

**Chehalis River Basin Flood Authority  
Lewis County Courthouse  
351 NW North St.  
Chehalis, WA 98532**

**June 17, 2010  
Meeting Notes**

**Board Members Present:** Jim Cook, City of Aberdeen; Edna Fund, City of Centralia; Andrea Fowler, Town of Bucoda; Brandon Atoch, City of Oakville; Ron Schillinger, Mayor of Montesano; Glen Connelly, Chehalis Tribe; Karen Valenzuela, Thurston County Commissioner; Bob Nacht, City of Chehalis; Ron Averill, Lewis County Commissioner; Chip Elliott, Town of Pe Ell; Terry Willis, Grays Harbor Commissioner  
**Others Present:** Please see sign in sheet

**Handouts/Materials Used:**

- Agenda
- Meeting Notes from May 20, 2010
- Ongoing Efforts
- Memo from ESA Adolfson re: Approval of Flood Plan
- Draft Letter to Jurisdictions re: Flood Plan
- Resolution for approval of PSA between Lewis County and ESA Adolfson
- Expenditure Review
- Memo from EES Consulting re: Phase IIB Study
- ESA Monthly Status Report #22
- Resolution 10-142 OFM Contract
- Resolution 10-143 West Consultants for early warning system
- Resolution 10-144 FCS Group for Flood Zone District

**1. Call to Order**

Chairman Willis called the meeting to order at 1:36 p.m.

**2. Introductions**

Self-introductions were made by the Board and all attending.

**3. Approval of Agenda**

The Chair asked if there were changes or objections to the agenda. There were none and the agenda was approved.

**4. Approval of meeting notes from May 20, 2010 Work Session and Business Meeting**

There were no corrections or additions to the meeting notes of May 20 and they were approved.

**5. Public Comment**

Mr. Bruce Treichler, Northwest Salmon and Steelhead Conservation Society, read into the record a letter regarding the flood storage facility fish analysis RFP. The Society supports utilizing natural resources to mitigate flood damage and recognizes an option that includes a form of water retention. It proposes that one of the options studied include water retention allowed by channel migration into off-channel flood plains.

The Society is concerned that a proposed fish study that relies on incomplete data sets will result in significant delays. The Society believes proposals to address flood damage mitigation should come from those who live in the basin.

## **6. Reports**

### **a. Chair's Report**

The Chair had no report and reserved her comments for items on the agenda.

### **b. Member Reports**

Commissioner Averill stated Antonio Ginatta is no longer with the Governor's office. Mr. Keith Phillips will again be representing that office.

Commissioner Averill reminded the Board that comments on the RFP need to be given to ESA Adolfson today as it will be going to the Lewis County BOCC on Monday, June 21.

### **c. Correspondence**

Chairman Willis received e-mails regarding the RFP. Copies are available upon request.

Lewis County PUD sent a letter regarding the peer review and the Chehalis water retention structures scoping document. Copies of that letter were distributed to the Board.

### **d. State Team Report**

Mr. John Donahue was not present; Commissioner Averill stated on his behalf that there will be a scoping meeting on June 30 to discuss open houses and the Twin Cities Project. Ms. Fund stated it is tentatively scheduled for 10:00 A.M. at Chehalis City Hall. It is a planning meeting for the public meetings to be held in the fall.

### **e. Corps of Engineers Report**

Mr. Bill Goss updated the Board on the Twin Cities Project. On June 23 there will be a meeting on environmental mitigation to be held at the WDFW building in Lacey.

The Corps took input received on cost and schedule back to Headquarters and put some scenarios together to address both the Twin Cities Project and the GI. One strategy being considered is putting the Twin Cities Project and the GI, the flood risk management and water retention structures, on one path. Headquarters is conducting a review to see if they comply with the Corps' regulations and other regulations regarding funding, scoping and processes, etc. The Corps hopes this will achieve some time and cost savings. An update has gone to Headquarters and if they are legal they will be brought back to the Flood Authority.

The Airport levee construction will begin June 28 for the repair of 5300 linear feet, which will bring it up to the 50-year protection which was the previous standard.

Commissioner Averill understands that the Corps will go from there to the Salzer Creek levee. Mr. Goss was not sure of the start date on that project.

### **f. Lewis County PUD Report**

Mr. Dave Muller updated the Board on the Phase IIB work. EES is working on the updated economic benefit cost analysis as well as refining the engineering. The economic side is looking at the recreation value, investigating the value of the river for visitors, day use, etc. EES has the FEMA damage model and is coordinating that information with Northwest Hydraulics' flood elevation to correlate flood levels with the GIS data of structures in the basin. They are also putting together damage curves to quantify the impact of different flood levels for damage to properties. Parcel information from the County Assessor's office is also being included in that analysis.

