



CHEHALIS BASIN PARTNERSHIP
Chehalis Tribe Lucky Eagle Hotel, Sky Room – 5th Floor
Rochester, Washington
April 26, 2019
9:30 am – 12:00

Meeting Summary

MEMBERS* and ALTERNATES' PRESENT

Alissa Shay', <i>Port of Grays Harbor</i>	Kaitlynn Nelson', <i>Thurston County</i>
Amy Spoon*, <i>WDFW</i>	Kim Ashmore*, <i>City of Centralia</i>
Brian Shay*, <i>City of Hoquiam</i>	Lee Napier', <i>Lewis County</i>
Bob Johnson*, <i>WDNR</i>	Mike Noone*, <i>Ecology Water Resources</i>
Cindy Wilson', <i>Thurston County</i>	Nick Bird*, <i>City of Ocean Shores</i>
Dan Wood*, <i>City of Montesano</i>	Patrick Wiltzius', <i>City of Chehalis</i>
Deborah Graham*, <i>City of Napavine</i>	Phil Papac*, <i>Port of Grays Harbor</i>
Glen Connelly*, <i>Chehalis Tribe</i>	Rick Eaton', <i>City of Centralia</i>
Jan Robinson*, <i>Chehalis River Basin Land Trust</i>	Shawn M. O'Neill', <i>Napavine;</i>
Jim Hill*, <i>Citizen</i>	Terry Harris*, <i>City of Chehalis</i>
John Bryson Jr*., <i>Quinault Indian Nation</i>	Tye Menser*, <i>Thurston County</i>
	Wes Cormier*, <i>Grays Harbor County</i>

GUESTS

Caprice Fasano, *Quinault Indian Nation*; Lauren MacFarland, *Quinault Indian Nation*; Tanya Eison, *Quinault Indian Nation*; Paula Holyroyde, *League of Women Voters Thurston County*; Mark Mobbs, *Quinault Indian Nation*; Anthony Waldrop, *Grays Harbor Conservation District*; Terry Willis, *Citizen*; Kevin Hansen, *Thurston County*; Joel Massmann, *Quinault Indian Nation (contractor)*; Sabra Noyes, *Chehalis River Basin Land Trust*; Rachel Stendahl, *Chehalis Basin Education Consortium*.

STAFF

Kirsten Harma, *Watershed Coordinator*
Cynthia Carlstad, *Facilitator, NHC*

FOR MORE INFORMATION

- Meeting summaries are available on the Chehalis Basin Partnership website: www.chehalisbasinpartnership.org
- PowerPoint presentations from this meeting are available on the Chehalis Basin Partnership website: www.chehalisbasinpartnership.org/presentations

MEETING

1. Welcome, Introductions

The Chair convened a welcome and participants introduced themselves.

2. Approval of March Meeting Notes

All in favor.

3. Partner Updates

- Mr. Johnson reported that DNR is well underway with hiring approximately 80 seasonal staff in southwest Washington for the upcoming fire season.
- Mr. Wood reported that the log jacks at the City's wastewater treatment facility are installed, and some have rolled into the river as they are meant to do – collecting sediment and protecting the river bank from eroding. He offered a tour to anyone interested in seeing the project.
- Ms. Napier reported that she just hired a new planner, bringing Lewis County Community Development to full staffing.
- Mr. Eaton announced that the City tentatively plans a tour of the China Creek project on May 2, beginning at 2:30pm. He is awaiting confirmation from Andrea McNamara Doyle, and will confirm when the date and time are locked in.
- Ms. Robinson reported that the Land Trust had a potluck and presentation from Washington Environmental Council last night. They are pleased with the legislative policies coming out of this year's session. Also, June is orca month. Finally, the Land Trust is starting invasive plant removal tomorrow (4/27) on the Discovery Trail. Volunteers are welcome beginning at 11am.
- Ms. Wilson shared that Thurston County now has signed agreements for all 5 WRIAs that they are working in. Also, she is retiring at end of June.
- Mr. Hansen advised that Thurston County has a lot of hydrogeology data and analysis available to the group – groundwater, stream gauging, weather, etc.
- Ms. Stendahl announced a May 8 fundraiser at an Olympia restaurant to support the Chehalis Basin Education Consortium with needs such as vehicle and materials expenses for field trips. There will be a silent auction at the event.
- Mr. Bryson reported that the Quinault Indian Nation is still working with the mining company and Port of Grays Harbor regarding the proposed potash terminal at Grays Harbor. Second, he reminded the group that the Tribe has closed the sockeye fishery, and is likely to close Spring Chinook too. Third, they have the lake fishing derby coming up.
- Ms. Harma reminded the group that Lead Entity site visits are May 14 and 15. They have ten projects to visit, totaling a \$1.2 Million ask by project sponsors. The Chehalis Basin gets \$600,000 from State & Federal sources. Second, the Habitat Offset Project Work Group for the Watershed Plan Update is meeting right after this meeting here in the same room. All are welcome.
- Mr. Harris thanked Patrick Wiltzius for agreeing to delay his retirement while the City of Chehalis works to hire a qualified replacement. They have had a hard time finding someone with the needed qualifications and experience, which highlights the importance of local education and training, so that people from the area are able to get the education and training required to fulfill essential local jobs like operating water and wastewater facilities.

