



CHEHALIS BASIN PARTNERSHIP

Zoom Call with Screen Share

September 24, 2020

2:30pm – 5:00pm

Meeting Summary

MEMBERS* and ALTERNATES' PRESENT

Bobby Jackson*, *Lewis County*
Lee Napier', *Lewis County*
Dave Windom*, *Mason County*
Tye Menser*, *Thurston County*
Alissa Shay', *Port of Grays Harbor*
Colleen Suter', *Chehalis Tribe*
Kris Koski*, *City of Aberdeen*
Kim Ashmore*, *City of Centralia*
Terry Harris*, *City of Chehalis*
Brian Shay*, *City of Hoquiam*
Jaron Heller*, *City of McCleary*
Nick Bird*, *City of Ocean Shores*

Chris Stearns*, *Thurston PUD*
Jim Hill*, *Lewis County Citizen*
Mike Noone*, *Ecology Water Resources*
Paula Holroyde*, *Citizen, League of Women Voters Thurston County*
Megan Tuttle*, *Department of Fish and Wildlife*
Bob Johnson*, *Department of Natural Resources*

GUESTS

Jill Van Hulle, *contractor to Grays Harbor County*; Joel Massman, *contractor to Quinault Indian Nation*; Lauren MacFarland, *Quinault Indian Nation*; Caprice Fasano, *Quinault Indian Nation*; Tom Culhane, *Ecology*; Garrett Dalan, *Nature Conservancy*

STAFF

Kirsten Harma, *Partnership Watershed Coordinator*; Cynthia Carlstad, *Facilitator, NHC*; Patty Dillon, *NHC*; Rebecca Roberts, *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 the meeting and participants introduced themselves.

2. Approval of August Meeting Summary

One edit was made for the meeting summary from Caprice Fasano, and the meeting summary was accepted.

3. Draft Watershed Plan Addendum Review – Major Comments

Ms. Carlstad introduced today's first topic – an overview of the major comments from review of the draft watershed plan Addendum. She thanked everyone for providing comments on schedule and being responsive.

Approval Timeline

Prior to going through the comments, Ms. Carlstad reminded Partnership members of the timeline for Addendum revisions and approval:

- The October meeting was moved back by one week due to furloughs and a tribal holiday on the 23rd, so the meeting is now scheduled on October 29th. To fit with this, interim deadlines were shifted to match.
- Revisions based on review comments will be completed by October 14th. A redline copy will be delivered then along with a narrative of the changes to the draft Addendum.
- By October 22nd, it is requested that members provide notice regarding whether they will be able to give a first approval of the Addendum at the October 29th CBP meeting. It is important to note, this deadline is internal so that the facilitators have time to prepare for the October 29th meeting. An official resolution is not required by the 22nd.
- The second reading, and final approval will be at the November 17th CBP meeting if the Addendum gets its first reading approval at the October meeting. It would not work to get a lot of review comments in the period between these two meetings.
- Programmatic SEPA is required for the plan since it is a planning document, not a project. Ms. Van Hulle has been working on a SEPA checklist which will be released for public comment between the October 29th and November 17th meetings. Ms. Van Hulle confirmed this and stated the checklist may be ready early; the checklist is done, and the Grays Harbor County is getting ready to publish it.
- Ecology has the final say regarding adoption of the plan. Mr. Noone has been asked to begin review of the plan as of October 29th, assuming there are little to no outstanding changes to be made after that date, keeping in mind that Ecology has other plans to review and evaluate in this time period, which are competing demands on their time.

Ms. Carlstad opened the floor for questions about the timeline.

1. Ms. Shay commented that the Port's commissioner meetings are October 13 and November 10. She needs to know what she can take to them for approval and when. Ms. Carlstad suggested at least a working version of the revised draft could be provided prior to the October 13th commissioner's meeting.
2. Mr. Shay questioned the timeframe between SEPA being released and the public comment and appeal period, wondering if there's any risk to waiting until there's certainty that SEPA is over. Ms. Carlstad believes there is some risk but minor because there will still be a few months to work through things prior to the deadline in February.
3. Ms. Fasano stated that pushing the second draft deadline back by a week impacts their approval timeline. Ms. Carlstad said there will be effort made to get the revised draft out earlier, particularly pieces that are of the most interest. The project updates will take the longest to complete.

