

**CHEHALIS BASIN PARTNERSHIP
STEERING TECHNICAL COMMITTEE MEETING SUMMARY
Washington Department of Fish and Wildlife Building
600 Capitol Way
Olympia, WA
May 1, 2008
9:30 AM**

Meeting Summary

PRESENT

Lee Napier, Grays Harbor County	Chanele Holbrook-Shaw, Citizen, Thurston County
Mark Swartout, Thurston County	Randy Lehr, Grays Harbor College
Christine Hempleman, Department of Ecology	Lonnie Crumley, Stream Works Consulting
Kahle Jennings, City of Centralia	Debbie Holden, Creative Community Solutions
Terry Willis, Citizen, Grays Harbor County	Bob Johnson, Lewis County
Glen Connelly, Confederated Tribes of the Chehalis Reservation	Cheri Lindgren, Puget Sound Meeting Services
Kernen Lien, Lewis County	

Welcome & Introductions

Chair Mark Swartout called the meeting of the Chehalis Basin Partnership (CBP) Steering Technical Committee (STC) to order at 9:35 a.m. Everyone present provided self-introductions.

Chair Swartout introduced Bob Johnson from Lewis County. The Chehalis River Basin Flood Authority (Authority) agreed to hire a meeting facilitator to assist members the basin-wide flood study/project. Mark White, a member of the Authority, asked the STC to draft a Request for Qualifications (RFQ) for a meeting facilitator for review by the Authority. The Authority's next meeting is May 9, 2008.

Chair Swartout suggested the Authority and the CBP should begin working together as soon as possible. For the benefit of Mr. Johnson, he described the role of the STC to the Partnership.

Authority Facilitator RFQ

Ms. Napier distributed two supplemental documents on the RFQ. Authority members revisited the issue of staffing last week. Current staffing consists of the Lewis County Prosecuting Attorney and the Chairman of the Lewis County Board of Commissioners. A staff person, likely a contracted position, will assist the Authority with implementation associated with a study and the formation of a flood control district. The prosecuting attorneys were asked to research other flood control districts and report to the Authority on June 15, 2008. County engineers also have a role in the flood district above and beyond staff support.

Chair Swartout said he envisions the person providing administrative support to the Authority.

In response to comments from Ms. Hempleman and Ms. Willis, Chair Swartout reported the Authority might want to hire another consultant for media outreach. Mr. Johnson added that commissioners and elected officials do not have time to act as the face of the Authority. A facilitator would lead discussions, frame topics for the meetings, and keep things organized and moving along rather than performing administrative tasks. Chair Swartout asked whether a group similar to the STC will be assembled to support the Authority. Mr. Johnson replied that it's likely.

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Mr. Jennings said a facilitator could be a firm providing support for day-to-day operations and project task monitoring.

Chair Swartout said it appears the Authority is looking for a project manager and a team. Mr. Johnson said the Authority wants a firm or an individual to complete the project study without the staff support component.

Ms. Willis asked whether the \$2.5 million legislative appropriation will fund staffing needs. Mr. Johnson said the allocation is to fund the Authority and the study. Staff costs are an eligible expense. Keith Phillips with the Governor's Office requested the Authority draft a letter indicating the organization is organized and lawfully able to receive funds. The Authority is required to prepare a preliminary budget for 2008. Lewis County, representing the Authority, and the Office of Financial Management (OFM) will enter an interlocal agreement and OFM will then release the funds.

Ms. Napier said both the project and study have administrative funding.

Mr. Jennings said the study has not been defined. A person or firm experienced in working with groups is necessary to identify and prioritize needs and design a study. After that has been determined, another consultant might actually complete the study. Ms. Napier added there may be another consultant responsible for the flood control project.

Chair Swartout clarified that the study is the basin-wide study (\$2.5 million). The project is the Corps' project (\$47.5 million).

Mr. Lien indicated the study could identify several projects throughout the basin.

After reviewing notes from a prior Authority meeting, Chair Swartout said the facilitator will act as a neutral spokesperson for the Authority and assist with facilitating discussions.

Ms. Holbrook-Shaw arrived.

Discussion ensued on the Authority needing both a facilitator and a project manager/team.