4. Partnership Membership Update for Watershed Plan Update Participation.

Ms. Harma welcomed the many new faces in the room and described the outreach she and others have been doing. They have been working since last June to connect with all the original signatories to the Chehalis Basin Partnership Intergovernmental Agreement – letters, emails, and phone calls from Ms. Harma and other members. She summarized the status of membership participation interest:

- Counties – all participating now. Ms. Napier reported contact with Mason County – Dave Windom will participate on behalf of Mason County.

- Cities who have not been participating recently, but intend to begin, and are present today:
 - Montesano (Dan Wood)
 - Hoquiam (Brian Shay)
 - Napavine (Deborah Graham)
 - Ocean Shores (Nick Bird)
- Town of Pe Ell – Ms. Napier reported that Commissioner Jackson committed to talking with them; she was unsure of the status.
- City of McCleary – Ms. Shay volunteered to follow up.
- Water Districts
 - Grays Harbor Water District No. 2 - Grays Harbor County (Mark Cox & staff, at a previous meeting) committed to talking with them; status unknown
 - Boistfort Valley Water Company – Still need to figure out how to make contact. Ms. Harma has emailed them. A few folks may know someone there (Ms. Suter was mentioned).
- Citizen participants – Jim Hill (participating by phone from Hawaii today) continues to represent Lewis County. Other counties have the option to appoint a citizen participant.
- Member state agencies – all that wish to participate are here:
 - Ecology
 - WDFW
 - DNR
- Stakeholder groups
 - Fisheries - Ms. Harma and Mr. Noone attended the last Chehalis Basin Fisheries Task Force meeting to invite them to begin actively participating again. They declined; fisheries interests will be represented through the tribes, WDFW, and the Chehalis Basin Land Trust.
 - Agriculture – Mr. Thompson (representative) and Ms. Willis (alternate)
 - Forestry – Ms. Harma is reaching out to Port Blakely who may have interest in participating.
 - Environmental – Chehalis Basin Land Trust – Ms. Robinson (representative) and Ms. Noyes (alternate)

Ms. Harma and Ms. Carlstad reminded attendees that based on discussion at the last meeting, they are working under the plan to determine which original members want to participate by May 31, 2019. The list of participating members will be the basis for voting eligibility on the Watershed Plan Addendum. That list will be included in the Project Charter, which has a target of late June for a first approval, with a final approval in July.

Ms. Carlstad announced that a “returning member” orientation will be held following the next Partnership meeting for those who would like background on the purpose, content and requirements for this Watershed Plan Addendum.

5. Draft Charter Addendum to 2004 Operating Procedures.

Ms. Carlstad briefly reviewed the purpose for the Charter Addendum to the 2004 Operating Procedures. It provides explanations for aspects of the Watershed Plan Addendum that are not addressed in the Operating Procedures. It will also provide a list of voting members. It will not replace the 2004 Operating Procedures.