Watershed Plan Addendum Comments

Ms. Carlstad then moved on to presenting the major review comments, grouped into categories. Major comments were received from three entities: Department of Ecology (Ecology), Department of Fish and Wildlife (WDFW), and Quinault Indian Nation (QIN). Of those, the substantive requests for robustness, changes in projects, and changes to portrayal of things in the Addendum were primarily from QIN and WDFW so for the purpose of presenting those comments in the meeting, they were grouped together to be covered in general. Additionally, many editorial comments were received which were not discussed in the meeting.

Category 1 – Overarching comments:

- WDFW and QIN want to see more of a commitment to implement because the Partnership has no legal obligation to implement the plan. Additionally, QIN would like to see a

commitment to distribute projects around the basin, above what is legally required, for the sake of protecting treaty-protected fishing rights and treaty resources.

- As part of the plan, a net ecological benefit (NEB) analysis was completed, though Ecology will do their own NEB evaluation. Commenters stated that the large number of conceptual projects should not be included in the NEB determination due to their preliminary level of development and uncertainty of being implemented. Additionally, projects being implemented as part of another program, such as Chehalis Basin Strategy or Fish Barrier Removal Board, should not be included in the NEB determination. These types of projects were previously discussed in a CBP meeting and the rationale had been to include them in the project inventory if agreed upon by the project sponsor since being included in the plan could be beneficial to the project by providing points in competitive grant funding. Ms. Carlstad reminded the group that the Streamflow Restoration law prohibits the plan from including any projects which are legally required for a separate obligation.
- Some comments requested a more detailed adaptive management plan, that the adaptive management plan and implementation plan should provide the flexibility to prioritize project development in subbasins without projects identified. Tracking and management of quality-based offset projects was requested as was effectiveness monitoring of projects. Also requested was tracking of future permit-exempt wells, particularly in relation to effectiveness of offsets.

Ms. Carlstad asked if there were any questions pertaining to this category of comments prior to moving on. None were asked.

Category 2 – Comments on Projects:

- Ms. Carlstad explained that a table was included in the Addendum which rated the projects that are claimed to provide a water offset based on certainty of implementation and certainty of benefits. The table was a late addition to the Addendum which was not processed through the offset projects work group prior to adding it to the draft, and it received many review comments. Based on review comments and input from the offset project work group it is going to be adapted for the next draft by adding more documentation of the low, medium, and high ratings as well as more narrative for each project about factors supporting its rating.
- Another type of comment, primarily from QIN and WDFW, is that the water quantification is too optimistic and is not supported by the available information and analysis. This applies especially to conceptual projects where there may not be enough detail to even suggest a water offset at all. When infiltration is relied upon to provide the streamflow, the link between the two is difficult to prove even with analysis, so the offset values were questioned. Ms. Carlstad suggested this type of project will need to be discussed amongst the offset project work group and will not be resolved today.
- Comments about specific projects are being addressed with the members who suggested the project. A succinct overview of the review concerns are as follows:
 - Ocean Shores submitted a good project which hopes to implement a reclaimed water system to reduce its freshwater well extraction. However, given Ocean Shores' location within the watershed, it was requested that those water savings not be accounted for within the Humptulips subbasin. Also, the permit-exempt well estimate did not include wells in Ocean Shores, so this would be double counting.
 - Forest management type projects at different locations within the basin suggest achieving an older age stand. The Nisqually plan suggested that after about 40 years, mature trees begin to give baseflow back to the stream. The comment questioned whether this is a sound approach to return streamflow and believed the water offset estimates are too high. This will be reviewed by the offset project

work group. This project type is nice for the Grays Harbor portion of the watershed due to the large forested area present and relatively low consumptive use estimate in the associated subbasins.

- Regarding aquifer recharge projects, there was a comment suggesting that these projects are located in areas where groundwater is already high and additional groundwater will increase evapotranspiration and plant growth which could reduce streamflow. The commenters expressed low confidence that groundwater infiltration will increase flows during the low flow period when it is needed. Additionally, given the proximity of these project sites to the stream, there was a suggestion that the lag time between infiltration and stream response is quick. For example, infiltration in February will likely come out in March, not September when it is needed.
- The Albany Street Stormwater Pond project was previously modeled by Thurston County and was approved by Ecology in the first round of streamflow grant funding in 2019. Mr. Massman reviewed the previous analysis and believes the offset estimate should be lower based on low lag time and other uncertainties, with limited benefit during low flow season.