On the engineering side, drawings are being refined for the designs of the two water retention structures and refining the operating scheme which will help in the analysis for fisheries. Information on the design on the sites is being coordinated with Shannon and Wilson, the geotechnical engineers, to ensure that the geo tech and design engineers are on the same page.

Chairman Willis asked if the recreation value is like a balance sheet: what is gained by one is lost by another. Mr. Muller stated the work Earth Economics has done is being considered because they looked at the recreational value. Mr. Muller does not know that kind of detail but he can find out what it is.

Chairman Willis asked if build-out was discussed when they talked about recreation. Mr. Muller believes the recreational value is in the basin, not additional value at the dam site. He will verify that.

## **OLD BUSINESS**

### **7. Ongoing Efforts Update**

Mr. Mackey referred to the update in the member packets. Everything that has an update is on the agenda except the early warning system. That is under contract and the work has begun by making local contacts to get feedback on the interface of the web page West Consultants is developing so it reflects local needs.

### **8. Flood Plan**

Mr. Mackey stated the Flood Hazard Management Plan has been finalized and has been presented to the Authority many times through preliminary drafts. Public comments have been incorporated. This is a living document and it can be updated and it is anticipated that it will be revised in the future as more information becomes available.

The Plan needs to be adopted by local jurisdictions in order for the Flood Authority to proceed with the formation of a flood district. The Board is being asked to approve the Plan and recommend adoption by the jurisdictions that are in the Flood Authority.

If the Plan is approved there is a letter to those jurisdictions expressing the value of the plan and asking them to consider adoption of this plan or amend their plan to include this one.

Commissioner Averill made a motion to adopt the plan and forward the letter to the jurisdictions. Mr. Cook seconded the motion. The Chair asked for discussion.

Commissioner Averill stated this plan has been worked on for over two years. It might not be as detailed as some would like and compromises for a basin-wide plan were made to meet the needs in the basin. Everyone needed to be working on the same plan rather than having 11 different plans, some of which complemented each other and some did not. It needs to go back to all the jurisdictions to be

adopted and that will require a series of meetings to go through the various planning commissions. This document was one of the deliverables from ESA Adolfson; it was not farmed out to another consultant and it will be the document used by the Flood District when the district is formed.

Chairman Willis noted that the jurisdictions had opportunities to send their experts and planning departments to meetings while this document was being drafted so they could provide input and not be surprised by the content of the document.

Chairman Willis found an error on page 2-1, the last sentence in the fourth paragraph, which states the river is paralleled by major transportation routes. It mentions Highway 101 from Elma to the river's mouth. That is not Highway 101; it is Highway 12.

Chairman Willis stated along with the Plan there was a letter to be forwarded to each jurisdiction that may wish to adopt this as its Flood Hazard Management Plan, or add it as an addendum to its own plan.

Ms. Fowler asked if there is a time frame to return the letter.

Chairman Willis stated there really isn't a time frame since it is not mandatory that any jurisdiction accept this Plan. We are hopeful that they will because it is a goal of the Flood Authority that we would be under the same plan.

The Chair asked for further discussion before voting on the plan and stated a vote for the letter would be separate. There was no further discussion. The Chair asked if there was any opposition to the Flood Hazard Management Plan as written. There was no opposition and the motion passed.

In the packet was the letter composed by ESA Adolfson with Chairman Willis' signature that will go out to the jurisdictions encouraging them to accept this document as their Flood Hazard Management Plan.

Ms. Fund asked if the City of Centralia adopts the Plan and in the future the city wishes to change the document, can it do that or would it have to come back to the Board for changes?

Chairman Willis' opinion was that there is nothing that says any jurisdiction has to adopt this plan. The letter states the Plan can be adopted as an amendment or addendum and that it is a living document and subject to change.

Mr. Mackey said Centralia has a new plan and this can be adopted alongside that plan. It would not necessarily replace the City's plan.

Chairman Averill stated we may need legal advice, but once a flood zone district is formed, their flood hazard management plan would trump everyone else's. In the meantime, the main work of each planning commission would be to determine if there are any inconsistencies between the two and recommend what should or should not be adopted.

Ms. Fund moved to send the letter to the jurisdictions; Ms. Fowler seconded. The motion carried.

## **9. Peer Review and Fisheries Study**

Mr. Mackey stated a subcommittee was set up to deal specifically with the peer review and the development of a request for proposals for the fisheries study. The goal was to get these done in a

timely manner so there was as little delay as possible and meet the requirements in the proviso within the governor's budget. The peer review selection committee included Commissioners Willis, Averill and Valenzuela and Ms. Fund and depending on what they were studying also included representatives from agencies as specified by the budget legislation. DOE was represented in the first study and they contacted several potential reviewers. The committee reviewed two responses that asked to work as a team and agreed to meet not only the time frame of 30 days but also for under \$20,000. The sub-committee agreed to issue a contract to Environ which is awaiting a signature.

