

CHEHALIS BASIN PARTNERSHIP
Chehalis Tribe “Lucky Eagle” Casino
Rochester, Washington
August 27, 2010
9:30 a.m.
Meeting Summary

MEMBERS, ALTERNATES, & GUESTS

PRESENT

Bonnie Canaday, Chair, City of Centralia

Lee Napier, Grays Harbor County

Bob Burkle, Washington Department of Fish & Wildlife (WDFW)

Janel Spaulding, Chehalis Basin Partnership

Mark Swartout, Thurston County

Karen Valenzuela, Thurston County

Bill Schulte, Lewis County

Terry Harris, City of Chehalis

Lyle Hojem, Citizen, Lewis County

Chris Hempleman, Department of Ecology

Bob Amrine, Lewis County Conservation District

Loren Hiner, City of Montesano

Gary Waltenburg, Citizen, Grays Harbor County

Valerie Gow, Puget Sound Meeting Services

Miranda Plumb, U.S Fish & Wildlife Service

Kahle Jennings, City of Centralia (late arrival)

Chuck Caldwell, Port of Grays Harbor

Mark White, Confederated Tribe of the Chehalis Reservation

Lisa Dilley, Citizen, Grays Harbor County

Terry Willis, Grays Harbor County

Tom Bougher, Veterans Conservation Corps

Bruce Treichler, Northwest Steelhead & Salmon Conservation Society

Dave Rountry, Department of Ecology

Don Loft, Student, The Evergreen State College

Terry Lioman, Chehalis Basin Fisheries Task Force

John Donahue, Washington State Department of Transportation

SUMMARY OF ACTION ITEMS:

Approval of Meeting Summary

Members approved by consensus an amended meeting summary of July 23, 2010

Organizational Restructuring

Ms. Napier to follow up with Mr. Carter to discuss the concerns surrounding a public entity establishing a non-profit entity.

Membership

Members supported staff contacting Sherry Nelson, Sierra Pacific, for possible membership.

Members agreed for the STC to draft a letter for the CBP’s review to counties and cities that have a vacancy.

Members agreed to have the Citizen Advisory Committee conduct research of other watershed groups that have active citizen groups to learn about different committee structures and why some are so successful and present the information to the Partnership for consideration of restructuring the group.

Mark Swartout to follow up with DNR for its representative.

Current Stakeholder Representatives were

DOE Stream Flow Gage Removal

asked to consider alternate appointees. Staff was directed to draft a letter expressing the Partnership's concerns about non-notification of DOE's action for review by the STC.

GENERAL PARTNERSHIP BUSINESS

Welcome, Introductions and Roundtable Comments

Bonnie Canaday called the August 27, 2010 meeting of the Chehalis Basin Partnership (CBP) to order at 9:35 a.m. Everyone present provided self-introductions. A quorum was present.

Discuss and Adopt Draft Meeting Summary of July 23, 2010

Members approved an amended meeting summary of July 23, 2010 correcting the representation of Terry Harris to the City of Chehalis.

SPECIAL PROJECTS AND PRESENTATIONS

Status Report and Discussion Regarding Organizational Restructuring – WAACO Application Update

Janel Spaulding updated members on the status of contact with Washington Attorneys Assisting Community Organizations (WAACO) for pro bono legal review of the draft bylaws and articles of incorporation. Representatives from WAACO indicated the organization is still searching for an attorney to review the documents. Additionally, summer months are difficult to find attorneys because of vacations.

Ms. Spaulding asked members for feedback on the formation of the non-profit and future action pertaining to the review of the legal documents. She offered to either send a letter or contact legal contacts directly.

Terry Harris suggested contacting lawyers who are running for various offices who might be interested in providing pro bono service to the Partnership. One potential contact is Jonathan Meyer who is running for Prosecuting Attorney of Lewis County. Tom Bougher suggested contacting Gonzaga University School of Law for potential assistance.