Category 3 – Comments on Funding

Ms. Carlstad then outlined the third category of comments pertaining to funding. Included in the adaptive management portion of the Addendum was the suggestion to repurpose the \$350 of the \$500 well fees collected by the counties to be administered by the WRIAs for administrative management of the CBP and support for implementation of adaptive management. Comments suggested that would not be enough funding. Assuming accurate permit exempt well projections, that would result in approximately \$80,000 annually for that function. That level of funding is not enough for projects and monitoring. Mr. Noone commented that the repurposing of the funding would require a rule change, which Ecology is expecting will be a suggestion from the WRIAs.

Discussion

Ms. Carlstad opened the floor for input from the individual commenters. Starting with Ms. MacFarland, she emphasized that Quinault's focus is to make sure the suggested process be implemented so that it does what is intended by the Streamflow Restoration law. In Quinault's review, they tried to point out where the gaps are so that the likelihood of implementation is increased. Ms. MacFarland believes that a more conservative approach to estimating the benefits and not including non-defensible projects in the estimates is the best way forward. She also believes there are a lot of great habitat restoration projects that could provide a lot of benefit, but water benefit quantification should not be included without more defensible analysis because there is limited funding and it should go to projects that will reliably increase streamflow.

Ms. Tuttle from WDFW expressed that she shares the same sentiment as Ms. MacFarland; habitat restoration projects are good, but WDFW is looking to the Streamflow Restoration plans to replace streamflow first. Having a clear idea of the water exchange for each project is important as well as a better understanding of gaps in the subbasins. Ms. Tuttle suggests more transparency in the Addendum regarding conceptual offsets and identifying those in the plan along with regional deficits where there are more wells anticipated and fewer projects to offset them. She also believes the adaptive management section should be more built out with transparency.

Mr. Noone spoke on Ecology's behalf. He thought their comments were well summarized by Ms. Carlstad. He continued that it is a solid plan which is well developed and well written to follow Ecology's watershed plan instructions. It would be helpful for Ecology if the CBP would point them to the NEB core components – those most certain to provide offset benefits that Ecology should spent the most effort analyzing. Table 15 is a good example of that, but Mr. Noone suggests a streamlined version of it. He also suggests defining priority project areas that do not have projects

right now but where the Partnership would like to focus effort down the road. That is what Nisqually has done with their plan and it was effective as a way of identifying a broad project type or subbasin with need and coming back to it later when they have a project. Finally, he stated that the call for the need for implementation and adaptive management has been heard by Ecology. Adding a strong statement to the Addendum that the Partnership and its members want to see implementation and adaptive management required, and calling on the legislature for funding and authorization to do that.

Ms. Carlstad then opened the floor to other members to make comment. Mr. Stearns noted that the basin is not as moist with tree cover as it was several decades ago. Recycling of water and CO₂ is more prevalent in basins with large tree cover. He emphasized the importance of groundwater recharge, especially during the growing season for this reason. Ms. Shay asked how the group will consider the comments and discuss changes to the draft Addendum. Ms. Carlstad answered that after a short break the group would come back and discuss a strategy for addressing the comments. With no other comments, Ms. Carlstad adjourned for a short break.

4. Approach/Schedule for Plan Addendum Revisions and Approval

Ms. Carlstad explained the proposed approach for addressing comments.

Certainties, Conceptual Projects, Water Benefit Quantifications, Implementation/Adaptive Management

For the topic of project certainty, a number of comments revolved around suggestions to pull off projects that have listed a water quantification, but are conceptual or of lower certainty, and put them into a new category. Under that suggestion, there would be a table for a conceptual project/opportunity for water offset categorized by project type. This table would not provide a summed water benefit.

