

CHEHALIS BASIN PARTNERSHIP
Chehalis Tribe “Lucky Eagle” Casino
Rochester, Washington
April 23, 2010
9:30 a.m. – 12:30 p.m.

Meeting Summary

MEMBERS, ALTERNATES, & GUESTS

PRESENT

Bonnie Canaday, Chair, City of Centralia
Mark White, Confederated Tribes of the Chehalis Reservation
Lee Napier, Grays Harbor County
Bob Burkle, Washington Department of Fish & Wildlife (WDFW)
Don Loft, The Evergreen State College
Julie Balmelli-Powe, Lewis County Farm Bureau
Janel Spaulding, Grays Harbor College
Mark Swartout, Thurston County
Karen Valenzuela, Thurston County
Terry Harris, City of Chehalis
Terry Willis, Grays Harbor County
Bill Schulte, Lewis County
John Donahue, WSDOT

Lyle Hojem, Citizen, Lewis County
Christine Hempleman, Department of Ecology (DOE)
Glen Connelly, Confederated Tribes of the Chehalis Reservation
Miles Batchelder, WA Coast Sustainable Salmon Partnership
Art Lehman, Port of Centralia
Chanele Holbrook-Shaw, Citizen, Thurston County
Chuck Caldwell, Port of Grays Harbor
Amy Iverson, WDFW
Brandon Atoch, City of Oakville
Valerie Gow, Puget Sound Meeting Services
Terry Baltzell, Chehalis Basin Fisheries Task Force
Bruce Treichler, Trout Unlimited
Teri Liomin, Chehalis Basin Fisheries Task Force
Bruce Mackey, ESA Adolfsen

SUMMARY OF ACTION ITEMS:

Approval of Meeting Summary

Approval was deferred to May meeting

Review and Consider Washington Coast Sustainable Salmon Partnership Bylaws – Suggest Lead Entity Representatives for Board

Members submitted Mark Swartout as the number one recommendation to the WCSSP Board for Gray Harbor County’s consideration.

May 7 was established as the deadline for submitting additional names for appointment to the WCSSP Board of Directors. If more than six names are submitted, the names will be reviewed by the Partnership at its May meeting.

Organizational Restructuring

Members agreed to defer letter until Articles of Incorporation and Bylaws are reviewed by the attorney.

GENERAL PARTNERSHIP BUSINESS

Welcome, Introductions and Roundtable Comments

Bonnie Canaday called the April 23, 2010 meeting of the Chehalis Basin Partnership (CBP) to order at 9:32 a.m. Everyone present provided self-introductions.

Discuss and Adopt Draft Meeting Summary of March 26, 2010

Bill Schulte requested the following corrections to the minutes of March 26, 2010:

- Replace the first sentence in the last paragraph on page 8 to state, “Mr. Schulte stated that we still need to get consensus on whether to accept the Corps of Engineers new Project Management Plan.”
- The minutes should reflect that a meeting quorum was not present during the discussion on page 8 pertaining to the *Chehalis Basin Ecosystem and Restoration and Flood Risk Management Project Update*.
- On page 10 add the discussion between Lyle Hojem and Lee Napier regarding the PMP and clarify whether there was agreement to move the interlocal agreement forward to the Steering Technical Committee for further review.

Approval of the minutes was deferred to the May meeting.

Ms. Napier noted that the meeting location for the May 21 meeting will be held at the Chehalis Community Center at 461 Secena Road. The meeting will be held a week early because of the Memorial Day holiday. Students from Wishkah Valley will share results of their water quality work.

SPECIAL PROJECTS AND PRESENTATIONS

Review and Consider Washington Coast Sustainable Salmon Partnership Bylaws – Suggest Lead Entity Representative for This Board

Ms. Napier introduced Miles Batchelder, Executive Director, Washington Coast Sustainable Salmon Partnership. Watershed Water Resource Inventory Areas (WRIAs) 22 and 23 are considered a Lead Entity area for developing salmon habitat projects. Grays Harbor is the designated Lead Entity and as the lead entity, the Partnership participates in WCSSP. WCSSP is in the process of formalizing its Board of Directors. The WCSSP had drafted a set of bylaws and is in the process of establishing its board. The briefing will provide members with information on WCSSP, future actions of the organization, and solicit names for appointment as members of the WSCCP Board of Directors. Up to six individuals from the Grays Harbor Lead Entity can be appointed to the WSCCP Board.

