

**CHEHALIS BASIN PARTNERSHIP
STEERING TECHNICAL COMMITTEE MEETING SUMMARY
Washington Department of Fish and Wildlife Building
600 Capitol Way
Olympia, WA
January 4, 2007
9:30 AM**

Final Meeting Summary

PEOPLE IN ATTENDANCE

Chanele Holbrook Shaw, Citizen Representative, Thurston County (12:06 p.m.) 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 John Kliem, Facilitator (1:42 p.m.)

Lee Napier, Alternate, Grays Harbor County Danielle Warner, Lewis County Community Forest Stewardship Program (CFSP)

Kernen Lien, Alternate, Lewis County Bruce Jones, Quinault Indian Nation

Steve Craig, WA State Dept of Ecology J Roach, Citizen

Chad Stussy, Alternate, WA State Dept of Fish & Wildlife

Mark Swartout, Alternate, Thurston County

Announcements and Introductions

Mark Swartout called the Steering Technical Committee (STC) meeting to order at 9:39 a.m. Everyone present provided self-introductions. He reviewed an agenda for the day. Ms. Napier added Mr. Pitz is available to help “tie up” some loose ends, answer additional questions from the group, and provide some direction about an appropriate approach to hydraulic modeling. An agenda for the day was laid out as follows:

- Hydraulic continuity scope of work
- Enforcing interruptible water rights
- Development of legislative brochure and outreach materials
- CBP agenda and workshop

Continue Discussion of Hydraulic Continuity Scope of Work

Mr. Craig commented about how US Geological Survey (USGS) could play a role with the computer modeling effort. Mr. Pitz said development of a numerical model is the most efficient way to accomplish the goals expressed to date by the group. A numerical model will provide an ability to predict what will happen in the future. He referred to the Department of Ecology’s (Ecology) “Hydrology and Quality of Groundwater in the Centralia-Chehalis Area Surficial Aquifer” study that talks about the physical system and how it works. The study provides a “snapshot” of current conditions, but is not able to identify how the system is affected if changed in some way. The STC talked about steady state and transient models at the November meeting. He illustrated a “dynamic” steady state model on the white board. A “dynamic” steady state model takes into account changes in conditions that are predictable and regular. Mr. Pitz drew a diagram to illustrate that a transient model consists of unpredictable changes with no regularity. Eventually the Partnership will hire someone to model the current condition, predict a new condition depending on a particular change, and the model will eventually settle into a “new” steady state. Because of the size of the basin, the group could use a large model as the basis for local areas to build transient models that take into account constant unpredictable changes. He illustrated how various stresses can affect a model. The group might want to experiment with “if then” scenarios (a new pumping circumstance) that result in a new equilibrium. Discussion ensued about the ability of the steady state model to make predictions based on establishing a set of conditions for a specific period of time (spring or winter), and that the STC will help to inform the Partnership with its decision-making concerning a

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modeling approach. Mr. Pitz indicated he is able to contribute approximately 10 hours to provide technical assistance to the STC to help identify data gathering steps to get from “here” to a model that is several years in the future. The preliminary data needed to assemble a model that mimics the physical reality is significant. A modeler will start with the best initial information about current conditions and refine it. The known data is then used to determine whether the model’s data is working correctly.

Conversation followed about the difficulty to locate the bottom of the aquifer. Mr. Pitz said the physical system is simple from a geologic standpoint. One could look at well logs to help determine the bottom of the aquifer. However, a well is drilled to find water and not necessarily to define the bottom of an aquifer.

Ms. Willis asked whether it’s critical to know where the bottom of the aquifer is located. Mr. Pitz replied yes, you have to establish the boundaries of the “box” in order to build the physical reality.

In response to an inquiry from Mr. Connolly, Mr. Pitz said the “Hydrology and Quality of Groundwater in the Centralia-Chehalis Area Surficial Aquifer” study is ready for a model as 75-80% of what’s needed to assemble a model is complete for “this” area. Discussion of approaching the model from a broad and coarse grid perspective followed.