Mr. Jennings referred to the longer version of the RFQ and suggested the opening paragraph should read, "Lewis County, lead agency for the Chehalis River Basin Flood Control Authority, is seeking a qualified individual or team to provide consulting and facilitation services for the basin-wide flood study and potential formation of a flood control district."

Chair Swartout noted the draft RFQ will be presented to the Authority on May 9, 2008.

Members agreed to work from the longer RFQ document. Ms. Napier reviewed the RFQ. The objectives were obtained from the interlocal agreement. Member feedback and suggested revisions include:

- Populate the preliminary schedule with milestones.
- The Authority needs to determine whether to assemble a selection committee to review qualifications.
- The contract is between Lewis County (lead agency and fiscal agent for the Authority) and the successful individual and/or firm. The Authority would likely make a recommendation to Lewis County about the successful individual and/or firm.

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- Contract negotiations following selection would include a Scope of Work (SOW) and contract amount. If terms cannot be reached, Lewis County would work with another applicant.
- The background section could contain language similar to, “The Chehalis Basin has a long history of flooding that has tremendous economic impact to community, state, and federal commerce. A previous Executive Committee terminated in 2003 and has been re-energized. Legislation was passed and General Obligation Bonds were issued to fund the project.”
- List interlocal agreement representatives and their respective jurisdictions. Mention the state team consisting of representatives from the Governor’s Office, OFM, Department of Community, Trade and Economic Development (CTED), Washington State Department of Transportation (WSDOT), and Department of Ecology (DOE).
- Move the first sentence under objective to the background section.
- The word “project” appears throughout the document. The “project” and “study” are not the same. Clarify and change the references to “project” or “study” as appropriate.
- The last bullet point under objective could be moved to the background section.
- Rework the bullet points under objective to reflect what the coordinator is expected to accomplish. Lead each point with “Ensure” and strike “ensure” within the fourth sentence of the second paragraph under objective.
- The term “project coordinator” is preferable rather than “facilitator.”
- Give the study a name, such as “Phase 1 study and formation of a flood control district.”
- Replace “project facilitation” with “Authority coordinator.”
- Replace the title “Objective” with “Authority Objectives.”
- Include a link on the Lewis County website and post the interlocal agreement.
- Rework the SOW paragraph to read, “The consultant will assist the Authority and other stakeholders to meet the objectives of the Authority.” Strike the deliverables sentence. Deliverables are suggested within the objectives.
- End the second bullet point with “flooding.”
- Replace “2.5 million dollars” with “funding” within the second paragraph under objective.
- One question bidders might have is whether the consultant services continue if a flood control district is formed. How long the position is expected to last could be included in the SOW.
- Timeframe is related to the contract; however, there is no contract or deadline at this point. One question is whether there is a timeframe tied to state funding and completing the project. Ideas were to incorporate language in the timeframe section similar to, “Contract may be renegotiated at any time particularly when the district is formed,” and “Work completed under this contract is expected to be completed by June 30, 2009. Project may be renewed with funding from the Legislature.”
- The groundwater characterization study will inform the project and process.
- The letter of interest paragraph was revised to read, “Introduce yourself or the team, and demonstrate your understanding of the nature of the proposal.” The letter of interest should be a maximum of two pages.
- Strike “individuals” within the first sentence of personnel.
- The experience section was revised as follows: “Describe your experience based upon 2-4 relevant projects, including client and project information, your responsibility in the project, the challenges presented by the project, and the results. Discuss experience with various forms of stakeholder involvement, work with elected officials, and Tribes.”
- Strike “company’s” within the second line of the client references paragraph.
- Preliminary schedule dates were identified as follows:
 - RFQ Issued – May ‘x’ 2008
 - SOQ proposal submittal deadline – June ‘x’ 2008