Commissioner Averill stated there was a few days' delay because of a concern that we would do the peer review on a document that contained a very cursory look at biology and which identified several data gaps and studies that needed to be done to complete it. That could result in a peer review that included a fatal flaw and the committee agreed that we should not be using that particular term. We agreed to give EES an opportunity to review the peer review and make a statement to the Flood Authority if they felt it was necessary.

Mr. Mackey stated other people on the consulting roster were contacted so we met the requirements for a personal services contract.

Ms. Fund stated there was not a lot of information available regarding the respondents to the RFP and while she understands there is limited time she hopes in the future there will be a little more time for review.

Chairman Willis stated that although the committee only had a short period of time to review the information, the Environ group was vetted by ESA Adolfson before the committee saw them and they went through the contracting process with the County. There was a series of reviews; it was not just what the sub-committee saw.

Mr. Mackey stated the sub-committee was also set up to develop an RFP for a fisheries study and the selection committee was the same four people from the Flood Authority Board with representatives from WDFW, the Chehalis Tribe, and the Lewis County PUD. A draft RFP was discussed by the committee and went out on Tuesday to the Flood Authority mailing list. Comments are being received and they will be incorporated and get a final sent out on Friday. The sub-committee will issue an RFP on Monday, June 21.

Commissioner Averill stated once the sub-committee sees that draft we must let Mr. Mackey know that we agree; that can be done telephonically to save time. Mr. Mackey stated most of the comments so far were common sense or editorial; there have been no large disagreements.

Ms. Fund stated her comment was to include language that seven votes were required rather than the original four votes.

#### **10. ESA Adolfson Contract**

Last month a draft scope of work was presented to the Flood Authority and Mr. Johnson has drafted a contract which is included in the member packets.

The current proposal is for \$281,120 and it could go up to \$298,520 if LiDAR and the Coordinated Study are done. This budget is designed to accomplish the work the Flood Authority has outlined for the next year. It is 52% of the budget from last year. Mr. Mackey understands the concerns about meeting costs

in dollars, however if you look at the number of hours that are spent for each activity, you will find they are very reasonable.

ESA Adolfson tries to manage its time and it will continue to do so. An advantage for keeping ESA Adolfson is that technical staff is readily available to the Flood Authority; they are familiar with the work you are doing and they can act as an independent staff to the Flood Authority. Without ESA you would be relying on your own staff or yourselves which would mean you would need to spend the time to work on this. Another consideration is how someone from your jurisdiction could represent all of the Flood Authority in an independent manner.

Mayor Schillinger moved to adopt the contract as written; Commissioner Valenzuela seconded. Chairman Willis asked for discussion.

Commissioner Averill stated there has been superb support from ESA Adolfson. We are faced with getting the business of the Flood Authority done if we don't use ESA. All jurisdictions have reduced staff because of finances and the ability of supporting the work has fallen on the consultants/facilitator. If we don't use them that will have to fall on someone and those faced with that prospect made it clear that it could not be done.

Commissioner Averill continued to say that we took some criticism during the last legislative session on the amount of money that we spent on facilitation. Commissioner Willis adequately addressed that with Representative Dunshee who was the primary complainant. We are in a wind-down period with the Flood Authority, hopefully meeting the legislative requirement to form a flood control zone district and the contracts going out are for other consultants who will be doing work for the Flood Authority. That still needs to be coordinated and documents need to be put together as we continue to meet before the formation of the district.

Commissioner Averill stated he would vote for the ESA Adolfson contract but will be doing so with reservation. This is a budget; it does not mean it all needs to be spent. We will be good shepherds of the money that has been provided to us. If we can save money here we may be able to do a project that we currently cannot do.

Chairman Willis stated during the session the legislators at one time removed all of the dollars for a facilitator. She argued extensively that this was our staff and they kept us going forward and allowed us to go through the steps we needed to go through. It was finally agreed that something needs to be in place to get the organizational work done and ESA Adolfson has served this group well. It is not the right time to make a change.

Ms. Fund referred to Attachment C and the money required for the meetings and materials which is close to \$6,000 any time we meet for a work session and the business meeting. All of us are in agreement that we need to be very judicious in how we use our facilitators and be very clear about what we need from them and not spend money unwisely. She will also vote yes but with reservation.

Mayor Schillinger stated when he looked at the work that has been done in the past two years, he saw a great accomplishment. Without the facilitation and coordination we would never have gotten this far. He has no reservations about the dollars. He appreciates the hard work and the professionalism.

Mr. Cook stated the City of Aberdeen agreed with Mayor Schillinger.

Chairman Willis asked Mayor Schillinger to re-state his motion. Mayor Schillinger moved to approve the contract as written. The Chair asked if anyone opposed the motion. Commissioner Averill approved with reservation; Ms. Fund approved with reservation. There were no objections and the motion passed.