Mr. Schulte asked about the relationship between the CBP and the WCSSP. Ms. Napier replied that there are four lead entities comprising WCSSP. Grays Harbor is one lead entity. The CBP often serves two hats in that in addition to serving as the planning group, the CBP is the citizens group advising on habitat projects. The CBP’s role is basically a citizen outreach component to what may be occurring at WCSSP. Grays Harbor County will take action to appoint the members to the WSCCP Board. Ms. Napier said she is seeking input on names to consider for appointment to the board. It’s important to have representation because of the size of the basin. Appointees may not necessarily be involved with the Partnership but may have knowledge about the basin who could serve on the WSCCP board.

Mr. Schulte asked if the request is for a formal recommendation. Ms. Napier said she is seeking a recommendation on names to submit for consideration. If the Partnership wants to make a formal recommendation that would be direction she is requesting.

Mr. Batchelder said the WCSSP is undergoing similar growing pains as the Partnership is experiencing. The WCSSP is a formally designated salmon recovery region by the State of Washington formed out of a process that began in 2006. The Salmon Recovery Funding Board (SRFB) provided a grant to Grays Harbor County to consider whether or not the five WRIAs should join together and form a regional salmon recovery organization. The geographic area involves all watersheds draining directly into the Pacific Ocean from Cape Flattery to the mouth of the Columbia River. The Chehalis is the second largest

watershed in the state and comprises the largest portion of the region. The grant started a six month process involving many of the same people within the Partnership to determine whether to create a salmon recovery region. Some of the issues identified included functioning as an organization to provide region-wide salmon recovery and prioritization while recognizing the uniqueness of the region within the state. The region has only two salmonids listed species of bull trout and Lake Ozette Sockeye. That uniqueness makes it a critical time in salmon recovery. The organization concentrated on developing a holistic view of the region for salmon recovery as well as for economic development and watershed planning to influence state and federal salmon recovery activities affecting the region, to promote sustainability, and to develop a regional plan for salmonid regional recovery. To support that plan, the organization allocates funding to the lead entities to support salmon recovery. Each year, the Habitat Work Group develops a list of projects that are presented to the Partnership for approval and for funding by the SRFB. Last year, there were seven noteworthy projects submitted throughout the state, with two of the projects from the Chehalis Basin involving Preacher's Slough and acquisition of 600 acres in the Hoquiam Surge Plain.

The next step is the formal creation of WCSSP's board to formalize the entity's status within the state through the Interlocal Cooperation Act. The bylaws were developed during the 2007 planning process. That group after six months of diligent work, decided to form a region that is considered a federation of strong lead entities. The lead entities within WCSSP include the North Pacific Coast Lead Entity, Quinault Indian Nation Lead Entity, Grays Harbor Lead Entity, and the Pacific Lead Entity. The groups developed the bylaws, which were distributed to all lead entities, tribes, cities, counties, and ports. The interlocal agreement provides some direction on establishing a board of directors organized under the Interlocal Cooperation Act. Each lead entity has one vote with each lead entity having the opportunity to appoint up to six individuals to serve on the board. It is up to each lead entity to determine its membership on the board.

Currently, WCSSP is working on the regional plan and is anticipated to do so over the next year followed by implementation and adaptive management for salmon recovery.

Mark Swartout has been serving as the Interim Chair on the Interim Advisory Committee for the last seven months. The hope is that he will continue to serve on the Board. Terry Willis has also attended meetings and assisted in developing the bylaws. Ms. Napier is the Lead Entity Coordinator and has been an active participant as well.

Mr. Schulte asked why Lewis County is not a lead agency. Ms. Napier explained that during the last briefing on the WCSSP by former Executive Director Nancy Allison, she shared information on the formation of the group as well as the existence of the interlocal agreement. She encouraged members to consider the invitation each jurisdiction would be receiving to be a party to the interlocal agreement to form the group. Some people thought that as a member of the Partnership their interests would automatically be served and that there was no need to execute the interlocal agreement. While partly true, Ms. Napier said if a group didn't want to sign the agreement, she would still try to represent their concerns. In particular, Lewis County contacted her because the name was confusing in terms of becoming a member of a "coast" region. Many people indicated they were not part of the coast. Commissioner Averill called at that time and indicated Lewis County wasn't part of the coast. The geographic area was described to Commissioner Averill. The conversations then transitioned to the lack of staff to send to meetings and subsequently Lewis County didn't participate in the interlocal agreement because of the need to commit resources and because the county was already participating in the

Partnership as well as potentially involved in the lower Columbia group, which resulted in staff attending many groups.

