

To: Vickie Raines, Chair, Chehalis Basin Flood Authority

**From: Lara Fowler (Gordon Thomas Honeywell LLP)
Greg Hueckel, Scott Boettcher (SBGH- Partners)**

Re: Draft scope of work to support the Chehalis Basin Flood Authority and ensure delivery of work products required in ESHB 2020

Date: July 15, 2011- Revised

Thank you for your inquiry on July 11, 2011 about working with the Chehalis River Basin Flood Authority to help coordinate its efforts and meet the requirements outlined in ESHB 2020. In this memo, we outline what we understand to be the general goals and duties for assisting the Flood Authority, list the requirements for ESHB 2020, identify specific tasks, provide a budget estimate, and include a summary of qualifications. We would be happy to answer any questions you or the Flood Authority members may have.

General Goals and Duties:

Building on the draft work plan reviewed by the Flood Authority at its June 2011 work session, we see three goals for the Flood Authority:

1. Develop good information about potential solutions for managing flood risk throughout the entire Chehalis River Basin;
2. Ensure a public process that is open and transparent, and addresses critical concerns over flooding in a time-sensitive and efficient manner.
3. Work with all affected entities to ensure public education and input on any potential flood mitigation measures.

In talking with you and others about the Flood Authority and what the Authority as a whole needs to accomplish in the next year, we anticipate the need for project management, coordination, outreach, and facilitation work with the Flood Authority, and all associated federal, state, and local agencies, tribal governments, consultants, and citizen groups.

Requirements of ESHB 2020

In particular, this work is needed to ensure the timely completion and delivery of the elements in ESBH 2020. The elements identified for the Flood Authority include the following:

1. A study to develop, construct, operate and fund flood control measures throughout the basin,

2. A study of the effect of possible retention structures on fish in the basin by December 25, 2011, and
3. The hydraulic model for the Chehalis River to calculate flood levels, flood damages, and benefits of proposed flood mitigation projects for the lower portions of the river.

Additionally, we will provide the management, coordination, outreach, and facilitation necessary for the Flood Authority to work with Office of Financial Management, in collaboration with the Department of Transportation and the Department of Ecology, and affected and interested federal agencies, tribal governments and local governments, to provide a report to the governor and legislature by July 2012 that identifies recommended priority flood hazard mitigation projects in the Chehalis River Basin for continued feasibility and design work. As outlined in ESHB 20202, this report will:

- (a) Address the potential for flood mitigation through upstream water retention facilities, including benefits and impacts to fish and potential mitigation of impacts;
- (b) Describe the current alignment and design of the federal flood levees proposed at Centralia and Chehalis, including extent of protection provided to these communities, and any upstream or downstream effects of the levees;
- (c) Evaluate alternative projects that could protect the interstate highway and the municipal airport at Centralia and Chehalis, and ensure access to medical and other critical community facilities during flood events;
- (d) Discuss other alternatives that could provide flood relief and protection in the basin, such as replacement of highway bridges that constrain flood waters, flood easements on agricultural lands, livestock evacuation facilities and routes, small-scale water diversion and retention, use of riparian habitat and environmental restoration projects to mitigate damages from flood waters, and other projects or programs;
- (e) Summarize the benefits and costs of recommended projects, using available information and accepted benefit/cost methods; and
- (f) Identify the responsible parties and procedures for making final decisions on funding, construction and governance of recommended flood projects, any related and necessary government agreements, and a schedule for these decisions.

Specifically, we will provide the leadership to develop workplans for each deliverable as specified in ESHB 2020, provide outreach to associated agencies, tribes, consultants and citizens, and assist the Chehalis Basin Flood Authority in determining priorities and moving forward with achieving these priorities.

Specific Tasks:

Based on the goals of the Flood Authority and the requirements of ESHB 2020, we anticipate the following regular tasks:

1. Work with the Executive Committee
 - a. Set priorities and agendas
 - b. Identify next steps and action items
 - c. Coordinate work with sub-committees
2. Work with sub-committees as needed
 - a. Project sub-committee
 - b. Outreach and education
3. Coordinate monthly meetings
 - a. Coordinate meeting materials for distribution with Pat Anderson
 - b. Coordinate with consultants as needed
4. Coordinate and consult with affected tribes, Governor's office, local, state, and federal agencies, and elected officials
5. Help develop materials and provide for education and outreach of the goals and objectives of the Chehalis Basin Flood Authority, and the information generated by the Chehalis Basin Flood Authority pertaining to ESHB 2020.

Based on our expertise, we anticipate that Lara Fowler would help with the Flood Authority coordination and education and outreach, while SBGH-Partners would assist with the technical studies and reports. Greg Hueckel would be the lead contact for SBGH-Partners, and Scott Boettcher serving in a support role to both Greg and Lara. Additional biographical information is included below.