At last month’s meeting, the group reviewed and discussed a “strawdog” Charter that Ms. Carlstad had prepared. Participants were invited to send comments, and a few were received. Ms. Carlstad displayed the “track changes” version that included those comments received prior to the meeting. Several areas were discussed:

1. Participant Role for the Quinault Indian Nation – Ms. Napier had proposed edits to this section that reflected some of the language in the executed Intergovernmental Agreement describing Quinault’s participation. Quinault did not accept the proposed edits. Ms. Napier said that her intent was to represent the participation that Quinault has always had, participation that was described in the executed Intergovernmental Agreement. The draft version of the Intergovernmental Agreement attached to the 2004 Operating Procedures does not contain the language sought by Ms. Napier. No one present at the meeting has a copy of the executed agreement, and Mr. Cox volunteered to try to track it down in the files at Grays Harbor County. Ms. Fasano and Ms. Napier agreed to confer on language that is acceptable for this section, seeking to capture the spirit of what Ms. Napier described in language acceptable to Quinault.

Ms. Willis asked if other members besides the Quinault Indian Nation would become voting members who were not original signatories. Ms. Carlstad answered “no, the law requires that tribes be invited to Watershed Plan Updates under RCW 90.94”. Ms. Willis also asked if Mr. Harris had discussed with the Partnership prior to sending the invitation letter to Quinault referred to in the draft Charter. Mr. Harris responded “yes”.

2. Regarding draft Charter section “Participant Thresholds for Partnership Members”, Mr. Wood asked about the May 31 deadline for establishing participation and voting eligibility. He advocated for flexibility should the situation change at a membership organization where they change their mind later and want to join. Discussion occurred around this topic, including the need to have a structure in place that can be enforced, while at the same time accommodating groups in the basin who are challenged (by capacity or other reasons) to participate actively. Mr. Harris emphasized that the Partnership is not denying anyone access, and Ms. Willis suggested being careful to differentiate between participation and voting eligibility. Mr. Shay suggested that the group can make it easier for people to participate by including a call-in option for all Partnership meetings. Ms. Carlstad committed to crafting proposed wording to address the situation described by Mr. Wood in the section of this section of the Charter for the next review draft and to providing a call-in option for Partnership meetings.
3. In the Charter section “Outreach and Support for Partnership members to Maintain Voting Eligibility” Ms. Carlstad highlighted that the purpose is to support those that may have trouble making it to every meeting. Ms. Harma commented on the draft Charter that it may be reasonable to only require attendance at decision-making meetings. Attendees considered this idea, and there were a few concerns expressed about people only coming for decisions and missing the educational and perspective-building conversations that come from more full engagement with the group. Mr. Bird observed that as-written the Charter only requires attendance at four meetings per year, which he said is reasonable to him. Mr. Bryson asked if having their staff attend qualified to keep voting eligibility, if he and Ms. Eison were not able to attend due to travel, and Ms. Carlstad responded “yes”.
4. Consensus Decision-Making – Ms. Carlstad reminded attendees that the rules governing consensus decision-making are described in the 2004 Operating Procedures, and what is added in the draft Charter simply adds clarifying language around groups working off-line to resolve difficult issues, and then bringing a proposal back to the Partnership for consideration and approval.
5. Ms. Carlstad highlighted that we are describing the Watershed Plan Update as an Addendum not Amendment. Mr. Noone requested using the term “projected” instead of

“expected” for future permit-exempt wells and water use. This is Ecology preferred convention for terminology.

6. **Proposed ground rules** – Ms. Harma added a few proposed ground rules, and Mr. Hill requested that all the ground rules listed in the 2004 Operating Procedures be listed in the Charter. Mr. Wood brought up the proposed added ground rule regarding using “best available science in all cases.” He asked about the intent which as he interprets it could exclude consideration of other aspects or impacts that are not best available science. Ms. Willis agreed that use of this term could create problems because of its regulatory definition and provided examples of how its use has precluded use of emerging technologies and practices in agricultural activities. Ms. Fasano asked if there are any Ecology terms that could be used instead, and Mr. Noone responded that there are none, but Ecology will be using a science basis to evaluate the net ecological benefit. Based on group input, Ms. Carlstad edited the rule to state “The parties agree to consider available science” and invited attendees to comment on that section if they have further concerns.
7. Ms. Napier asked how the Detailed Implementation Plans that the Partnership developed subsequent to adopting the Watershed Plan will be used. Discussion occurred around these documents. Many in the room were not familiar with them. It was brought up that the law refers specifically to the Watershed Plan, and that any relevant products from the Watershed Planning process should be used.