Mr. Craig commented the group could assume the model will evolve and is an ongoing work in progress. Data is not available for every part of the watershed. He asked if trying to factor in global warming and climate change using the best data available is appropriate. The historical data might not apply to what the group wants to model and predict for the future. Mr. Pitz replied the “Thurston County model” has evolved over time and been refined as new data became available. It is a given now that groundwater models are designed to allow for refinements over time.

Discussion followed about next steps, data collection standards, and typical modeling packages. Mr. Swartout suggested the committee develop a roadmap about how to get from “here” to “there” at its next meeting. Mr. Pitz added the MODFLOW model developed by USGS is recognized worldwide. USGS has developed models for other communities in Washington state. At some point the Partnership will want to talk to USGS as the potential organization that will conduct the modeling.

Mr. Craig conveyed he has talked with USGS. The organization is interested in the basin process and could potentially bring some funding to the table. He asked when it is appropriate for USGS to come to a meeting to talk about modeling. Mr. Swartout said a defined work program will reveal an appropriate time for the group to engage with USGS. Mr. Lien suggested the STC approach the Partnership first and verify whether the modeling activity is a priority.

In response to other member comments, Mr. Pitz stated many of the questions raised will require gathering information to gain answers. A model is not necessarily the only way to solve problems but a way to assemble data. The group needs to be able to describe the physical system with or without a model. He can help identify the steps to advance assembling the information for the intended purpose. He said reviewing the “Hydrology and Quality of Groundwater in the Centralia-Chehalis Area Surficial Aquifer” report will provide some perspective.

Dialogue about USGS attending the next STC meeting followed. Mr. Pitz said engaging the modeler with the data gathering component is key. USGS will ask many of the same questions he posed to members to determine the goal. Mr. Swartout suggested compiling the comments from the meeting notes as a way to represent the committee’s interests to USGS. He and Ms. Napier expressed some reservations that it is too early to begin discussions with USGS. Ms. Napier said perhaps Mr. Craig could prepare USGS and ask them to come to a meeting, observe, and offer feedback. Mr. Pitz outlined a suggested verbal approach the committee could use when talking to USGS.

Mr. Swartout said the STC should expect to discuss developing a hydraulic continuity scope of work from 9:30 a.m. to Noon at the February 1, 2007 meeting. He asked Mr. Craig to contact USGS about attending the meeting.

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Mr. Jones offered to develop a one-page draft fact sheet about the concept using the 11 questions answered at the November meeting coupled with what members learned today.

Members thanked Mr. Pitz for his expertise.

Mr. Swartout recessed the meeting from 11:07 a.m. to 11:11 a.m.

Continue Discussion Regarding QIN's Request to Ecology to Enforce Interruptible Water Rights

Mr. Swartout reviewed background information about the Quinault Indian Nation's (QIN) request to Ecology about enforcing interruptible water rights. Ecology has a list of approximately 100 rights that are interruptible within the Chehalis Basin. All but one is a surface water withdrawal, and all are agriculture rights. A question is how the Partnership moves forward with the request when it is outside the watershed planning effort. Some members have expressed a fear that the issue could derail the entire watershed planning process. Ecology should review the list and identify which rights are being used, and whether properties have been subdivided and the water right is no longer an issue. Ecology should present a confirmed list to the Partnership.

Mr. Craig stated Ecology's water resources division is flexible about how to deal with the matter, and is sensitive to the Partnership and the progress made so far. The department plans to move slowly, and Ecology and the tribes have an amicable working relationship. A question is whether the Partnership and/or the tribes should forward a recommendation to Ecology.

Mr. Jones explained Ecology has been investigating the issue since last fall to determine where the water rights are located, how the rights are drawn down, and identifying the current users. The original plan was to present a draft letter from Ecology to the Partnership addressed to water right holders reaffirming they possess interruptible water rights in December 2006; however, the meeting was cancelled. The letter should come before the Partnership in January. Ecology and QIN agree they should work through the Partnership to notify the water right owners. Ecology should enforce the laws currently on the books. Instream flows are an issue for the tribe and the committee should begin management of the affected waters.