Mr. Batchelder added that the organizing documents involving the initial report that the study group produced to determine the region and the interlocal agreement states explicitly that membership in the Lead Entity entitles the organization to be a member of WCSSP regardless if the organization signed the interlocal agreement. Mr. Schulte said as the Lewis County Chair, he is formally opposed to any relationship in any organization where the county is not a member. Ms. Napier suggested the issue could be easily remedied by having Lewis County sign the interlocal agreement. Mr. Schulte asked to be provided with a copy of the interlocal agreement. Mr. Batchelder affirmed the request. Ms. Napier suggested providing a copy of Lewis County's correspondence declining participation.

Terry Harris commented that the previous executive director would occasionally provide briefings and ask for support by members, which was often confusing because at that time there wasn't anything to support or subscribe to. After taking the initial letter and discussing it with his City Manager, it appeared to be another letter just adding another layer of bureaucracy. He said he was unsure what was expected when the bylaws were attached to the agenda and frankly it appeared that he was supposed to be looking at them in terms of how they were written or why they were written. He said he even made some changes to the bylaws. Mr. Batchelder apologized for the confusion and indicated that the organization is still new and is still undergoing development of what the organization will do through the process of developing the regional plan. Each of the lead entities has a strategy for salmon protection and recovery. The intent is looking regionally at what all the individual groups are doing and developing a regional perspective and a regional priority to facilitate what occurs on the ground.

Mr. Swartout explained that previously when federal funds were received from the state for salmon recovery, the SRFB had to review all Lead Entity project proposals for grant awards. The SRFB was the decision-making body for grant awards. Several years ago, the SRFB decided it didn't want to evaluate lead entity projects and believed it should occur at the regional level. At that point, each region received a funding allocation for the region to allocate to each Lead Entity. That was the driving force for establishing the region. The other aspect is the lack of listed species. Federal government funds through the SRFB are focused on those watersheds with listed species. The Washington Coast region has always struggled to make the argument that since there is no problem, the goal is to ensure conditions remain intact to prevent listing of additional species. There may be a new funding source from Salmon Stronghold involving national organizations that recognize that those areas that don't have problems should be protected. That will be another funding source available to the region. Mr. Batchelder said the region as an organization is uniquely positioned to advocate for those funds.

Julie Balmelli-Powe asked whether the role of the WCSSP is to unify the four different bodies. Mr. Batchelder said the organization is the state designated salmon recovery region to essentially participate at the state level with the SRFB and with the council of regions on the statewide perspective and efforts to recover salmon. WCSSP is involved in the funds from the SRFB out to the regions and the lead entities decide how the funds will be used. Grants, at this point are the organization's sole source of income. WCSSP is a non-regulatory organization.

Mr. Schulte said he's opposed to any setup where resources are allocated without Lewis County having an advocate. So whether it's Chehalis, Centralia, or Lewis County and if it's not one of the lead entities because previous Commissioners may have conveyed concerns regarding time resources then he would like the bylaws to reflect that Lewis County has a designated representative and two alternates, so that

cities have an opportunity to participate. He would like to take the bylaws and the interlocal agreement to the Commissioners for a review.

Ms. Napier clarified that the interlocal agreement has already been signed by a majority of the people (organizations). If the suggestion is to make changes to the interlocal agreement, signatories to the interlocal agreement would need to revisit the interlocal agreement as it's a matter of record. She asked whether the suggestion is to change the interlocal agreement. Mr. Schulte asked whether Lewis County signed the agreement. Chair Canaday replied that Lewis County did not sign the interlocal agreement. Mr. Schulte said there was a misunderstanding previously between at least one Commissioner and one City Councilmember on exactly what the agreement entailed. If this reaches up into Lewis County then the county will want some representation on that board and would probably like to be one of the lead entities. Ms. Napier advised that it is not possible for Lewis County to be a Lead Entity. Lead Entity is a term that is defined in state RCW, which has already been determined to be Grays Harbor. Mr. Schulte said if Lewis County is excluded and is not one of the lead entities he is opposed to the Partnership being involved in WCSSP because it doesn't include Lewis County but makes decisions on Lewis County resources. Ms. Napier said in 2000, Grays Harbor was selected as the Lead Entity for the Chehalis basin.

Mr. Schulte said he never agreed to that. Ms. Napier said the RCW required the jurisdictions to designate the Lead Entity. Lewis County was the Lead Entity but the county relinquished that role and Grays Harbor was determined to be the Lead Entity. Each jurisdiction designated Grays Harbor as the Lead Entity. The county may be interested in having a role on the Board. Mr. Schulte said he is not asking for a role on the board but is asking to make some changes to the bylaws and have an opportunity for Lewis County to be considered as one of these lead agencies as every other county is represented. Ms. Napier advised that was an inaccurate assumption that all counties are lead entities. The titles may appear to designate the county but it actually is a geographic area, which is WRIAs 22 and 23. Grays Harbor is the lead agency for watershed planning and the Lead Entity for salmon recovery planning. Mr. Schulte said he understands that part.