Terry Willis questioned the amount of time necessary for the review in the event the Partnership is not successful in securing pro bono assistance. At some point, the Partnership may need to consider hiring an attorney to review the documents. Lee Napier advised that the Washington Coast Sustainable Salmon Partnership spent time preparing its bylaws and then had the document legally reviewed. Since most of the work was completed by the membership, the legal review was not lengthy. She added that exploration of the next organizational structure is a contract deliverable under the Partnership's current grant, which might entail some funds availability.

Chair Canaday recommended contacting WAACO for feedback on the length of time required for the review. Ms. Willis asked whether the Partnership has the funds available to hire an attorney. Ms. Napier indicated she would need to review the expense with the Department of Ecology to determine whether it's an eligible expense under organizational restructuring.

Members discussed today's reality of obtaining pro bono services and the importance of the membership fine-tuning the documents to reduce the time required for a legal review.

Bill Schulte reminded members of Lewis County Attorney Glenn Carter's comments that there is a problem with a public organization creating a private entity. Mr. Carter advised against the formation of a non-profit. That may be why the Partnership is having difficulty finding anyone to provide a legal review. Ms. Napier offered to follow up with Mr. Carter to discuss the concerns.

Ms. Spaulding asked for input on refining the bylaws in the event an attorney can be secured. Mr. Schulte suggested not pursuing any more review until the concerns addressed by Mr. Carter are resolved. Ms. Spaulding confirmed staff will follow up with Mr. Carter and present an update on the results at the September meeting.

Membership Update

Ms. Napier reported the Grays Harbor County Commissioners appointed Gary Waltenburg to represent Grays Harbor County as its citizen representative. The City of Montesano appointed Loren Hiner, City Forester, to represent the City of Montesano.

Members of the Steering Technical Committee (STC) discussed membership of the Partnership, current vacancies, and ways to engage people in the conversation. She referred to a current list of members and reviewed the status of active and non-active membership by category. Ms. Spaulding also followed up with several inactive cities to encourage participation. Some of the feedback indicated that since the Partnership is doing a good job, their participation wasn't necessary. The STC discussed the responses and is recommending the cities of Chehalis and Centralia as active participants could draft a letter to the other cities stressing the importance of participation.

Member Tribes include the Confederated Tribes of the Chehalis Reservation. The Tribe is an active participant.

Water District membership includes the largest water purveyors in the upper and lower watersheds of the Chehalis River basin. Current members are Boistfort Valley Water Company and Grays Harbor Water District #2. Boistfort Valley Water Company has not actively participated but has invited members to attend board meetings. Grays Harbor Water District #2's representative retired and has never been replaced.

Citizen Representatives from the four counties include:

Grays Harbor County – Gary Waltenburg

Lewis County – Lyle Hojem

Mason County – Peter Hiebert is appointed but has never attended.

Thurston County – Chanele Holbrook-Shaw

The four citizens represent one vote on the Partnership.

Ms. Holbrook-Shaw has indicated as Chair of the Citizens Advisory Committee that she has tried to organize the committee and establish a mission. The response has been that many members are okay with attending CBP meetings, but lack the time to attend committee meetings until something is organized

that's important. The question before members is to determine the role of citizen representatives, and if there is a role, should follow up be pursued with the counties for appointing active citizen representatives.

The four member state agencies have designated Department of Ecology as the lead representative on the CBP representing one vote for the following agencies:

Department of Agriculture – Ann Wick
Department of Ecology – Chris Hempleman
Department of Fish and Wildlife – Bob Burkle
Department of Natural Resources – Julie Sackett (has not been active since 2003/04)

Mark Swartout reported on a telephone call he recently received from a representative from the Department of Natural Resources who was asked to begin attending and participating at CBP meetings.

The last category of members is stakeholder group representatives:

Business Representative – Vacant
Fishery Interests: Chehalis Basin Fisheries Task Force: Teri Lioman
Agricultural Interests: Lewis County Farm Bureau: Julie Balmelli-Powe
Forestry Interests: Weyerhaeuser – Annette Grainger (has not actively participated)

Ms. Napier asked for feedback on filling vacant positions. Mr. Schulte advised that Sherry Nelson, Marketing Executive with Sierra Pacific is very involved and lives in Aberdeen. She could represent either forestry or business. He recommended appointing her as the business representative as she works in three of the counties. Members supported contacting Ms. Nelson for possible membership.