Discussion ensued about inviting Tom Loranger to the next Partnership meeting, and an appropriate process that could include introducing the topic to the Partnership followed by Mr. Loranger attending a future meeting to present specific information. Mr. Craig and Mr. Jones commented the issue has already been raised at the Partnership level.

Ms. Willis said interruptible water rights is a serious issue that carries far-reaching consequences. She emphasized she is speaking for herself and not the agriculture community or other agencies she works with. There are several questions that need answers before the group proceeds, such as:

- 1) Do "we" know what the plus side to an instream flow should Ecology take action with the interruptible water holders
- 2) Are the holders using the water right and if so, how much water are they using
- 3) When was the last time Ecology sent the landowners any communication and will the letter represent a perceived threat
- 4) The owners might panic and think Ecology is threatening their water right with this year's crop
- 5) This will be the first time Ecology has enforced interruptible water rights on the west coast and it will be front page news

Conversation about the fact that addressing instream flows is a goal of the watershed Partnership followed. Mr. Swartout noted the goal has been identified, but the group has not completed the steps.

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Ms. Willis said sending letters to the owners is not the way to handle the matter. Mr. Jones stated the tribe thinks the major impact is coming from the "Muni Bill" and not from the private users. The law on the books speaks to interruptible water rights as a way to protect instream flows. The "Muni Bill" gives cities senior water rights to draw out all the water within their water right for development, which impacts the smaller users. Ms. Willis suggested QIN work directly with Ecology and not involve the Partnership. Mr. Jones said the Partnership is a voluntary process to manage the watershed and should step forward and address the issue.

Mr. Swartout disagreed and said sending out a letter regardless of how the Partnership views the matter is not what it envisioned. He agrees it will make front-page news and could potentially damage the watershed planning effort. If the Partnership goes away, the venue to manage the resources in the basin is lost. The Partnership could choose instream flows as a high priority. Provisional water rights that are interruptible to the instream flow will be presented during the workshops. The Partnership might approach Ecology and identify a plan to maintain or enhance instream flow. Dialogue followed about the ability to transfer a water right from surface water to a well, the Growth Management Act (GMA), and that environmental groups have filed a lawsuit against the "Muni Bill." Ms. Napier said the Partnership should work towards identifying solutions rather than taking away water rights.

Mr. Roach commented he doesn't think the Partnership is prepared to take on law enforcement at this time.

Mr. Swartout said the issue should be addressed in a thoughtful manner that includes a planning process. The Partnership might offer a recommendation if interruptible water rights is a viable solution to instream flows, especially if packaged with ways to mitigate impacts to property owners.

Mr. Craig said the owners should already be aware they have an interruptible water right. Talks between Ecology and the tribes have resulted in some commitments. He suggested advancing the issue slowly in a thoughtful, collaborative, and cooperative manner. Education, the content of a letter, and timing are important considerations.

Further discussion ensued about how to proceed with augmenting stream flows for the fisheries within the watershed, the previous water management model, measurable benefits to the river system, and introducing the issue to the Partnership at its January meeting. A draft letter could come back to the Partnership in February for review and comment. Some members expressed interest that Ecology brief the STC about the interruptible water right inventory results.

Mr. Jones indicated QIN would like to see the draft letter before Ecology mails it to the water right holders, which should occur as soon as possible.

Mr. Craig acknowledged Ecology has legal obligations and the tribe is aware of the obligations and set a process in motion. At the same time, Ecology and the state is committed to the water management approach and the process to solicit feedback from the Partnership. The STC has some concerns. He will relay the concerns to Ecology, which could affect how the agency addresses the matter.

Mr. Swartout suggested introducing the idea of provisional water rights at the Partnership's January meeting, and scheduling the topic for further discussion in February. Mr. Craig said the Partnership has enough status that it could send a letter to Ecology listing its concerns and suggestions.

