



## **CHEHALIS BASIN PARTNERSHIP**

**Chehalis Tribe Lucky Eagle Casino, Eagles Landing Hotel Conference Room  
Rochester, Washington**

**July 22, 2016  
9:30 am – 12:00**

### **Meeting Summary**

#### **MEMBERS\* and ALTERNATES' PRESENT**

Bob Burkle\*, WDFW

Bonnie Canaday\*, *City of Centralia*

Chuck Caldwell\*, *Port of Grays Harbor*

Chris Stearns\*, *Thurston PUD*

Cynthia Wilson', *Thurston County*

Dan Wood', *City of Montesano*

Dustin Bilhimer\*, *Dept. of Ecology*

Frank Gordon\* *Grays Harbor County*

Lee Napier', *Lewis County*

Patrick Wiltzius', *City of Chehalis*

#### **GUESTS**

Tom Clingman, *Department of Ecology*; Mike Gallagher, *Department of Ecology*; Garrett Dalan, *The Nature Conservancy*; Mark Mobbs, *Quinault Indian Nation*; Jonathan Bradshaw, *Citizen of Centralia*; Jan Robinson, *Chehalis River Basin Land Trust*; Al Smith, *Candidate for Grays Harbor County Commissioner, Dist.1*; Eric Erler, *Consultant*; Greg Green, *Ducks Unlimited*.

#### **STAFF**

Kirsten Harma, *Chehalis Basin Partnership*

#### **FOR MORE INFORMATION**

- Meeting summary is available on the Chehalis Basin Partnership website: [www.chehalisbasinpartnership.org](http://www.chehalisbasinpartnership.org)
- PowerPoint presentations from this meeting are available on the Chehalis Basin Partnership website: [www.chehalisbasinpartnership.org/presentations](http://www.chehalisbasinpartnership.org/presentations)

#### **MEETING**

##### **1. Welcome and Introductions**

Chair Canaday welcomed everyone to the meeting. Members and guests provided self-introductions.

##### **2. Approval of Minutes**

Chair Canaday noted a need for correction in the minutes: that her wedding in planned for August, not June. No one had any other comments on the minutes.

##### **3. Citizen Appointments**

Kirsten reminded the group that in the CBP bylaws it falls to the Commissioners to appoint new citizen members.

#### **4. Action Item: Rose Foundation Grant Agreement**

Kirsten told the group that the CBP's grant application to fund a part time Coordinator for the Grays Harbor Stream Team through the Rose Foundation was successful. This grant will support various organizations operating in the Grays Harbor area. CBP members are encouraged to think of stream restoration and protection projects a volunteer group could help out with in their constituencies. She presented the grant agreement with the Rose Foundation to be signed by the CBP Chair.

#### **5. Member Updates**

Jan Robinson from the Chehalis River Basin Land Trust told the group about one of the Land Trust's recent conservation successes.

Kirsten told the group about the success of the Watershed Festival held as part of Summerfest in Centralia on July 4<sup>th</sup>.

#### **B. Presentations**

**Water Rights Curtailments in the Chehalis Basin** – *By Mike Gallagher, Department of Ecology.*

There have been water rights curtailments again this year. The curtailment notice this year was issued in May to 98 junior water right holders in the basin.

##### Background on current flows:

- Not as severe as during last year's drought.
- The hydrologic conditions this year are due to the fact that the snowpack melted a month earlier than normal and at a very rapid rate. April 2016 was unprecedentedly warm – with 3 to 4 days above 80 degrees.
- As an example on how this compares to averages: On July 22, the Porter Gage should register stream flow at 500 cfs. This year it was 395 cfs. Last year it was 330 cfs. Stream flow at the Newaukum gage was similarly low.

Water Rights. The Instream Flow regulation was adopted in the Chehalis in 1976. This meant that any future water rights established after that date would be subject to "baseflows" set in that rule (that is, if using one's water use would mean that the surface water levels would go below that set baseflow, that water right would need to be curtailed). Water rights curtailments can only occur on water used for irrigation that draws from mainstem or tributary surface water (e.g., they don't affect municipal or domestic water use and don't affect those withdrawing groundwater).

In the lower basin, there are 58 new water rights applications. These likely won't be approved. In the upper basin, there are 53 new applications.

For owners of water rights that have been curtailed, they can check if the stream levels are above or below the baseflow. If they're above, they can irrigate for that day, if they're below, they cannot.

There was no declare a drought this year since the economic impacts piece isn't there. The main stress/economic impact is to fisheries, as fish passage is limited when stream water levels are low. These will likely continue to decline over the summer

Q) How long has Ecology been measuring well levels?

A) In the wells that are monitored (in the Chehalis, there is just one, in the Scatter Creek area), we have been measuring them twice per year for the past 25 years. We've learned that there is still a good supply of groundwater. It would probably take multiple years of drought before you would see a decline in well levels.