Chris Hempleman commented that it's unusual for watershed groups not to have an environmental representative. Ms. Napier replied that the Partnership currently doesn't have a designated environmental position. A specific designation likely didn't occur because Margaret Radar was the Chair of the STC and there were many environmental representatives as members of the Citizens Advisory Committee. There have been conversations with the Northwest Steelhead & Salmon Conservation Society (NSSCS) about interest in becoming a member. Additionally, most the positions have an alternate assigned as well. Teri Lioman represents fisheries from a Chehalis Basin Fisheries Task Force perspective and it might be possible to assign the alternate position to NSSCS as a way to engage environmental groups. Mr. Schulte said another option is appointing an environmental representative as a citizen representative.

Ms. Napier read a letter from Ms. Balmelli-Powe, who does not support an environmental advocacy as there are already members who represent environmental interests including the Farm Bureau. She is supportive of adding a seat for water sports but not for a fisheries advocate group.

Lyle Hojem supported the business representative suggestion by Mr. Schulte. It's difficult to solicit business representation because of the lack of time.

Mr. Bougher referred to representation by the City of Hoquiam and shared that the City Manager has indicated a lack of time to attend meetings. However, the City Council has a watershed committee so there are elected officials who may have an interest. He offered to attend a Hoquiam City Council meeting and share the information with the Council to solicit interest. As there are several projects

occurring in the City of Hoquiam there may be interest by the Council to appoint someone to represent the City.

Ms. Willis noted that the cities have the authority to appoint anyone to represent its interests, which might be a point to address to the cities.

Karen Valenzuela supported Ms. Hempleman's comments about the lack of an environmental representative and disagrees that the Farm Bureau represents environmental interests as there has been ongoing disagreement between farms bureaus and environmentalists.

Mr. Schulte supported appointing an environmental representative as a citizen representative, but opposes creating another position on the Partnership.

Ms. Willis said the categories were selected specifically to represent the basin and she's reluctant to change any of the categories. She has no issues with people with different backgrounds filling positions but is not supportive of adding a new position.

Mr. Harris said the membership represents a good balance and he doesn't support establishing a specific interest at this time because of the existing balance.

Ms. Napier said the STC would like an assignment or direction to outreach to agencies to fill vacancies. She asked for suggestions for filling the vacancy of Mason County. Mr. Schulte suggested sending a letter. Ms. Napier said the STC could draft an outreach letter explaining to those agencies that do not have a representative why it's important and perhaps sharing the experience of other member cities, and include options of assigning a representative that doesn't necessarily need to be an elected official or a staff member. Members agreed for the STC to draft a letter for the CBP's review to counties and cities that have a vacancy.

Ms. Napier referred to citizen representative vacancies and asked for input on how to proceed. Mr. Swartout referred to the Partnership's past discussions on how to energize the citizens committee. Another request to the STC could include conducting some research of other watershed groups that have active citizen groups to learn about different committee structures and why some are so successful. The STC can present the information to the Partnership for consideration of restructuring the group. Mr. Schulte concurred with the suggestion and recommended having the citizens advisory group pursue the research to determine why it's not working, obtain examples of successful groups, and determine what's necessary to create a successful and involved group. Mr. Harris said the key to a successful citizen committee is providing participation in activities.

Gary Waltenburg commented that previously when he attended citizen committee meetings not having a vote made a big difference in the willingness to participate. Lisa Dilley commented on the importance of conveying to citizens that input to the process is appreciated and welcome.

Ms. Napier referred to state agencies and indicated Mr. Swartout will follow through for the DNR representative. For business representatives, there was a suggestion to contact Sierra Pacific. The remaining stakeholder representatives can be asked to appoint alternates.