Ms. Van Hulle chimed in that she's concerned with how to define what is sure or unsure. Projects that are currently conceptual have a high potential for offset benefits, but they will need funding and a project sponsor to better analyze their benefit potential. Ms. Carlstad responded that they'll be included and counted but represented differently as early concepts. The sentiment was also noted that since the plan is for the next 20 years, it would be impossible to be certain about every project that is included in the Addendum. Ms. Tuttle responded that WDFW's standpoint regarding certainty, is a concern for listing a water offset quantity for a conceptual project and ensuring that amount of water will be guaranteed. Identifying water offsets as quantities while not having specific sites is a concern. She believes the way they are included is a language problem, not a problem of including them. Mr. Massman added from Quinalt's perspective, they were not looking for certainty in projects, but they were looking for projects that meet the reasonable assurance bar. To meet that bar, projects needed to have a level of realism in the analysis and documentation. Mr. Culhane affirmed that he questioned the numbers listed for certain projects but did not have any problems with all of the projects being included in Table 14. Some will end up as winners and some will not. He believed the rankings of low, medium, and high acknowledged the lack of guarantee.

Ms. Carlstad said she believes another way to address the discussed concerns is to include a robust implementation screening process which would require analysis to get project funding. That reasonable assurance could be applied at the point of funding or as an NEB component in the plan. Mr. Massman inquired about Ecology's requirement for reasonable assurance as a plan component. Mr. Noone responded that reasonable assurance is to the NEB meeting components. Projects that are counted on to meet the plan requirements should meet the bar of reasonable assurance, but good concepts can still be included without that certainty. Mr. Culhane added that individual projects do not each have to have reasonable assurance. The reasonable assurance applies to a plan as a whole, and the core projects that meet the requirements of the legislation.

Ms. Carlstad used beaver dam analogs as an example of a project that does not have a strong scientific consensus on whether it increases streamflow. There is also uncertainty around the longevity of the project. These types of projects are included because they could provide benefit and improve the river system. It will be the responsibility of the project sponsor and dependent on the chosen site to determine what the true benefit is. Ms. Harma noted that keeping a low certainty project in the plan will ultimately provide more certainty that it is revisited within the next 20 years because it is on the project list.

Mr. Stearns recommended that a way to enrich the project list is to state clearly if it has immediate benefit or slower, greater long-term benefits. Mr. Hill had a suggestion that some of the concerns could be alleviated if there were a better outlined timeline in the implementation chapter. Ms. Carlstad informed the group that the implementation and adaptive management chapter was written to stay true to what has been discussed in the past as a group, keeping in mind that there is no current funding for implementation. She understands that budgets are tight and allocating resources for a project that isn't funded is just not possible. Ms. Napier commented that she likes Mr. Hill's suggestion and added that the projects need to be presented differently but stay in the plan. She noted that the plan does state that there's uncertainty with a number of projects that haven't been fully developed but suggests adding clarity to those statements.

Chair Harris believed the main objective is to complete the plan Addendum such that it satisfies Ecology's requirements. The details will come later. For example, adaptive management is just that, adaptive, and will grow with project development. The Partnership doesn't have much control over that because they are currently acting as the advisory group to Ecology, but in the future the plan can be modified to increase the effectiveness and meet the needs of what the group wants to accomplish. Right now, he is most concerned with creating a document that lays the groundwork for what the Partnership wants to accomplish down the line. Getting the plan done is the priority, and the details are slowing down the process. The more projects that are included in the plan gives Ecology the knowledge that the Partnership is not just trying to satisfy them, but also including concepts that will broaden the NEB part of this program.

Ms. Carlstad stated that the Partnership would not do a project that is not worth doing. She views the water offset quantification as part of the design criteria for the conceptual projects, and an indicator of whether that concept is worth pushing forward. Mr. Massman believes that makes sense and if immediate focus projects were better defined, then leaving these other projects on the table makes sense.

Ms. Carlstad suggested working with the projects team to work through the water quantification and certainty ratings comments, which will result in revisions to the plan Addendum tables and more specific recommendations in the implementation chapter. Reviewers provided great text to include in that chapter. Ms. Harma asked if that would include changes to the projects or increasing the technical analysis. Ms. Carlstad responded there's a fundamental choice to make about putting resources into additional technical analysis when there are no site conditions to work with or describe a more robust implementation approach in the plan and save that money for implementation down the line. Ms. Van Hulle suggested a modified approach where the analytical numbers are provided as a range instead. Ms. Carlstad acknowledged that could be a workable remedy, and recommended talking about that within the project work group. Ms. Tuttle questioned the timeline which is restrictive in that people putting forward projects are unable to come up with more hard data analysis, could additional analysis be avoided by categorizing them in a separate expected/conceptual offset table. It eliminates the faults of the CBP in analysis but keeps the projects included.