Discussion followed on the request before the Partnership. Ms. Napier said the request is not to join an organization, which has already occurred through the interlocal agreement process, but to submit some names of who the Partnership would like Grays Harbor County as the Lead Entity to appoint to the WCSSP Board of Directors.

Bob Burkle pointed out that the issue is about salmon, which are the property of the people of Washington State. Mr. Schulte said Lewis County is one of the smaller subdivisions of the state. Mr. Burkle said the salmon are in the Chehalis watershed and the lead entity process is to recover salmon using the grants from the federal government and from the state. Mr. Schulte said this organization will be splitting up resources and allocating funds. Mr. Burkle advised the only resources to be allocated is money. That money is already designated for recovering salmon. The salmon for recovery are not the property of Lewis County.

Chair Canaday said it appears Mr. Schulte would like someone from Lewis County to serve on the WCSSP Board of Directors. Ms. Napier restated the request for members to provide names of interested individuals who may have technical expertise or other expertise that members believe would represent the Chehalis basin well. The names will be submitted to the Grays Harbor County Board of Commissioners for selection of individuals to sit on the WCSSP Board of Directors. There are six positions with each lead entity having six positions for a total of 24 members comprising the Board of Directors.

Ms. Napier responded to questions about her participation on the board. She can serve on the board if appointed. She explained that the organization is beyond the deadline for establishing the board and action needs to occur soon to appoint individuals to the board. The intent is to appoint members by the May meeting. Members of the board can expect to be very busy and will have to agree to travel as the region is large. Each Lead Entity has one vote on the board.

Ms. Napier reviewed the names of current members of the Interim Advisory Committee who represent all four Lead Entities. A Technical Group includes individuals representing environmental and other specialty areas as well as the tribes and WDFW.

Mr. Harris referred to language within the WCSSP bylaws stipulating that the Board by resolution can reimburse members for expenses for attendance at each meeting of the Board or for expenses incurred. It appears that by action of the Board, those members who travel long distances could be reimbursed for their mileage. He asked if the quorum means that at least one member from each lead entity must be present to constitute a meeting. Mr. Batchelder affirmed that a quorum is attained only if each Lead Entity is represented. Mr. Batchelder said the compensation provision was included because meetings are typically held in Grays Harbor County. There are many citizens who attend from a greater distance who are not affiliated with any of the member agencies. That option was included for those types of instances. Mr. Harris noted that it's important because for those citizens who want to become involved there is the uncertainty associated with that involvement and covering that expense for their involvement.

Ms. Napier addressed questions about the length of the meetings. Typically, because of the travel time, individuals should dedicate a day. The Board of Directors will establish the meeting dates and times. There may be other meetings involving technical issues that may or may not involve the Board of Directors.

Karen Valenzuela submitted Mark Swartout's name for consideration.

Discussion followed on the deadline for submission of names. Ms. Willis said she assumes that more than six names will be submitted, and as such, the selection would be from a cross section of the group with a multitude of interests and perspectives to represent the entire body. The Grays Harbor County Board of Commissioners will make the selection. Ms. Napier asked for submission of the names plus information about each person.

Mr. Schulte said he believes that Ms. Willis indicated that if there will be 12 names submitted by the Partnership, the Partnership should prioritize those names and then provide the prioritized names to Grays Harbor County Commissioners. Ms. Napier said she doesn't believe that is what Ms. Willis implied. Mr. Schulte indicated that is what he is recommending. Ms. Willis said she would assume there would be more names submitted than the six that is necessary and it would be helpful if Lewis County is submitting names that some sort of preference in terms of the persons they would like to see seated on the board is somehow specified.

Ms. Holbrook-Shaw said a representative from Brady's Oyster was involved in the Water Quality Committee and they have a perspective about the harbor and the health of the harbor. She asked about tying them in into the process. Ms. Napier referred to the establishment of the Grays Harbor Marine Resource Committee that is dealing with marine issues. Mr. Batchelder said one of the WCSSP's objectives is to become involved in Marine Resources Committee activities.