Ms. Willis requested a change to the December 7, 2006 meeting minutes: within the last sentence of the second paragraph on page 8, change "groundwater" withdrawal to "surface water" withdrawal.

Mr. Swartout reviewed Ecology's position about interruptible water rights: QIN has presented the request to Ecology, and Ecology is asking the Partnership for input.

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Ms. Holbrook Shaw arrived at 12:06 p.m.

Mr. Jones left the meeting at 12:10 p.m.

Mr. Swartout recessed the meeting from 12:10 p.m. to 1:01 p.m.

Continue Development of the Legislative Brochure and Outreach Materials

Ms. Napier distributed a revised legislative brochure. She conveyed Commissioner Beerbower is attending a Coastal Caucus lunch meeting today sponsored by the chamber and will speak on behalf of the Partnership. Ed Brewster, President of Grays Harbor College, also has a copy of the talking points should the opportunity to talk about a joint venture between the group and the college presents itself. Session begins on January 8, 2007. Members talked about additional refinements to the brochure summarized as follows:

- Rework the paragraph that talks about the Salmon Recovery Funding Board (SRFB) grant to read similar to, "To date, SRFB grant funding has been used to open up "x" miles of habitat, "x" acres of land for acquisition, and helped to complete a basin-wide assessment, and move it to the background section.
- Perhaps not focus on the amount of funding received but what was accomplished with the funds.
- Incorporate a photo of "Fin" with people, label all of the pictures within the brochure, and add additional photos as space allows.
- It was decided to strike the last bullet point on the first page of "2007 Requests" that talks about forming an implementation entity.
- List all of the 2007 requests on one page.
- Revise the last bullet under 2007 requests (second page) to read, "In addition to the base money for the Phase 4 grant, 'x' is needed to implement the watershed plan that will help pay for the following types of projects," move it to the first position under 2007 requests, followed by listing the needs as shown.
- Revise the third paragraph under "Background" to read, "Our group works together in a collaborative effort to plan and make decisions about long-term management of water resources and salmon habitat."
- Spell out "Geographic Information Systems (GIS)" and "Ecosystem Diagnosis and Treatment (EDT)."
- Revise the sixth bullet to read, "\$75,000 to continue supplemental funding from the legislators to support administrative operation of the planning unit."
- Strike the "blue" bullet point if the funding level is unknown.
- Within the second line of the first paragraph on the first page, change the last "the" to "Washington."
- Within the last line of the second paragraph on the first page, change "Agriculture" to "agriculture."
- Replace the word "around" with "approximately" in the first line of the third paragraph on the first page, and move the paragraph to follow the second paragraph (above the map of the basin).
- Revise the first paragraph under "2006 Accomplishments" to read, "Approved the second watershed plan in the state of Washington (2004)," move it to the background section, and add another picture.
- Include the year the Detailed Implementation Plan (DIP) was approved.
- Reword the third paragraph to read, "Created a partnership between Grays Harbor College, Department of Ecology, and the Chehalis Basin Partnership to form a Geographic Information Systems (GIS) Clearinghouse."
- Replace the word "project" with "Report" within the fifth paragraph under accomplishments.
- Revise the last paragraph under accomplishments to read in part, "Hosted the first annual *Chehalis* Watershed..."
- Remove the "Grays Harbor County" logo on the front page if possible.
- Incorporate a "did you know" fact such as the Chehalis Basin is more than twice the size of Rhode Island.
- Talk about how "Fin" visited the Chehalis schools and educated students and parents about the watershed.
- Highlight key points or facts within the brochure.
- "Bullet" the paragraphs under the accomplishments section.
- Reverse the use of the "arrow" and "star" "bullets" under requests and contact information.

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- If possible, increase the size of the basin map on the first page.

Ms. Willis reported she attended a “Priorities for a Healthy Washington” meeting in Grays Harbor a few weeks ago and had an opportunity to ask the elected officials to fund the state’s watershed plans at a higher level. Mr. Swartout suggested mailing state representatives a copy of the final legislative brochure.