Mr. Hojem said the reason citizen meetings gradually diminished in number was because of timing. Meeting times were during the day when it wasn't convenient for many members to attend. Logistically,

there were issues. Ms. Willis said another issue was the location of the meetings when the meetings moved to evenings.

Watershed Festival Update

Ms. Spaulding updated members on the status of planning for the Watershed Festival scheduled for Sunday, September 26, from 10 a.m. to 4 p.m. The event features “FIN”, the 28-foot fiberglass salmon that will also visit three elementary schools a week prior to the festival. The three schools selected include Central Elementary, Hoquiam; Ocosta, Westport; and Simpson Elementary, Montesano. A Chehalis Basin water taste test will be featured again this year. Ron Schillinger and Kim Ashmore are coordinating the event. The City of McCleary was last year’s winner and will participate again this year. New challengers invited include Westport, Central Park, Tenino, and Grand Mound as well as previous challengers. The Chehalis Tribe is hosting a salmon bake. Free longboat sailings from the Grays Harbor Historical Seaport will be offered as well as free tours of the Lady Washington and Hawaiian Chieftain Tall Ships. An adventure sail on Lady Washington will be held from 2 p.m. to 5 p.m. for paying passengers. The Mud Bay Blues Band will perform during the festival as well as “Who Are These Guys.” The Chehalis Basin Fisheries Task Force is sponsoring a fishing pond for children. Hands on activities will be featured. The Mermaid Deli from Westport has been invited as a food vendor as well as Boistfort Valley Farms to offer produce.

Festival donors include:

- Friends of Gray Harbor - \$300
- City of Centralia - \$700 for printing of materials
- City of Montesano - \$250
- Veterans Conservation Corps - \$250
- Aberdeen Rotary Club and Foundation - \$150
- Grays Harbor County Lead Entity – rental of fee and staff time for transportation of FIN
- City of Aberdeen – cost of Log Pavilion rental
- Chehalis Basin Land Trust - \$200
- Lucky Eagle Casino - \$500
- East Grays Harbor Centennial Rotary Club - \$250
- Grays Harbour Marine Resources Committee - \$750
- Hoquiam Rotary Club - \$250

Ms. Spaulding thanked everyone who has donated. The Partnership will feature a table and volunteers are needed in two-hour shifts from 10-12, 12-2 and 2-4. The table will feature a watershed model from DOE as well as reusable shopping bags and pencil giveaways. Chair Canaday, Tom Bougher, Terry Willis, and Chris Hempleman volunteered for a shift.

Ms. Spaulding reported on the recent Centralia Stream Team cleanup of Scammon Creek off Cooks Hill Road.

Presentation – Mass Wasting Prescription-Scale Effectiveness Monitoring Project

Ms. Napier introduced Julie Dieu, Rayonier, and Amy Kurtenbach, DNR. Ms. Dieu provided a follow-up presentation from several years ago on the status of a study by the Upland Processes Scientific Advisory Group (UPSAG), a group of geologists who work for timber, fish, and wildlife stakeholders. Seventeen field personnel inspected 91 square miles of land searching for landslides. The study design was designed prior to the storm of December 2007. The study is a test of forest practices on unstable slope Rule

effectiveness. Rules were implemented in 2000 to reduce the number of landslides caused by timber harvesting and forest practices. The task was to test the Rule. Washington Administrative Code (WAC) 222-10-030 stipulates, "... avoid accelerating rates and magnitudes of mass wasting that could deliver sediment or debris to a public resource..." There is however, a clear understanding that landslides are a natural process. The study design determined how to reduce the rates to the natural rate level through statistical analysis of mass wasting at the prescription level and identification of individual triggering mechanisms at the site scale.

Different factors causing landslides are hydrology (precipitation, snowmelt, and groundwater), topography, properties of soil and rock, vegetation, and other elements. The study focused on the impact of vegetation. Randomized blocks were selected for controls on precipitation, management history, and geomorphology and geology (to some degree). Many blocks were rejected because landslide density wasn't present. Only four landslides within each block were required. Clusters within the blocks were attributed by timber classifications (strata) and road systems.