We anticipate that this work could be accomplished for the following time and budget:

Budget:

1. Lara Fowler - \$21,000 (120 hours @ \$175/hr)* for 3 month transition period (approximately 40 hours/month).
2. SBGH-Partners \$60,000 (480 hours @ \$120/hr) for the time period from August 1, 2011 to the end of July 2012.
3. Out of pocket expenses (mileage, etc.)- \$5,000

* Note: To fulfill this role, Lara would end any connection with the Lewis County PUD. In addition, a trial or transition period of 3 months may be helpful; the Flood Authority could then revisit Lara's role after this time period.

Statement of Qualifications for Lara Fowler, Gordon Thomas Honeywell LLP

Lara has significant experience in mediating and coordinating difficult natural resource questions. Prior to law school, Lara worked for the Oregon Water Resources Department on instream water transactions, conserved water projects, and municipal and agricultural water conservation issues. She worked extensively on a multi-party negotiation over groundwater issues in Oregon's Deschutes River Basin. Following law school, Lara has extensive experience working with multiple parties on tough public policy questions. In addition to working with the Lewis County PUD on potential solutions for flooding in the Chehalis Basin, Lara's other representative experience is listed below:

- Negotiating U.S. Army Corps of Engineers vegetation standards on levees to address public safety while providing critical habitat for Endangered Species Act listed fish for the King County Flood Control District.
- Successfully led 28 member Deschutes River Conservancy Board of Directors with strategic retreat to determine their next steps to address issues of trust and moving forward.
- Co-mediated 10+ year dispute over the use of Lake Tapps between home owners and Cascade Water Alliance; handled day to day interactions with parties and attorneys, and helped draft final agreement.
- Co-mediated resolution of 40+ years of litigation over water quality issues in San Joaquin River Basin, CA.
- Developed interim settlement over groundwater storage in the greater Los Angeles area, including an area with 42 cities, 5 million people, and two groundwater basins.
- Served as primary staff for the Puget Sound's Regional Transportation Improvement District effort to create the 2007 \$18 billion "Roads and Transit" ballot measure. Worked closely with elected officials and staff in three county region to break a long-standing impasse on transportation priorities, develop a plan for regional funding, identify and resolve legal issues, conduct public outreach (including 30+ public speaking engagements), and place the measure on the ballot.

Statement of Qualification for SBGH-Partners:

SBGH-Partners is unique. SBGH draws from the lengthy experience, track records and personal relationships to provide clients with timely, direct and doable solutions. Achieving success through collaboration and leadership is SBGH's mantra and what we do best. Between Greg Hueckel and Scott Boettcher, we have over 50 years experience in working for the Department of Fish and Wildlife, Department of Ecology, the Governor's Office, and the Washington State Senate. We have both held senior policy positions, and have developed invaluable relationships within and outside state government.

We are proven professionals with long, established track records in complex multi-party negotiations, government relations and environmental regulatory compliance. We have:

- Led legislative task groups.
 - Managed state regulatory programs.
 - Been policy advisors to agency directors.
 - Initiated and passed state legislation.
 - Led multi-party stakeholder groups.
 - Developed successful public/private partnerships.
1. We enjoy positive, personal relationships within and across government (i.e., technical line staff through agency policy, executive and elected leaders at local, state, federal, tribal and legislative levels).
 2. We are adept at working within the regulatory system to solve regulatory problems, expedite permit processes, reduce costs and delays and implement solutions that are creative, workable and "win-win."
 3. We've instituted many leading-edge regulatory improvements and regulatory innovations that are long-standing and now today's better way of doing business (e.g., multi-agency permitting teams, web-based permitting tools, multi-agency programmatic permitting approaches, regulatory liaisons, case managers and more!).
 4. We analyze projects and their permitting needs, recommend best approaches to expedite permitting, regulatory processes and manage/coordinate project reviews to reduce costs and delays (for everyone!).
 5. We are personable and effective cross-communicators and use these skills and abilities to help our clients in their communications with governmental regulators, leaders and elected officials.

We have provided facilitation and coordination for the following complex multi-stakeholder projects that reached successful conclusions:

Multiple Cost-Reimbursement Projects including:

- Lake Tapps.
- Port of Kalama.
- Bear Mountain.
- Mountain Star Resort.
- Kinross Buckhorn Mine Project.
- William's Pipeline.

Transportation

- Tacoma Narrows Bridge.
- Transportation Permit Efficiency and Accountability Committee.
- Multi Agency Permit Team.
- Barnes Creek Mitigation Agreement.
- Cross-Base Highway Mitigation Agreement.

Energy

- WA State Wind Power Guidelines.
- U.S. Fish and Wildlife Service National Wind Power Guidelines.
- Cascade Pipeline.

Mining

- Glacier Northwest Maury Island Gravel Dock.
- Kinross Buckhorn Mountain Mine.
- Stordahl Habitat Conservation Plan.
- Mineral Prospecting Rule Making.

Agriculture

- Skagit Diking and Drainage Districts, Programmatic HPAs.

Timber

- Programmatic HPA with Green Diamond Resource Company.

County

- Programmatic HPA for county maintenance work on public works projects