Q) Do you know anything about wellintell.com? They're sponsoring a webinar for homeowners about how to monitor their own wells.

A) I don't know anything about that company.

Q) Are wells monitored in the Skookumchuck?

A) Only surface water is monitored. I don't know about wells being monitored there.

Q) So how are curtailed water users keeping informed on whether they can irrigate or not? Are they checking the website?

A) Yes, as far as we know. Our enforcement person is checking on junior rights holders and hasn't found them to be irrigating

Q) Are the only water rights that are curtailed surface water diversions? Do they have the option to go to groundwater if they want to?

A) Yes, many users of surface water want to switch to groundwater. They would have to file a change application to do that. That's a lengthy process, though, so they would need to go through a consultant. There are many users that would like to switch to groundwater, but it's expensive to go through a change applications and takes time.

Q) Are all the curtailments agricultural? Do you know what the economic impact of curtailing water rights is?

A) Yes they're all agriculture. There hasn't been a formal assessment on economic impact. My guess is that there's a low impact. We haven't heard that anyone is experiencing undue hardship. Mainly because we haven't had to do this every year.

Q) In the upper basin, farmers are transitioning from hay, which has a low water consumption, to row crops, which have a high water consumption. Does this put more of a demand on the system?

A) Depends on the crop and the water right. My guess is that farmers will likely deal with the reduced water availability by efficiencies, e.g., switching to drip irrigation.

Q) Is the trigger for curtailment stream flow? What if someone converts to drip irrigation, that won't change flow will it?

A) Yes, it's flow. If they're taking water out of river for irrigation that will take it out of the creek and reduce flow.

Mike Gallagher: The take-home point is that we all have to share the same resource. While the Federal government can print more money, Department of Ecology can't make more water – we all have to share it.

**Office of the Chehalis Basin** – Tom Clingman, Shorelands Program, Department of Ecology

The Chehalis Strategy has had the dual objective of dealing with flooding and aquatic habitat. Through the last biennium the work plan has been run by the Governor's Work Group. That's been handled in a temporary way. The HB 2186 bill that created the Office of the Chehalis Basin passed by an overwhelming majority in the house and senate. It is set up to create a more unified, durable structure. How it will work: The Office will be housed at the Department of Ecology. It will be modeled like the Office of the Columbia River. It will be a problem-solving group as opposed to a regulating group. The new office will be directed by a new Board of 7. The Flood Authority will appoint 3 representatives, to represent the local communities. There will be another two members appointed by the Governor. There will be one representative from each tribe, selected by each tribe. Each government agency will have ex-officio members on the Board: WDFW, DNR, DOT and State Conservation Commission. The Board's responsibility will be to oversee implementation of the Chehalis Strategy and make a budget. There isn't anything quite like this Office at Ecology right now. As a result, there is no defined structure for how the Office and the Board will work together yet. Right now, the Governor's Work Group is developing a work plan for the Office for 2017-2019. The next steps of Strategy itself will result from the Programmatic Environmental Impact Statement (PEIS) that Ecology is currently developing. The draft PEIS is due out at the end of September 2016, with the comment period during the month of October. Ecology staff would be glad to do a presentation on the PEIS results to the Chehalis Basin Partnership in September/October.

Q) Does any existing structure go away when the office gets functional? E.g., Flood Authority, Chehalis Basin Partnership, Governor's Work Group. Or do we keep adding organizations and overlap responsibilities?

A) The Governor's Work Group will be replaced. Their function had been to represent the community. That function will be replaced by the Board.

Q) If the Office is to deal with everything basin related, and the CBP's role is to deal with everything basin related, why do we need both? The Office deals with flooding and habitat –what would we do that isn't related to flooding or habitat?

*(Answers/Discussion from CBP members):* Mr. Bilhimer: There are separate things that each group would have more control and influence over. The Office is focused on flood damage reduction and restoration. The overlap with the restoration piece is with the Chehalis Lead Entity. The Chehalis Basin Partnership is the local coordination body to advance the goals of the Watershed Management Plan. The Office of the Chehalis doesn't have that same mission. Mr Mobbs: The Flood Authority will continue in an important role, given that it's in the legislation that its representatives will sit on the new Board. I didn't see anything in the bill about dissolving existing groups. Ms. Napier: Another thing to think of is geographic scope. The Flood Authority has just focused on the mainstem. That's different than the Lead Entity or the CBP. Mr. Clingman: Yes, the technical work to date has focused on the mainstem. They just looked at flooding from the mainstem river. But the geographic focus for the new office is still an open issue. Folks might suggest to the Board that other parts of the basin should be part of the focus whereas they have not been so far. There's no limitation in the statute about geography. Ms. Harma: the Chehalis Strategy includes both flooding and aquatic habitat, and right now the WDFW's Aquatic Species Restoration Plan includes the whole basin: including the tributaries. Why would your Office cut those off? Mr. Clingman: The Office will inherit existing work. Unstated in this is that WDFW has a role that is greater than the other ex-officio members.