Ms. Carlstad summarized the group's feedback in that no one wants to throw out the conceptual projects, but how they are portrayed in the plan needs to change so they are obviously conceptual. She then went back to question if the Partnership members agreed with her suggested strategy for addressing the project table and implementation chapter, noting that going through the table

was not something the offset projects work group had a chance to do previously. No one disagreed.

Comment Response Approach

Ms. Carlstad laid out the plan for going about comment responses. Comments can be accessed via the shared drive where the draft Plan Addendum, appendices, and project sheets are located. She preferred to not do a formal comment response since most are embedded within documents and it would be a timely process. Each commenter's document will receive responses but there won't be a compilation of all comments received, for example, in spreadsheet form. No one objected to this approach.

Ms. Carlstad asked if there were anything else people wanted to discuss about the plan Addendum. Mr. Menser asked for suggestions and feedback about better ways to address adaptive management and the concerns from WDFW, QIN, and Ecology. Ms. Carlstad responded that WDFW supplied very specific ideas for what they wanted to see in the adaptive management section. Those will be added to that chapter for the second draft review. Ms. Tuttle reiterated that their suggestion was building out the level of project development into phases and identifying areas with a lack of offset.

Ms. Carlstad explained she is going to set up a meeting with the projects work group in the next week. Mr. Stearns had a question regarding the forestry aspect, wondering if there has been effort to get a mutually beneficial result such as letting timber stands sit longer during recessions leading to higher value timber products, such as the pole timber mill in Rochester. He encouraged local government support for this.

5. Watershed Plan Addendum Progress Reports

Ms. Carlstad moved onto updates. Outreach is the final outstanding item. Ms. Napier briefed the Lewis County commissioners this week and they are generally supportive though they have some questions. One commissioner in particular would like more information about the Trans Alta water right project. They encouraged the Partnership to reach out to the Onalaska High School fisheries program. They also asked for clarification regarding whether funding was for new money or reappropriated money. Ms. Carlstad asked for additional clarification; is that for well fees or another ask? Ms. Napier responded that the well fees coming in and going back out was confusing to the commissioners.

Ms. Van Hulle said her presentation went well. The commissioners had questions about water rights and how the future development will be planned, to which she responded this plan will not specifically address those. She is working on a resolution for them and doesn't sense trepidation moving forward.

Mr. Menser chimed in that Thurston County Commissioners were briefed yesterday by Ms. Nelson. He does not anticipate any issues from the commissioners but can't be sure since he was not there himself.

Ms. Harma noted that she briefed the Centralia city council this month but has not heard anything since. Mr. Ashmore responded that he has not heard anything either.

6. For the Good of the Order / Public Comment

Chair Harris opened public comment and partner updates. He reminded members of the changed meeting date and time for the October meeting, but couldn't recall the time. Mr. Stearns stated the time is 1-3:30 pm.

Mr. Noone informed the members that Ecology will announce grant award winners in the next few weeks.

Ms. Van Hulle reminded members that the Lewis County Conservancy Board is actively looking for board members, specifically alternates, so reach out if they are interested in joining.

ADJOURNMENT

With there being no further business, Chair Terry Harris adjourned the meeting at 5:00.

RECORD OF DECISIONS:

1. June 28, 2019 – Members voted by full consensus to review the Charter Addendum as edited at this meeting within their organizations and be prepared for a second reading and approval at the July 26, 2019 meeting.
2. July 26, 2019 – Members voted by full consensus to approve the Charter Addendum to the 2004 Operating Procedures. The Quinault Indian Nation voted “Formal Disagreement, but Willing to Go with Majority” and will provide a written statement to include with the final charter.
3. April 24, 2020 – Members voted by full consensus to approve the permit-exempt well projection of 4555 new permit-exempt well connections by 2040 with an estimated consumptive use of 504.8 acre-feet per year. Absent members: City of McCleary, City of Napavine, Town of Pe Ell, Terry Willis (Grays Harbor citizen member), WDNR, Brian Thompson (Lewis County Farm Bureau); Abstaining members: Weyerhaeuser, City of Aberdeen

NEXT MEETING: October 29, 2020