Mr. Schulte said he could likely provide a list of names within the next week; however if the Partnership receives a list of 12 names it has to come back to this body to prioritize the names. Chair Canaday noted the Partnership's next meeting is not until May 21. WCSSP needs confirmation prior to that date. Chair Canaday reviewed Mr. Schulte's request as the Partnership reviewing the names and then selecting the top six to move forward to Grays Harbor County. Ms. Napier said one complication with that option is that there is assurance that the six people are willing to serve. Ms. Valenzuela suggested the Partnership doesn't need to be involved and the timing is also an issue. She disagreed with Mr. Schulte's recommendation. The role of the Partnership is to provide the names. Mr. Schulte disagreed and said the Partnership should have some input on the six names. If the Partnership provides 12 names and it is decided that none of the names from Lewis County are selected then he wants an opportunity to argue in their favor. If the Partnership receives 12 names then there should be a process whereby the Partnership can recommend the top six names.

Mr. Swartout suggested publicizing the Commission's meeting date when the selection of the names occurs so anyone can attend and speak in support of specific people. Mr. Schulte disagreed with the suggestion. Ms. Willis said it could occur during a formal Commission meeting that is open to the public.

Chair Canaday questioned the consequence if no appointments occur in time for the WCSSP May 19 meeting. Mr. Harris said it is likely there will be floating vacancies occurring at some points and that the Partnership is making too much out of the process as the Partnership doesn't control the appointment process. It is up to Grays Harbor County as the Lead Entity to make the appointments. When it comes to how many people to appoint he asked if Mr. Batchelder expects to have 18 members from the other lead entities appointed in time for the May 19 meeting. Mr. Batchelder said he anticipates only the North Pacific Coast Lead Entity to seat six boardmembers. The Pacific Lead Entity will likely seat two or three members as well as the Quinault Indian Nation Lead Entity. Ms. Willis suggested that instead of rushing through the process the Partnership consider names that are available at this time to forward to Grays Harbor County and then forward remaining names later.

Lyle Hojem suggested the Partnership is asking too much from Ms. Napier as she has to make a decision and her salary is from the county. She represents Grays Harbor County as well as the Partnership. He said he doesn't believe Ms. Willis and the remaining Commissioners from Grays Harbor County want to make the decision of who will represent Lewis County. The choice from Lewis County needs to be made in Lewis County. The Partnership needs to send the names that it wants on the Board and no others.

Discussion ensued on the process. Mr. Schulte said his recommendation is that the Partnership should have the opportunity to review the list of names and rank order them and then submit the names in rank order to Grays Harbor County. He asked if interim members can serve on the board until final appointments occur. Chair Canaday said that currently, Mr. Swartout and Ms. Willis are interim members. Ms. Napier said as interim members, they need to either transition to the Board of Directors or they would no longer serve. Mr. Schulte emphasized that he is recommending that the Partnership rank order the names that are submitted prior to Grays Harbor appointing Mr. Swartout so he can continue as the Chair of the next meeting. Mr. Schulte said if that is the decision by Grays Harbor County he would not have a problem with that action.

Mr. Harris said it appears WCSSP doesn't care who is selected and that the Lead Entity needs representation of up to six individuals according to the bylaws. What is missing for all the Lead Entities is the process by which those six people are determined. Mr. Batchelder said the process was specifically designed to let each Lead Entity determine its own process. Mr. Harris said the discussion occurring now

is likely the same discussion that is occurring with the other lead entities. Because the organization is in its infancy, it would be beneficial for the Partnership to undertake a process to select those individuals.

Ms. Napier recapped the direction of the Partnership for approving submittal of Mark Swartout for one of the appointments to ensure the Lead Entity has one representative on the Board of Directors. It would also give the board a chair to oversee the May meeting. Mr. Schulte said he's comfortable with the suggestion as long as Grays Harbor Commissioners are comfortable. Ms. Napier said the next question is the remaining five appointments. She asked members to provide names and background information by May 7. She will tally the information and if less than six names are submitted, she will forward the names to Grays Harbor County. If there are more than six names, the names will be presented to the Partnership at its May meeting for discussion. She offered suggestions of possible appointees representing counties, fisheries, tribes, or other organizations. Somebody with a different perspective who has the time would certainly qualify for consideration as well. Mr. Harris said the effort speaks to taking some time to recruit possible appointees who would do a good job of representing the basin's interests.

May 7 was established as the deadline for submitting names.

After additional discussion, members agreed to recommend Mark Swartout as the number one recommendation of the six names that will be forwarded to Grays Harbor County.

Ms. Balmelli-Powe asked whether WCSSP has the ability to lobby. Mr. Batchelder said WCSSP is prohibited from lobbying. Mr. Swartout added that there have been some regions in place for a number of years that have been participating on the Puget Sound Salmon Recovery Council. The whole process is defined in terms of receiving funding and in terms of their roles for salmon recovery. All Lead Entities provide its projects to the region, which then selects from the list.