The December 2007 storm dumped up to 14 inches of rain within 24 hours with some snowmelt causing extensive flooding. A second storm along the coast created high wind conditions. The study was initiated in the area most affected by the 2007 storm. DNR conducted extensive aerial reconnaissance to map landslides documenting 1,133 hillslope (non-road) landslides within 91 square miles with 82% of the slides delivering sediment to the stream channel. Road landslides totaled 327 in 570 square miles of roads with 60% of them delivering sediment to the stream channel.

Ms. Dieu shared that she has never seen the number of landslides within a square mile to the extent of the landslides that occurred during the 2007 storm.

Rule-Identified Landforms (RILs) are identified in the WAC and are the specific elements targeted to limit the number of landslides. The strategy is to avoid harvest on RILs.

The five harvest strata included:

- Mature 41+ (M) - forest stands greater than 40 years old
- Submature 21-40 (SM) – forest stands between 21 and 40 years old
- Full Buffer 0-20 (FB) – harvest units in which trees on RIL (if present) were not harvested
- Partial Harvest 0-20 (PH) – harvest units where some harvest and some buffering of RIL occurred
- Clearcut 0-20 (Councilmember) – all RIL, if present, were clearcut

Ms. Dieu reported on the results of the harvest strata model for predicting landslide density. Precipitation was a big driver on landslide density with stratum playing a smaller role. Partial Harvest and Clearcut had higher landslide density than other harvest strata. The results suggest buffers are effective in limiting landslides. Mature and Full Buffer had significantly smaller initial failure volumes than the Partial Harvest and Clearcut where landforms are not as protected.

Road strata included:

- Substandard (Sub) – active roads that do not meet current Forest Practices standards
- Orphaned (Oph) – unused for forest practices since 1974
- Standard (Std) – Active roads that meet current Forest Practices standards
- Mitigated (Mit) – Active roads with completed instability hazard reduction efforts
- Abandoned (Abd) – DNR approved or equivalent

Ms. Dieu reported on results of road landslides by segment. Apparent triggers were not identified for 82% of the road landslides. However, most of the failures are driven by fill slope and the perched nature of the fill slope.

Buffers increase occurrence of large woody debris (LWD) delivery. Approximately 90% of hillslope landslides did not have an obvious visual landslide trigger. Approximately 43% of the landslides that delivered into the channel network were initiated outside of the RILs. Non-RILs are systematically lower gradient whereas most of the RILs occur above a 70% grade as defined. Precipitation is not correlated with percent of RIL landslides.

Ms. Dieu reviewed study results on hillslope landslides by slope class. She noted that another way to consider the results is that approximately 8% of the land base is in RILs in the study area and approximately 60% of the landslides occurred in 8% of the land base. Buffering is effective but there may be other measures that are necessary.

Ms. Dieu reported the study report is undergoing an extensive review process after which the report will be forwarded to DNR's Forest and Fish Policy. If the rules are changed based on the report, DNR will complete an Economic Impact Statement.

Initial study conclusions reveal:

- Partial harvest and Clearcut of RILs have higher landslide densities than Mature. Full Buffer is intermediate, which might suggest buffer effectiveness
- Landslides from buffers were smaller and delivered more LWD.
- Site-scale triggers for both hillslope and road landslides were not common
- Abandoned and Mitigated roads had smaller landslides
- Forty-seven percent of landslides occurred outside of RIL, but RIL occupy on a small area.
- Partial Harvest Stratum
 - Associated with unbuffered sideslope inner gorges and bedrock hollows
 - "Accuracy and Bias" study will address why
- Additional analyses may clarify some results.

Ms. Dieu acknowledged the participation and work of UPSAG Post Mortem Technical Team, Cooperative Monitoring and Evaluation Research (CMER) members, landowners consisting of Weyerhaeuser, DNR, WSDOT, Sierra Pacific, Green Diamond, Hancock Forest Management, Longview Timber, Rayonier, and Port Blakely, contractors O'Connor Environmental, OEI Subcontractors, and independent consultant Kai Bretheton.