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- Notify finalists – July ‘x’ 2008
- Finalist interviews – July ‘x’ 2008
- Final selection – July ‘x’ 2008
- Contract scope and budget development – August ‘x’ 2008
- Recommendation presented to the Authority – August ‘x’ 2008
- Authority makes recommendation to Lewis County – August ‘x’ 2008
- Lewis County executes contract for services – September ‘x’ 2008
- The proposal quantities, due date, time, and location section was amended to read in part, “Submit *one* original unbound copy and *ten* comb-bound copies of the RFQ proposal... Proposals are due in the office of Lewis County Commissioners no later than 9:00 a.m. on *Monday, _____, 2008*. Proposals are to be marked _____. Proposals submitted by ... will not be accepted.” The submittal address is the Lewis County Board of County Commissioners, 351 NW North Street, Chehalis, WA, 98532.
- Communications with the Authority and Lewis County section was revised to read in part, “Any questions regarding the submittal ... may be made via e-mail to *Bob Johnson* (include email address) up to five days before the ‘x’ deadline.” The last sentence should state, “The interlocal agreement and supporting documents are available for review on the Lewis County website or at ____ during regular business hours.”
- Include in the proposal format and requirements section that applicants are to include a one-page cover letter describing the proposal.
- Answers to all questions posed by applicants will be distributed to all proposers and anyone that has expressed an interest in the RFQ.
- Mr. Lien indicated Lewis County can establish a website and post the documents (RFQ and interlocal agreement) online.
- Insert “July x” in the blanks within the review process paragraph.
- Revise the second bullet point under evaluation criteria to read, “Key personnel and knowledge.”
- Revise the last bullet point under evaluation criteria to read, “Success in working with public, government, and tribal clients, including effective public involvement.”
- Replace “The Authority” with “Lewis County” on the last page of the RFQ.

Ms. Napier indicated she will incorporate the changes and forward the draft RFQ to Mr. Johnson and STC members.

Chair Swartout suggested the Authority appoint a Chair. Mr. Johnson said the Authority should develop bylaws and determine a process to elect a chair and define office terms.

Mr. Johnson left the meeting.

April 25, 2008 CBP Meeting Overview / White Paper

Ms. Napier provided an overview of the Partnership’s April 25, 2008 meeting concerning the role of the CBP in relationship to other flood organizations. One issue is how the Partnership could benefit and add value to the flooding project. She reviewed comments from the last Partnership meeting. A suggestion was that the STC draft a 1-2 page position paper describing the Partnership, its accomplishments, and the role or contribution to the Authority’s work. Watershed plan implementation includes data collection, storage, and on-the-ground implementation that could be of benefit to the basin-wide project. Another suggestion is including a list of priority actions from the Detailed Implementation Plan (DIP), watershed plan, and discussing legislative successes. Ms. Holden with Creative Community Solutions will assist the STC with developing a position paper. There is an expectation to present a draft document at the

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Partnership's May meeting. Ms. Holden will capture the STC's discussion and draft a response for review by members for the next CBP meeting.

Members discussed subjects that should be included in the position paper:

- Discuss the creation and intent of the Partnership.
- Highlight accomplishments.
- Possible roles and/or contributions the CBP can provide to the Authority's work.
- Address the position paper to the Authority.
- Include a concise background paragraph and pull topics from the DIP directly connected to flooding, such as the US Geological Survey (USGS) MODFLOW model (\$800,000 is needed for the project), and the storage grant project. The partnership could provide funds and projects relating to the basin-wide study. The CBP could approach the Legislature for additional funding for the MUDFLOW model. The Authority could use model data to inform the study.
- Highlight Partnership funds for the Ecosystem Diagnostics and Treatment (EDT) model and storage project. The CBP can continue to provide outreach (the Authority can host forums at Partnership meetings, discuss watershed planning).
- Stress how the Partnership cannot lobby for a taxing flood district. However, the Citizen Advisory Committee (CAC) could assist.
- Emphasize overlap in membership. Members serving on the Authority are represented on the Partnership. The information could be an attachment to the white paper. A statement could be included in the position paper of the organizations represented on the Partnership. The mission statement from the bylaws or interlocal agreement could be part of the attachment.
- Work on how the Authority's role is political and that the Partnership plays a technical role.

Ms. Holden said the MODFLOW model would benefit the Authority, which is important to emphasize in the white paper. Mr. Lehr added that the EDT model will also inform the Authority's work.

Ms. Napier pointed out that the Partnership also has funds for habitat restoration and is working on a water rights pilot project and a coordinated water quality monitoring program. The GIS Clearinghouse is a place to request and deposit data. Ms. Willis suggested the position paper should focus on contributions having a clear connection to the Authority's work.