Mark White asked for the Tribe to be added to the list. Ms. Napier asked for a specific name. Mr. White suggested his name with the possibility of providing an alternate. Ms. Napier advised that there are no alternates assigned. The six members are representative of one board of director and have only one vote.

Status Report and Discussion Regarding Organizational Restructuring

Janel Spaulding referred to the draft of a letter informing current and former members of the plan to form a non-profit organization.

Ms. Willis suggested referring to the location of the Lucky Eagle Casino as near Rochester rather than "in" Rochester.

Ms. Spaulding reviewed the contents of the letter. Members discussed delaying the mailing of the letter until after the Partnership's May meeting because of the meeting location change.

Ms. Spaulding recommended expanding the scope of the mailing to people who are involved in the Partnership who may not necessarily be a member.

Chris Hempleman asked whether forestry is represented on the Partnership. Ms. Napier advised that Weyerhaeuser is a member as well as the Farm Bureau.

Members discussed the option of revising the letter to send to other individuals and organizations that are not members of the Partnership, but who participate.

Ms. Spaulding was asked if the letter is meant to serve as recruitment for the board of directors for the non-profit organization. There are likely organizations that are currently not a member of the Partnership that might be interested in serving on the board of directors of the non-profit. Ms. Willis said that as she recalls, the non-profit board is an advisory board to the Partnership. There could be people who are not voting members of the Partnership who could serve on the non-profit and that would entail contacting other organizations and groups. Mr. Harris said if the letter is serving as an invitation to the non-profit there is only one sentence in the letter that speaks to the issue. It should be framed differently in a separate letter where the goal is to obtain input and funds.

Ms. Holbrook-Shaw said the second letter to non-members should be a letter of invitation encouraging participation and becoming engaged. Ms. Napier asked whether the letter of invitation triggers a reengagement or becoming involved and determining where the person might want to engage, such as attending a Habitat Work Group meeting or a planning committee meeting. Ms. Holbrook-Shaw suggested the letter should be a way to encourage more people to participate and then determine their interests and how it might benefit the Partnership or the Foundation

Members discussed different ways to frame the letter and the intended audience. Ms. Napier suggested striking "because you signed the inter-local agreement" and sending the letter to those appointees to the Partnership either as a representative of an entity or as a citizen representative.

Chair Canaday said staff will prepare two letters. One letter will be addressed to members and one to organizations seeking participation.

Mr. Schulte said he's opposed to sending either of the letters. Commissioner Willis again triggered his concern when she said the non-profit was an advisory board. He is concerned if people think it's an advisory board with purse strings that will dictate to the Partnership. He is absolutely opposed to sending either one of the letters at this time and cannot agree to setting up an organization that is smaller than that's considered an advisory board with purse strings that dictates to the Partnership. It is not an advisory board and as long as that is the mindset he can't agree to the letter or the foundation.

Ms. Napier suggested members should have a discussion as it's contrary to the discussion from last month. Maybe the group should be brought back to the discussion about what the Partnership is versus the foundation to make sure everyone is in agreement. Mr. Schulte said it sounds like they are trying to make it into that and he is absolutely opposed to the letter and to the formation of a foundation.

Ms. Valenzuela referred to language within the letter stating that the "The non-profit foundation's primary purpose will be to raise funds to support the work of the Partnership... We see the non-profit foundation functioning as a separate arm, but with direction and guidance coming directly from the Partnership." Mr. Schultz said the Partnership cannot dictate to a separate, legal entity. There are some fundamental flaws in the approach that he opposes. Ms. Valenzuela said she doesn't understand what his point is about. Ms. Balmelli-Powe tried to clarify the issue. The letter said supports, which Mr. Schulte is not opposed to. However, Ms. Willis referred to "advises." That is where the clarification is needed because the foundation has no ability to advise. Its role is to only raise money. The foundation can't dictate how the funds are spent. Ms. Spaulding verified that was the intent based on the previous discussions up to this point. Ms. Holbrook-Shaw agreed. Ms. Willis said the foundation would bring advice forward similar to other boards and that the Partnership will make the determination of how the money is expended or whether to consider the advice. She asked if the issue revolves around the fact that the Partnership would have no control over the foundation. Mr. Schulte said the Partnership would not

have any control over a separate, legal entity. Ms. Willis said that would raise red flags for her as a member of the Partnership if the Partnership is forming an organization that works separately from the Partnership and does not receive any feedback on what should occur.