One of the co-authors of the study design, Laura Vaugeois, passed away on April 30, 2008. The project is dedicated to Ms. Vaugeois in memory of her love of geology.

Several members asked for a copy of the presentation. Ms. Kurtenbach advised that the report is under review and as such, will undergo some revisions. After review by CMER, the report will be reviewed by an independent scientific review committee at the University of Washington. The final report should be published in six to ten months. Ms. Dieu directed members to the CMER website to obtain a copy of the presentation.

Dave Rountry asked how the information will feed into the new watershed analysis that is forthcoming. DNR noted several months ago that there should be a new set of watershed analyses for some watersheds in the state with the Chehalis at the top of the list. Ms. Dieu acknowledged that there is a prioritized list and Chehalis is at the top of the list. It's not likely the analysis will be completely revamped but that the mass wasting module will be seriously reviewed. There is a formalized process for the five-year process.

Ms. Kurtenbach commented on the number of people involved in the study, which cost \$1.7 million. DNR's program was able to complete the study in one season because of the cooperation of private landowners. Landowners in the Chehalis were very cooperative.

Discussion and Possible Action Regarding DOE's Intent to Remove Stream Flow Gages

Ms. Napier distributed information on a list of DOE's Southwest Region stream gages and possible action by DOE. She identified gages installed in the Chehalis River basin. Some gages were removed because of budget cuts in 2009. DOE is planning further reductions by removing gages in the Wishkah and the Black River. STC members questioned the locations of the gages, which led to her searching DOE's website for a list of the gage locations. She reviewed the information. Currently, the basin's stream gages have been significantly reduced.

Ms. Hempleman advised that it's likely the Wishkah and the Black River gages will remain. A cut in funding to DOE is why there has been a reduction in gages. Manual gages requiring field work were removed without notification in October 2009. She provided members with a copy of U.S. Geological Survey (USGS) gages currently installed within the Chehalis River basin. DOE is finalizing the list of gages for removal by October. She encouraged members to send letters to address any concerns concerning the removal of gages. She clarified that the gages monitor flows for enforcement of the instream flow rule and protecting senior rights and referred to the USGS Porter gage for monitoring upstream flows.

Kahle Jennings commented that although the Porter gage represents upstream information it doesn't account for some of the gages that have been removed. It will be difficult to enforce fish and instream flows if the information is not available because there are no flow data. It's important to review the data up to this point to determine whether fish flow and instream flows are realistic based on the limited data available at this point. More work will be necessary.

It was clarified that both upstream and downstream flow enforcement by DOE has previously occurred.

Mr. Schulte inquired about the timing of notification from DOE of the October gage removal. Ms. Hempleman and Ms. Napier advised they were advised several months ago after the fact. Ms. Napier said there were some discussions about budget cuts at DOE but not at the level of outreach that typically occurs to the Partnership.

Ms. Napier asked for feedback on whether to respond to the removal of the gages. Mr. Schulte commented that it would have been beneficial to receive some advance notification of the planned action because of the close working relationship between the agency and the Partnership. It's understandable that there were cuts because of the budget, but it would have been helpful to receive notification.

Members asked staff to draft a letter expressing the Partnership's concerns about non-notification of DOE's action for review by the STC.

Chehalis Basin Ecosystem and Restoration and Flood Risk Management Project Update

The update was deferred to the September meeting.

Agenda Items for September 24, 2010 Meeting

Ms. Napier reviewed recommended agenda items for upcoming meetings.

- Exempt Wells Presentation by Don Davidson (September)
- Chehalis Basin Ecosystem and Restoration and Flood Risk Management Project Update (Basin-wide GI) (September)
- Presentation by One Voice on storage facilities and response by Northwest Steelhead & Salmon Conservation Society (October)
- USGS Presentation (November)

Mr. Jennings noted that the City of Centralia's sponsorship of "FIN" during the City's 4th of July parade and festival was paid from funds from U.S. Fish and Wildlife Service for an education support grant.

ADJOURNMENT

With there being no further business, Chair Canaday adjourned the meeting at 12:15 p.m.

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