Next Steps – Ms. Carlstad described the next steps as follows:

1. She will incorporate the edits discussed today, and that version will be distributed to the Partnership for review.
2. Comments on the revised draft will be discussed at the next Partnership meeting, and if possible, obtain a first approval on the Charter.
3. The second approval will occur at the following meeting, and that version will also contain the list of all members eligible to vote on the Watershed Plan Addendum.

6. Watershed Plan Review

In March, members were requested to review the existing Watershed Plan for relevant and applicable content. Ms. Willis noted that she has all the original documents in boxes and will review. Mr. Harris remarked that the documents are online but asked if anyone would like to have a hard copy. Several attendees showed interest in having a hard copy. Ms. Napier said she thinks there may be some hard copy plans in a box in the mezzanine at Grays Harbor County, and Mr. Cox volunteered to look for them and bring them to the next meeting. Ms. Harma explained that the online files are somewhat confusingly broken up, so it takes some digging to go through everything. Ms. Harma said that she will make hard copies of the permit-exempt well sections discussed at today’s meeting after we know how many hard copies of the original plan exist for distribution, and can estimate how many more are needed.

Ms. Harma described a few of the documents she found relevant from the Watershed Plan Supplements – issue paper on Water Quantity and Permit-Exempt Wells. These documents concluded that while permit-exempt wells are not likely to be a big impact basin-wide, there are areas and times of year when consumptive use from these wells could create instream flow impacts. The basin-wide estimate for consumptive permit-exempt well use was 4.67 cubic feet per second (cfs) from permit exempt wells. This is 1.3% of Chehalis River summer flow. However in Salzer Creek where summer flows can be practically zero, there were an estimated 310 permit-exempt wells that could be drawing up to 0.33 cfs from the shallow aquifer – or more than 10 times the average August streamflow. In the Black River subbasin, average Black River daily flows in August and September range from 10.4 – 21.2 cfs. There are an estimated 2,400 permit-exempt

wells in the subbasin. The total withdrawal rate could equate to 2.6 cfs, or 25% of the Black River flow during this period. Ms. Carlstad recalled that work that she had participated in and noted that the methods used for those estimates was probably assuming higher consumptive use from permit exempt wells than current Ecology methods.

Ms. Harma also reported that the Watershed Plan documents included many other relevant recommendations including adjudication, water banking, water right changes, water master program, water re-use, and water conservation. These can be ideas for the “Offset Projects – Other Strategies Work Group.”

7. Watershed Plan Update Work Plan

Ms. Carlstad oriented attendees to the work plan overview matrix (blue and brown meeting handout and projected on-screen). This format works well for planning processes where work group activities and products are feeding into a decision body such as the Partnership. She corrected the June Partnership meeting date, which should be June 28, not June 26. She described the Work Groups listed in the left-hand column: Demand Forecast, Habitat Offset Projects, Other Strategies Offset Projects, Watershed Plan Work Groups.

Ms. Carlstad then walked attendees across the columns, describing preliminary Partnership topics for each month. Significant expected topics and milestones include the following:

- May/June 2019 – Secure grant funding for technical analysis
- June – Charter first approval
- July – Population forecast, 20-year permit-exempt well projections, draft subbasin delineations, Charter second approval
- August – Work plan shows no meeting, but will likely meet
- September – Draft permit-exempt well 20-year impacts, subbasin delineations and needs (water + other ecological)
- October – Working list of offset project candidates
- November – Final permit-exempt well estimates and impacts, final subbasin delineations
- December – No meeting
- January 2020 – Offset project candidates by subbasin
- February – Draft Net Ecological Benefit determination approach for offset project candidates
- March – Draft Watershed Plan Addendum Working version presentation
- April – Permit-exempt well estimated impacts / offset projects WRIA 23
- May – Permit-exempt well estimated impacts / offset projects WRIA 22
- June – Net Ecological Benefit evaluation review
- July – Plan for Addendum review / approval process, plan for SEPA
- August – No meeting, Partnership reviewing draft Addendum?
- September – Addendum review, preliminary approval to submit to Ecology with identified revisions
- October – Final edits, second approval to submit addendum to Ecology
- November – Approval/adoption planning
- December – No meeting
- January 2021 – Discuss/respond to Ecology review comments / questions, approval process
- February – Ecology review / adoption, County adoption process