Chairman Willis asked that the board members do not request anything additional of ESA Adolfson; that we use caution before we ask them to do a task. She also noted that ESA worked very hard during the legislative session and that type of work does not show up on a spreadsheet.

### **11. General Investigation**

Ms. Lee Napier stated the Board of County Commissioners for Grays Harbor was updated regarding the GI study. The purpose of the briefing was to familiarize the BOCC with the status of the GI Study. The study began in 2000 and the Board since then has changed and it needed to be familiar with the background as to how the study came to be and also about the Project Management Plan, the role of being the local sponsor and about how the GI study fits into other basin-wide projects. No action was taken at that meeting and Ms. Napier will follow up with them after this meeting and with the Chehalis Basin Partnership meeting. Ms. Napier will also be meeting with the Corps of Engineers regarding in-kind credit. In-kind credit stopped in mid 2000 and it will be resuming.

Commissioner Averill stated we are in limbo and hopefully Mr. Goss will be presenting something to us at the next meeting or shortly after. Lewis County has huge reservations about the current GI study unless there are significant changes made and he is looking forward to hearing what Mr. Goss has to say.

Chairman Willis stated Grays Harbor Commissioners are not as involved in the Flood Authority business on a day to day basis as Lewis County is. She and Ms. Napier thought it was time to bring them up to speed at a gradual pace. They were provided with comments and objections on the PMP also.

Mr. Bob Nacht introduced a memo on this issue. Mr. Taylor asked Mr. Nacht to distribute this memo to the members of the board and it refers to the City of Chehalis' position on the present GI and PMP. Mr. Nacht stated there will be issues brought up at the next meeting that will address some issues Mr. Taylor has presented. Mr. Nacht stated he was not in a position to take action on this memo; he was introducing it in Mr. Taylor's absence.

Commissioner Valenzuela stated she had not seen this document, dated June 9.

Commissioner Averill stated this memo included many reservations that were included in Commissioner Averill's memo at the May meeting. The memo from Mr. Taylor was done subsequently.

Ms. Anderson stated Mr. Taylor sent an e-mail to her with those documents and two of them could not be opened. She asked Mr. Taylor if they could be re-formatted so she could re-send them and Mr. Taylor told her he would bring copies to the meeting.

### **12. Ecosystem Services**

Mr. Mackey stated the final report on ecosystem services from Earth Economics was distributed to the members. Mr. Batker has offered to make a presentation at a future meeting if the Flood Authority would like him to do that.

Chairman Willis asked if the Flood Authority is requested to review this. Mr. Mackey stated the document meets Mr. Batker's contract obligations and he has been paid the final amount. He offered to make a presentation if that is desired. An electronic copy was sent out via e-mail if anyone wishes to print it.

Chairman Averill stated the Board has sat through many hours of work sessions with Mr. Batker and he recommended if it is desired to meet with Mr. Batker that it is done during a work session rather than the business meeting.

Commissioner Valenzuela would like more time with Mr. Batker and suggested the business meeting is more public than the work session.

Ms. Fund assumed there would be no additional charge for Mr. Batker to attend a meeting. Mr. Mackey stated that was correct.

Mr. Cook stated the Board just discussed costs involved for facilitating meetings. He suggested reserving a decision to have Mr. Batker come after everyone has had a chance to review the report to determine if there are questions for him. Chairman Willis agreed and stated this topic would be discussed at a future meeting after everyone has looked over the report. It will be decided at that time if Mr. Batker should be invited to a work session.

## **NEW BUSINESS**

### **13. Expenditure Review**

Mr. Bob Johnson stated the report in the member packets would be the last in this particular format because the budget line items have changed based on the new contract approved with OFM. This report does not reflect the additional money that was appropriated in the latest budget; it only includes the original appropriation of \$2,500,000.

Mr. Johnson pointed out under the Goods and Services category that we overspent by \$2,418.23. That was rectified in the new agreement we have with OFM. The new agreement is a little more flexible about how we spend the money. The encumbered funds will carry over to the next budget cycle.

### **14. Announcement of Special Meeting**

Mr. Mackey stated this will be the first meeting with the FCS Group to begin work on the Flood District. The meeting is scheduled for June 24 from 10:00 to 3:00 at the Tribal Community Center in Oakville.

Commissioner Averill called attention to copies of resolutions that were approved by the Flood Authority and passed by the Lewis County BOCC. Resolution 10-142 is the interlocal agreement with OFM; Resolution 10-143 awards the contract to West Consultants on the early warning system; and Resolution 10-144 is the contract awarded to FCS for the work on the flood district formation.

### **15. Confirm Next Meeting and Board-Requested Topics**

The next meeting will be July 15, 2010 from 1:30 to 3:00. At this time no work session has been scheduled.

### **16. Adjourn**

The meeting adjourned at 2:54 p.m.