Ms. Napier said after last month's discussion her understanding was that the articles of incorporation stipulated that the purpose of the foundation is to raise money. She said she thought it was spelled out clearly in the articles of incorporation that the foundation would raise money to implement the watershed plan.

Mr. Swartout reviewed language contained within the articles of incorporation.

Ms. Willis suggested the question to ask if whether the foundation would prevail in a court of law over the Partnership. Mr. Swartout said one of the next steps involved a legal review of the articles and the bylaws by an attorney. Mr. Schulte reiterated that an attorney needs to review the information prior to sending any letters because of concerns of having a small group dictating to the Partnership and controlling the purse strings.

Mr. Swartout noted the watershed planning budget was reinstated by the Legislature, which provides additional time for ensuring the process is completed properly.

Mr. Schulte said the attorney has agreed to meet to review the documents and hopefully that can occur prior to the next meeting.

Chehalis Basin Ecosystem and Restoration and Flood Risk Management Project Update (Basinwide GI)

Ms. Napier provided an update on the status of the discussions surrounding the Project Management Plan (PMP). The working group met with the Corps of Engineers on March 26 and the feedback from that meeting was incorporated by the Corps within the PMP, which was sent out in early April. The issue before the working group was to review the revised PMP with the changes and agree whether it was ready to release the PMP to the Flood Authority and then to the Partnership. That was the goal. The day the information was released, she received information from Lewis County regarding the county's fundamental objection to the proposed PMP.

Within the Feasibility Study of the PMP, there is a requirement for a "project conditions report" and a "without-project conditions report." A decision was made that the "without-project conditions report" would describe the Twin Cities levee. The Colonel made that decision and that decision was made because the Twin Cities project is not the WRIA's project. Lewis County Attorney Glenn Carter notified Ms. Napier that the proposal was not acceptable. The working group during the March 26 meeting discussed whether there could be two "without-project conditions" reports with one describing the levee and one describing it without the levee. That wasn't a decision the working group could make. In response to the letter, the Colonel decided to complete two "without-project conditions" report. There is a section in the PMP about the need for a "without-project conditions" and it indicates that the "without-project conditions" report will describe the Twin Cities project. It doesn't speak to the second one. The PMP calls out a timeline of when the reports will be produced and how much they will cost. However, that information is unknown at this time because of the decision involving two "without-project conditions" reports. Consequently, the PMP hasn't been updated.

Based on this information, the Flood Authority discussed the issue. It's possible the Corps is willing to produce two "without-project conditions" reports. The direction from the Flood Authority is that they want to see what that will look like. Consequently, the Corps is developing the feasibility, cost, and the timeline for developing two "without-project conditions" reports. Before proceeding forward with the PMP or an interlocal agreement, that information must be available and whether it will be feasible to complete the two reports. Ms. Napier said she contacted the Corps regarding the timeline, which is anticipated to be ready by late April or early May.

Ms. Hempleman asked about the process for deciding which paths to pursue. Ms. Napier said she's discussed the issue with the Corps. The Corps will need to present a scope of work and the Flood Authority will need to review it and determine whether it wants to pursue the work. The tasks will determine the costs and the time. The Flood Authority will need to determine if it can cover the added costs because the ultimate responsibility falls on Grays Harbor to execute the PMP. Grays Harbor will need assurances that whatever is described in the PMP as a scope and cost that there is a partner to assist.

Mr. Hojem asked Ms. Napier if her discussions with the Corps are as a representative of the Partnership or Grays Harbor County. Ms. Napier said she is representing Grays Harbor but is mindful of the other groups' interests. Mr. Hojem asked Ms. Willis if that is the position of the Authority. Ms. Willis indicated yes but that the PMP will include what the Twin Cities project will look like and what it would look like if it's not included. Mr. Hojem asked whether the Twin Cities project is an approved project. Ms. Willis affirmed it is an approved Corps project at this time and there are matching funds from the state. The other aspect was recently introduced and it appears the Corps is making a decision on whether they will include the request. However the cost and time are still unknowns as well as the match.

Mr. Harris said another level of complication is the local concern in that the levee project should be part of a holistic approach and that the levees may end up smaller in terms of retention. There has been some discussion about raising a local road across Salzer valley to hold water back. As smaller projects are completed, they affect the heights of the levees. It would be preferable to have Congress reallocate the funds to what the study determines rather than the eight to ten-year plan.

Chair Canaday said the Corps recently visited Lewis County and toured China Creek, Salzer, and Dillenbaugh. There was input from many people. Mr. Harris added that the new Corps project manager is more receptive to receiving feedback than the previous project manager.