Discussion ensued on signatories to the interlocal agreement that are voting members of the Partnership. Mr. Lehr asked whether the goal is for flood district representatives to be signatories of the interlocal agreement. Ms. Napier replied that's the intent. Mr. Lehr said the issue became a political sensitivity in eastern Washington because a flooding district is not necessarily a political, governmental entity. Several tribes refused to participate in the watershed process. Chair Swartout responded that a district is a special purpose government with commissioners elected to six-year terms by residents living within the district. Ms. Napier suggested the position paper should include language on the value of the Authority and Partnership working together. It's critical to discuss the projects in the position paper.

Ms. Hempleman offered a suggestion to describe the relationship between the CBP and Authority rather than the Partnership's role and highlight the similarities as well as how each organization can assist one another.

Chair Swartout recessed the meeting from 12:04 p.m. to 12:43 p.m.

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CBP April Meeting Overview / White Paper Discussion, continued

Ms. Holden reviewed member feedback on what the position paper should contain:

- An introduction of the Partnership.
- Accomplishments and how the CBP can benefit the Authority (grant for the storage project, legislative appropriation and matching funds from Grays Harbor College and the Corps for the EDT model).
- Continue to service and outreach for the Authority (the CBP has experience with basin-wide outreach and education forums).
- The organization can assist the CBP with implementation of the watershed plan.

Ms. Napier reported an element of the meeting agendas includes educational topics including anatomies and outcomes of the December flood event. Ms. Holden conveyed that additional language on the Partnership's mission statement will be incorporated into the position paper, as well as emphasizing the importance of the CBP and Authority working together, highlighting common interests and similarities, and members attending both meetings.

Discussion ensued on encouraging the Authority to participate on the Partnership versus becoming a signatory.

Chair Swartout asked that Ms. Holden emphasize the technical expertise represented on the STC.

Members asked Ms. Holden to circulate the draft paper to STC members and CBP Chair Canaday for review. The goal is to have a draft position paper prepared by May 9, 2008.

Review CBP DOE Budget Request

Members considered a preliminary project proposal and cost estimate for the 2009-2011 Biennium for the Groundwater Characterization and Numerical Simulation – Chehalis Basin Watershed Project – First Priority. Ms. Napier reported she took information from the USGS SOW and incorporated it into the project proposal. Based on feedback from Ms. Hempleman, a .25 DOE Full Time Equivalent (FTE) employee was added to both the July 2009-June 2010 and July 2010-June 2011 timeframes to complete the project.

Chair Swartout suggested the STC consider a strategy where Mr. Ely with USGS could present the groundwater characterization project to the Authority later this year.

Mr. Jennings suggested striking “the development of a” within the second line of item b under 2 on the first page, eliminate “plan” from the third line, and revise the last sentence on page 1 to read, “Basin Partnership for assisting implementation of the watershed management plan.”

Ms. Napier said item 1 on page 1 could be separated into bullet points or could include a comma to separate the subjects.

Members reviewed the Preliminary Project Proposal and Cost Estimate for the 2009-2011 Biennium for the Chehalis Basin Watershed Water Rights Review – Second Priority project. Ms. Napier said the project is from last year. The proposal assists DOE and residents in the basin to conform to a potential mandate. The scope includes how resources can be shared and how agricultural interests can conduct business if water rights are interrupted. She provided an overview of the tasks and strategies. Last year,

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DOE indicated early that funding for the project was not likely; however, the agency indicated Chehalis basin and water rights are a priority.

Ms. Willis reported the agricultural community is concerned because it appears the cart is before the horse. The activity was supposed to include changing the law to protect water rights. Information obtained can be used against the agricultural community because there are no protections. The agricultural community needs to be educated on how to protect water rights. Not only could property owners be detrimentally affected, but the parcel could be jeopardized as well. One issue is whether the current water law allows moving the point of withdrawal to another property.

Chair Swartout said based on other regional discussions; DOE might allow some flexibility in the interim without changing the water law.

Mr. Lien said the point of use in an irrigation district might be broader compared to a single water right for a parcel irrigating acreage.

Chair Swartout said it appears hiring a consultant might be necessary to develop strategies for the agricultural community in reaction to surface water rights denied during times of low flow.

Ms. Holbrook-Shaw and Mr. Lien commented that surface water rights are not tied to low flows.