Mr. Craig briefed Mr. Roach and other members about the status of the GIS Clearinghouse. The Partnership agreed a clearinghouse for the entire watershed makes sense to integrate GIS activities, and create a central repository for data and mapping. The tribes are participating, and Grays Harbor College embraced the effort. The goal is to make the clearinghouse a permanent, ongoing program.

Conversation about sustainability within the watershed followed. Mr. Craig commented that there might be interesting opportunities to discuss such as how the bio-fuel facility under construction in Hoquiam could fit in with agriculture. A new state law requires utilities to factor in renewable resources into energy generation.

Chehalis Basin Partnership Agenda, Including Discussion and Confirmation About a Workshop Facilitated by John Kliem

Mr. Kliem said following adoption of the DIP and subsequent conversations, it appears the Partnership is at a point about how to move forward. There are options using the STC or other CBP aspects. There are several questions on the table such as:

- Address issues raised by the QIN about plan objectives and/or milestones
- Advance completion of subsequent volumes of the DIP
- Refocus efforts at implementing aspects of the plan

A way to engage the Partnership as a whole is to identify approaches already talked about and whether any steps are missing. He suggested the group review each of the approaches presented and list out the pros and cons at the upcoming workshop. Mr. Kliem explained how the group could use decision cards as a way of gaining consensus about how to move forward, the benefits of using such a system, and the session will need to be focused in order to reach a resolution. Developing ground rules is key. There will be time for attendees to caucus. Ms. Napier indicated she would hand out the decision cards to Partnership members at the workshop. Discussion ensued about the tight two-hour workshop timeframe, and holding only one workshop to reach a conclusion. Mr. Swartout said the partnership providing the STC guidance about the next steps to advance the DIP, and identifying resources, is a goal of the workshop.

Conversation about the QIN letter followed. Mr. Kliem said the committee will need to clarify the QIN request, the desired outcome, and identify the varying approaches. Ms. Napier said the STC talked about modifying a particular DIP milestone with a March 2007 deadline. Mr. Swartout said a question is whether to address the next five priority milestones or prioritize the current five within the DIP, work on all five, or focus on one. Ms. Napier expressed reservations about the STC making priority decisions without Partnership input.

Discussion ensued about whether the Partnership expects a recommendation from the STC about how to proceed, and the role of the STC with the overall membership of the Partnership. Mr. Swartout conveyed committee members can share their knowledge with the policy makers (CBP) at the workshop.

Mr. Kliem said everyone at the workshop could participate in listing the pros and cons of the identified approaches. Ms. Napier said scheduling a break between the discussion and consensus vote would allow attendees to caucus, and that only the voting members will make the decision. A draft CBP workshop agenda was discussed and outlined on a white board as followed:

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- 9:30 a.m. - Meeting begins with introductions, followed by elections.
- 10:00 a.m. to 10:10 a.m. - Workshop begins. It will take about 10 minutes to explain the agenda.
- 10:10 a.m. to 10:40 a.m. – Outline the approaches (suggest a set of options and ask the group how to expand from that). Following outlining the options, participants list the pros and cons (up to three each). Mr. Swartout asked that Mr. Kliem outline the options on a display board, and that the index cards are available on the table. Another suggestion was to provide instructions and the focus questions to the CBP in advance of the workshop.
- 10:40 a.m. to 11:30 a.m. - Participants take about five minutes to brainstorm pros and cons for each option (potentially four or five).
- 11:30 a.m. to Noon – The Partnership identifies common themes, and decides which option to pursue.

Dialogue followed about continuing the workshop discussion and a decision to the February meeting if necessary due to the two-hour workshop timeframe constraint, using the decision model as a way to prioritize objectives within the DIP, and options available to the group to advance planning and implementation. Mr. Kliem asked STC members to identify what they think the potential options are to Ms. Napier as soon as possible.

Ms. Napier announced the next STC meeting is scheduled for February 1, 2007 at WDFW.

Adjournment

There being no further business, Mr. Swartout adjourned the meeting at 3:00 p.m.

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services