Ms. Harma: CBP should find a role for itself in this new Office. Mr. Clingman: You could make sure the work in the Watershed Management Plan continues to be deployed. Maybe an opportunity to advance issues that are in the Watershed Plan and haven't had an opportunity to move forward.

Mr. Stearns: CBP ceded responsibility for flooding, that is, excessive waters. We've mostly been focusing on when there's less water, and how that affects the fish, people who are dependent on it, and groundwater. Our composition reflects the political entities of the local nature, which is far different than what Mr. Clingman is describing. Most likely both groups will need to continue to exist. Ms. Harma: Also to consider is that aquatic habitat is dependent on water quality and quantity. Everything we're trying to do is going to benefit ultimately the objectives of the Office. Maybe there could be a formal role for this group to work with the representatives of the Flood Authority or the Board in general to make sure the objectives of the Watershed Management Plan are being met through the Office, or at least not compromised. Mr. Clingman: It will be important to engage with the Board as they scope their work plan.

Q) Can other purposes for the Office be added in to the legislation itself?

A) Right now we're just changing the specificity about the Quinault Board appointment process.

**WRCI Proposal: Grayland Property Acquisition.** *By Greg Green, Ducks Unlimited, and Eric Erler, Consultant.*

Ducks Unlimited is sponsoring a project to acquire and then restore a 1,750 acre piece of property near Grayland. This presentation was the first time they presented the project concept to the public. For this presentation, they hoped to solicit support for a grant application through the Washington Coast Restoration Initiative (WCRI). They would like the support of either of the CBP or the individual organizations present.

Stated values for acquiring the property for conservation include: protecting a very ecologically unique property (mix of freshwater and estuarine wetland, which includes intact intertidal wetlands and forested wetlands, as well as old growth forest), offsetting the effects of sea level rise (transition zone for changing habitat), protecting the aquifer used by the City of Westport (underlies the property), and other water resource values. Since the property is adjacent to other conserved and publicly owned lands, it could serve as a wildlife corridor and recreation corridor.

Ducks Unlimited plans to undertake extensive community consultation to understand the community's value for the property and desires for its future management once the property is acquired. DU seeks to maintain public recreational access on the property, as well as promoting ecotourism opportunities. Restoration on the land could lead to jobs creation during planning and implementation. At this time, acquisition is needed, and restoration will happen over a longer term.

Q) If this land is to be conserved for habitat, why would you build structures?

A) It's been managed for commercial timber harvest, so the thought is to restore it to a more natural land use type.

Comment- Under conservation ownership, you could deal with the undersized and failing culvert on WDFW land adjacent to the parcel, because fixing that culvert would be looked on favorably by the new downstream landowner (e.g., fear of flooding no longer an issue).

Comment – Research in Willapa Bay is showing that intertidal and tidal distributary areas provide benefits to juvenile Dungeness Crabs, thus, protecting this area could provide economic value to the largest commercial fishery operation in Washington. There also might be herring spawning habitat on the site, since habitat was found nearby.

Q) What is the cost to acquire the property?

A) There hasn't been an appraisal done for it yet. Our estimate is that the entire acquisition project, including due diligence and upfront costs may be about \$4 million. The WCRI grant application is for \$500,000 of that.

Comment: A lot of timberland has been lost from active management in Grays Harbor County. To address this, first, make sure what you do on this land doesn't negatively impact what is happening on adjacent working timber lands (would access be cut off?). Second, do an analysis of the impact your project will have on the economy, e.g., on the loss of working timber land compared to value of created recreation jobs, the crab industry, etc. Will there be a net economic benefit from doing this project?

Response: There is considerable timber on the property, which could potentially be managed sustainably even under the new ownership.

Comment: Will restoration increase the marbled murrelet habitat on this property? If it does, consider the impact of buffers to protect that habitat on adjacent working forests. Yet there may be higher economic benefits from a purchase rather than through regulation.

Q) What should we do regarding the request for local support? Support letters are due for the WCRI application August 19<sup>th</sup>

*Discussion:* Mr. Wood would like to have more information and more time to review the economic impacts of the project before making a decision. Chair Canaday reminded the group that full consensus is needed for any decisions. Commissioner Gordon sees economic and conservation benefit from the project and will talk to Grays Harbor County and Westport about providing individual support letters. Others agreed that the CBP shouldn't support the project "as a group" but individual members can get their groups to provide support, if they like.

### **Other Business:**

None.

### **ADJOURNMENT**

With there being no further business, Chair Canaday adjourned the meeting at 12:00.

### **NEXT MEETING**

August 26<sup>th</sup> 2016