig reported the DOE website contains a summary on the status of various water related bills before the Legislature this session.

Ms. Napier briefed members about her attendance to a Water, Energy and Telecommunications Committee (WETC) public hearing on “dividing water resource inventory area 29 into 29a and 29b” (for geographic purposes). She said she was able to provide an overview of the Partnership, the DIP, and distribute copies of the latest draft of the legislative brochure to the WETC.

Interruptible Water Rights

Tom Loranger, DOE, reported the agency has met with the QIN about interruptible water rights. Interest about interruptible water rights has grown over the last several years. Technology has improved and real time flow data will be available on the DOE’s website this year. The department has identified 116 property owners with surface water rights issued since 1976 that are interruptible. The agency is working to update the backlog of water right changes. Most new water rights are completed through cost recovery. He described the cost recovery process.

The purpose of the discussion is to share data, talk about outreach approaches that could include workshops and similar topics.

Discussion ensued about the difference between interruptible water rights and provisional water rights, and whether an owner’s certificate states that the water right is interruptible. There is some uncertainty about whether all 116 property owners are aware their water rights are interruptible. It was noted that groundwater rights are not provisional.

Vickie Cline, DOE, explained from March to November 2006, the department identified the number of interruptible water rights as between 100 and 120 surface water rights and the owners. DOE has met with the QIN and Confederated Tribes of the Chehalis Basin. The agency plans to mail out an early notice to water right holders with a copy of the certificate within the next several weeks.

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Discussion followed about the contents of the letter. DOE is setting up a 1-800 "River Flow" hotline for people to call and obtain specific flow information on any given day. It is not known whether rivers will drop below minimum levels this year, next year, or the year after. Owners can plan ahead in the event river flows fall below minimum levels.

Members discussed ways owners can plan ahead, such as working with other water right holders in the watershed to share water and transferring water rights. Ms. Willis and Ms. Holbrook Shaw suggested the letter outline options to the owners. Ms. Cline said that DOE could include a focus sheet that speaks to changes in transfers for those that want to evaluate options. The agency plans to provide technical assistance from the beginning. Over the last 15 years, there have been three years where flows were below the minimum for several weeks. 1992 was the worse year. In 2005, the mainstem Chehalis never fell below the minimum threshold.

Mr. Loranger referred to a display map, "Location of Interruptible Surface Water Withdrawals to WRIA's 22 & 23 – Chehalis River."

Chair Swartout suggested developing a more inclusive public process to include a public meeting to talk about the issue and possible solutions. The issue is complex and it's important to engage the public early. Kim Schmanke, DOE, replied that she is working on a proposed public outreach strategy. She outlined the components and the goal to create a transparent process.

Discussion followed about a "water master." Chair Swartout suggested Ms. Cline could be identified as the watershed steward rather than her official position of a DOE enforcement officer.

Ms. Willis asked about other steps DOE is required to take when instream flows drop and when cities, such as Elma, use more water than their permit allows. Mr. Loranger explained in addition to interruptible water rights, some utilities are required to use different procedures. He said he is not aware of utilities that would require using a different procedure within the Chehalis Basin. If a city's water right predates the instream flows, it's their water to use. If owners are using more water than allotted, DOE can pursue enforcement. However, it would be difficult for the agency to turn off a public water supply.

Mr. Hill asked if a municipal water right is required to contain a conservation provision. Mr. Jennings said conservation is identified in a water system plan.

Discussion followed about a new, recently adopted 10% leakage standard.

Mr. Loranger said he likes the idea of workshops and asked the group about potential locations. Suggestions included Centralia/Chehalis, Montesano, Sweet Hall Grange in Rochester, Newaukum Grange, Porter Grange, Sharon Grange, Napavine, PeEll, and the Brady Grange.

Mr. Jennings said a key question DOE will be asked to answer is, "why are you doing this now?"

Chair Swartout asked DOE representatives what they want from the Partnership and hope to accomplish at the next Executive Committee meeting.

Mr. Loranger said he'd like to know whether the STC would rather not be associated with the interruptible water rights endeavor. Ms. Holbrook Shaw said a question the public will want answered is

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whether shutting off their water will put water back in the river. Ms. Willis and Mr. Hill agreed that people will want to know the benefits related to terminating their water rights if necessary for a period of time.

Mr. Hill asked about what enforcement measures DOE will take for noncompliance.

Mr. Loranger said that the executive team at the agency is very aware of what could come out of the effort. DOE is pointing to the Chehalis Basin Plan that suggests a higher compliance profile.

Members discussed identifying proactive solutions, DOE's media strategy, and the Partnership sending a letter to Jay Manning about where it stands on the issue.

Mr. Louthain commented about an application before the Thurston County Water Conservancy Board to change an old low flow provision (irrigation right) to a groundwater right. DOE says the low flow provision must transfer with the change.

Discussion ensued about when the letter would be mailed to the water right holders and whether the letter should reference the Partnership and the plan. Mr. Swartout suggested posing the question to the Partnership at its February 23, 2007 meeting. Mr. Loranger expressed concern about delaying the letter mailing.

Mr. Jones said the Partnership could take a proactive position rather than stepping back. Ms. Willis agreed and said the Partnership can help landowners through the process. DOE has a legal obligation.

Mr. Loranger said he'd like to mail a letter within the next two weeks. DOE can attend the next Partnership meeting to discuss proactive ideas and its role.

Brief comments followed about the Dungeness River watershed planning process.

Mr. Swartout recommended the letter not refer to the Partnership or Chehalis Basin watershed planning process at this time. Members agreed for DOE to forward the draft letter to Ms. Schmanke, Chair Swartout, Mr. Jones, and Mr. Hill for review and comment by February 7, 2007. Ms. Schmanke said the letter should be ready to go out on February 12, 2007.

Ms. Holbrook Shaw asked whether DOE plans to host additional workshops on a broader scale later in the year. Ongoing communication, such as a newsletter mailed to a broader audience is important. The "Drops of Water" newsletter was mentioned specifically.

Set Agenda for Next STC Meeting

Chair Swartout drafted a tentative agenda for the STC's March meeting with member input as follows:

1. Revised DIP to answer the QIN response, plan workshop on revised DIP
2. 2007 work plan (Alternate B), 2007 DIP implementation, all activities of the STC/CBP
3. GIS clearinghouse (ongoing agenda item), new GIS Coordinator (Ms. Napier will follow up)
4. Interruptible water rights, dependent upon outcome from the Partnership's February 23, 2007 meeting

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Adjournment

There being no further business, Chair Swartout adjourned the meeting at 2:48 p.m.

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services