Ms. Balmelli-Powe asked whether the Corps provides details on the breakdown of costs for the studies. Ms. Napier said it's not to any level of detail as it relates more to breaking down broader components. Much of it will come from the feasibility and the discussions. As work proceeds on the feasibility and discussion on projects and as those projects become apparent the studies will be identified. At this point that level of detail is not available.

Ms. Napier referred to the presentation on the Chehalis Basin-wide Watershed Characterization Project the Partnership received several months ago. The work was from the Twin Cities project and the Partnership expressed an interest in achieving the same outcome from the ecosystem project, which will provide that level of detail on a broader scale. The Corps contracted with the Department of Ecology to complete the work.

Don Loft said there are many channelized streams within the Centralia and Chehalis area that causes a surge of water down the Chehalis River. He asked whether the Corps offered any recommendations

during the visits to the tributaries and creeks. Chair Canaday said the discussion was on retention to hold and release water when the river is capable of receiving more water. Mr. Schulte said the Corps will look at ecosystem restoration and create a marsh that slows the run-off. Mr. Loft suggested considering Coffey Creek as well.

Mr. Swartout said when the Corps first released the PMP; there was a “without-project” to study the area as if the levees were in place. He questioned the terminology used by the Corps. John Donahue explained the difference.

Ms. Willis asked how the PMP is affected if other smaller projects involving creeks are pursued using other funding, such as Section 205 or 206 funding as those projects can likely move quicker. Mr. Schulte said Ron Averill asked the same question of the Corps. The response was that none of the tributaries that the Corps reviewed met the water flow requirements for Section 205 or 206 funding. Chehalis, Centralia, and Lewis County would have to fund those projects with the Corps permission as they don’t meet the flow requirements. It was noted that the tributaries did not meet the flow requirements for Section 205. There are no flow requirements for Section 206. Mr. Schulte said that is not what Bill Goss told Ron Averill. Ms. Willis said her question pertains more to the PMP and if the activities on the smaller creeks in the near future are addressed in the PMP. Ms. Napier said no because the projects, measures, and alternatives have not been called out. That process occurs during the feasibility.

Ms. Balmelli-Powe said she asked that question at one of the PMP meetings as there are certain things the basin wants to complete because no one wants to wait for the next 12 years before a project is completed. It was conveyed that the PMP would need to be adjusted as the projects are completed. Ms. Napier said that is one of the reasons the Corps was very clear that the PMP will likely have to be updated as conditions change.

Ms. Napier said the next steps include the completion of the scope, which will be discussed first by the Flood Authority and then by the Partnership.

Other Business

Mr. Schulte asked about the length of time the Partnership maintains records, such as minutes, budget documents, and budget amendments. Ms. Napier said some minutes are posted on the website and she has hard copies of the remaining sets. Budget documents are tied to grant contracts through Grays Harbor County. She said she’s unsure how long the budget documents are retained. Mr. Schulte asked whether the public disclosure request should be submitted to the Partnership or Grays Harbor County. Chair Canaday suggested submitting the request to both entities. Mr. Schulte asked to receive a public disclosure form from the Partnership. Ms. Napier advised that the Partnership does not have a form for public disclosure. Mr. Schulte asked for the last seven years of the budget documents and he will also submit a request to Grays Harbor County. However, he is formally asking the Partnership for the last seven years of financial records. He said his request is from him personally.

Ms. Spaulding reported the Centralia Stream Team is having an annual stream cleanup on Saturday, May 8, at China Creek beginning at 10:00 a.m.

Ms. Holbrook-Shaw commented that she has attended the meetings as a citizen for over the last decade and has tried to recruit other citizens to participate in the amazing things the Partnership accomplishes and also to become informed and aware. It is difficult to solicit attendance by citizens when there is a lot of hostility. Usually, people want to participate in a setting where they are acknowledged and understood,

which is generally how things operate at the Partnership. However when things begin to get ugly over different issues and causes, it makes it difficult to convince citizens it is worth their time to participate. She asked members to consider that aspect and that the Partnership should maintain a more positive environment.

Ms. Valenzuela invited everyone to attend the *Procession of the Species* in downtown Olympia on April 27 at 4:00 p.m.

Agenda Items for May 21, 2010 Meeting

- Wishkah Student Water Quality presentation
- GI Update
- Names for WCSSP
- Follow discussion on reorganizational status

Brandon Atoch requested a copy of the Partnership's Interlocal Agreement so he can review it with the Oakville City Council.

ADJOURNMENT

With there being no further business, Chair Canaday adjourned the meeting at 11:51 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services