Discussion followed on water trusts and on water banking and storage where farmers don't lose their water right or ownership.

Ms. Willis emphasized that there are no protections in place and the proposal targets agriculture. The concern is inflicting harm while trying to help. The project could include a smaller scope, such as interruptible water rights that were surface water rights in the basin. Chair Swartout suggested exploring a water right bank or trust program and taking a more general approach. Ms. Willis added that water rights do not move gracefully from one property owner to the next. New owners are not aware there's a water right with the property and what that might mean.

Mr. Jennings and Chair Swartout offered new language for item 1 as follows: "The Chehalis Basin Watershed Plan includes objectives to keep agriculture and forestry on the land. Availability of water for irrigation is crucial to sustain agriculture. With DOE now enforcing interruptible water rights during low flow periods, strategies are needed to alleviate negative economic impacts on agriculture. Explore mechanisms to protect agricultural water rights through establishment of water banking in the basin." The project could move forward with water right mapping. The focus is to protect agriculture water rights for agricultural uses and shared uses among agricultural users. The next step is to identify or map the rights once a mechanism is established.

Chair Swartout asked how the mapping water rights is a component of the project. Mr. Jennings replied that there's a link to the concept of water sharing. The suggested approach focuses on a solution and/or a benefit for agriculture.

Mr. Lien said the response is a budget request to DOE. If DOE is allocated funding, the agency will solicit grant applications.

Ms. Napier said there is value associated with providing a detailed response.

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Ms. Willis indicated she will follow up with additional information.

Ms. Napier reported she will revise the response and return for another review. The deadline for proposals is May 15, 2008.

Discussion followed on auctioning water rights.

CBP May 23, 2008 Meeting Agenda

Ms. Napier distributed a future meeting agenda topics document. Members discussed topics and respective presenters for the months of May, June, July, and August:

- **May 23, 2008:** Student presentation (30 minutes); update on Authority activities; potentially a discussion on the white paper; a progress review of water quality protection in the Chehalis basin, Dave Rountry and Randy Lehr, presenters (60 minutes); USGS groundwater characterization SOW, Matt Ely, presenter, USGS
- **June 2008:** Mass wasting on the basin (one hour, Ms. Hempleman to follow up with Tim Walsh, Department of Natural Resources [DNR]); report on Centralia's pilot project
- **July 2008:** Debris flow and role in time travel – what the data shows (45 minutes), Dr. Patricia Olson, presenter, DOE
- **August 2008:** Salmon Recovery Funding Board (SRFB) briefing; Economic value of the ecosystem and watershed, David Batker, presenter, Earth Economics

Chair Swartout commented positively on the economic value of the ecosystem and watershed topic. Mr. Batker is an excellent speaker who recently presented to the Nisqually River Council. The subject is important for the Partnership to receive especially in the context of the flooding discussions.

Mr. Lehr suggested an option of inviting Laura Orr or following up with Dan Sokol for a speaker on a needs assessment for basin-wide planning and introducing ground and surface water hydrology to the Authority.

Discussion followed on asking the Authority to identify a person to speak on developing a comprehensive basin-wide flood study. Chair Swartout reported the state team has ideas on what the study should include. Ms. Hempleman offered to follow up with Mr. Sokol.

Members discussed Mr. Rountry's recent follow-up work in implementation activities. Ms. Willis said Mr. Rountry has obtained information through a series of meetings with stakeholders over the last five years and applied the data to the DIP for the Total Maximum Daily Load (TMDL) study. She said she received an e-mail regarding a recommendation for the next steps. She suggested Ms. Napier circulate the document to the Partnership electronically for review and feedback.

Ms. Napier reviewed Mr. Rountry's recommendations.

STC June 5, 2008 Meeting Agenda

- Update on Authority activities
- CBP or Authority assignments

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Hussman Grant

Ms. Hempleman reported DOE's Southwest Region will have approximately \$177,000 available in grant funding to governments, conservation districts, and tribes. Grant applications are due by May 31, 2008. The maximum amount of any grant is typically \$50,000. DOE is encouraging applicants to seek grants for smaller projects. Restoration is the priority. She advised that she will provide the information to Ms. Napier.

Adjournment

With there being no further business, Chair Swartout adjourned the meeting at 2:10 p.m.

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services