Ms. Wilson asked if Habitat Work Group could be named something different or the work done through the existing Habitat Work Group. Ms. Harma said she will try to coordinate this as much

as possible, such as having an add-on meeting for the Watershed Plan Addendum Work Group at Habitat Work Group meetings.

Mr. Hansen shared that for the Nisqually they wished they had gotten going earlier on quantifying water offsets, and for the habitat projects it really took a lot of time because methodology had to be developed and then calculated. But there were good benefits associated with the habitat projects, and he felt that they could have provided many more projects with more quantified water offset if they had more time. They only had 3-4 months to pull all of that together. He also shared that in Nisqually they found many existing projects that worked for offset projects; identifying them early is key. They give you good information about what implementation will cost.

Ms. Carlstad described the crossover with the Aquatic Species Restoration Plan (ASRP), and some of the high priority projects that will have crossover benefits for the Watershed Plan Addendum. The draft ASRP will be a public document in September, so that will be a good time to reconcile and utilize work from the ASRP.

Regarding the “Other Strategies” Work Group, Washington Water Trust is currently doing some work in the basin, for which we will have preliminary results in May. We can then assess what more we need to do related to water rights tasks.

Ms. Carlstad asked for assistance on laying out the Partnership approval process, such as setting up for County Commissioners to approve taking the Plan Addendum to Ecology for review. The concern is for an Addendum to go to Ecology and be adopted, but then counties don’t adopt. For the Nisqually, Thurston County Commissioners gave the approval to take the Addendum to Ecology. If we do this, it would need to happen in August or September 2021 for the Chehalis schedule as shown. Discussion occurred around keeping elected officials briefed on the planning process and developing content along the way. Additional discussion occurred around how much communication should be done to counties that just have slivers of forest land in the basin. Ms. Napier described the process used in 2004, where they obtained a legislative change to relieve those counties from having to adopt the Watershed Plan and suggested where Mr. Noone could likely find that language in the RCW 90.82 regulations to determine if it applies to this effort.

Ms. Harma brought up that the work plan does not currently include public outreach, and that will need to be added.

Ms. Fasano asked about review process – coordinating internal entity reviews and talking through comments.

8. Action Items

The following were listed as action items from the meeting:

- A. Membership follow-ups to confirm interest/lack of interest – Pe Ell (Ms. Napier), McCleary (Ms. Shay), Grays Harbor Water District No. 2 (Grays Harbor County), Boistfort Valley Water Company (Ms. Carlstad), forestry (Ms. Harma)
- B. Executed Intergovernmental Agreement (with Grays Harbor as Lead Agency) – Mr. Cox attempt to locate.
- C. Draft Charter –
 - a. Ms. Fasano and Ms. Napier confer on and create language for Quinault participation section
 - b. Ms. Carlstad make revisions based on today’s discussion, and Ms. Harma will distribute for Partnership review and potential first approval at June meeting.

- D. Hard copies of original Watershed Plan and supporting documents – Mr. Cox will search for a box of plans, potentially in the mezzanine of the Grays Harbor County Administration Building and bring to the next meeting.
- E. Work Plan – Ms. Carlstad will add public outreach and update for June Partnership meeting.
- F. Mr. Noone will research language in RCW 90.82 allowing counties with only minor unaffected land from opting out of adoption requirements to confirm whether this option, which was used for the 2004 Watershed Plan, can also be used for the current Plan Addendum.
- G. Returning member orientation – Ms. Carlstad and Ms. Harma will plan for this session to be held immediately following the June 28 Partnership meeting.

ADJOURNMENT

Mr. Harris asked if anyone objected to cancelling the May 24 Partnership meeting; no one did. The Partnership will then meet next on June 28.

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

NEXT MEETING: June 28, 2019