

**Chehalis River Basin Flood Authority
Special Work Session
Veterans Memorial Museum
100 SW Veterans Way
Chehalis, WA 98532**

**November 18, 2010
Meeting Notes**

Board Members Present: Glen Connelly, Chehalis Tribe; Dan Thompson, City of Oakville; Jim Cook, City of Aberdeen; Edna Fund, City of Centralia; Julie Powe, City of Chehalis; Terry Willis, Grays Harbor County Commissioner; Ron Averill, Lewis County Commissioner; Karen Valenzuela, Thurston County Commissioner

Others Present: Please see sign in sheet

Chairman Willis called the meeting to order at 9:06 a.m. Self-introductions were made.

Mr. Mackey explained that although this meeting was a work session, it was an official meeting and decisions could be made and votes taken.

1. Financial Policies

Mr. John Ghilarducci had prepared a PowerPoint on Preliminary Financial Issues and Analysis. The Interlocal Agreement would form an entity such as an interlocal agency or joint authority. It would define governance, project selection, cost shares and coordination. It can move forward whether a multi-county flood district would continue based on the terms of the interlocal agreement or a multi-county flood district could be replaced by an independently governed multi-county flood control zone district. Legislation is currently being drafted to allow for this option.

Commissioner Averill asked Mr. Ghilarducci to explain the interlocal and the legislation.

Mr. Ghilarducci explained that current legislation allows the entities to get together and form a joint authority. Ms. Bissonnette stated there are actually two pieces of new legislation. One is generated by this group and another is a joint authority that is being sponsored by a number of utilities to allow greater efficiency of water resource management. It is being forwarded to this legislative session and if approved it could be accomplished with existing law.

Mr. Ghilarducci stated a multi FCZD would be its own quasi-municipal corporation with an independent board that could levy taxes and would utilize a taxing authority.

Mr. John Penberth asked if there is no legislation that allows counties to join. Mr. Ghilarducci stated there is. The work Ms. Bissonnette spoke of would make it better and easier to use.

Mr. Ghilarducci stated the interlocal would determine how much each cost share is once projects are decided. It is up to each individual party as to how to generate the money. He is showing there will be a FCZD in each county but that may not be the case.

Commissioner Valenzuela stated she does not want to spend any more Flood Authority money on pursuing a Flood Authority sponsored multi-county FCZD piece of legislation because it is not needed.

Ms. Bissonnette stated the work for the legislature is done and no more work has been done on it.

Mr. Johnson stated the key difference is that the current legislation has to do with what has to be addressed with respect to who is hired; this does not do that. If you hire someone as an employee, who do they work for, are they eligible for retirement, etc. Those kinds of things are answered in the joint authority legislation. There are some advantages in forming it under the new legislation.

Ms. Bissonnette stated she would send copies of the new legislation to anyone who would like a copy.

Cost recovery options include rates, taxes and assessments. The characteristics of options of each were discussed. Ms. Bissonnette stated the good thing about a FCZD regarding taxes is if the new legislation passes there is a limit that 10% of tax revenues can be used for more environmental water resources. The new joint authority legislation removes the 10% limitation to be used more broadly for non-structural improvements.

Mr. Penberth stated if a FCZD is created the authority will be there to charge for a building's run-off for storm water. Rates will be high if implemented into the Flood Authority's power if it is legislated without being voted on by the public.

Mr. Ghilarducci explained that there are dozens of storm water managements and that's where Mr. Penberth is seeing the high rates.

Mr. Penberth stated that is different than flood recovery. He stated flooding issues will be more expensive than trying to control storm water.

Chairman Willis stated impervious surfaces seem to be the only way of evaluating the service charge. She asked if we are going to break new ground if we set up an apparatus to go that way and will it be the easiest way to collect the charge? There may be other activities other than erecting a building that could add to run-off. She agrees with Mr. Penberth that nothing has been tried in the courts or previously tested and asked if the FCZD would have a tendency to move to this only. She would not want to set them up for that.

Mr. Ghilarducci stated there is not much else out there. There has been discussion about a better way to structure the rate. For the Truckee River project they set a rate by charging businesses by developed floor space and a flat rate for residential. It was not by impervious surfaces; it was trying to equate benefits of flood control to the size of the structure.

Chairman Willis asked about logging and farm practices, none of which has been tested in the courts so it will still go back to buildings.

Ms. Bissonnette stated in Truckee they looked at hydrology and calculated runoff of undeveloped property. About 60% came from that but they made a policy decision not to charge for it. Ms. Bissonnette's view of using charges for the basin goes back to the nexus question. There is not much demonstrable between flooding and impervious surfaces. You would have to go to undeveloped property.

Mr. Ghilarducci stated when you charge land that has not been improved you weaken the rates being defensible as a rate and not a tax. For rates, a property owner has control over how much they are charged. If he has changed the topography you have an opening to charge a rate. That's why you don't see a lot of undeveloped land charged.

Mr. Bruce Treichler asked if the FCZD is overlaid with a Storm Water Management can a person be charged twice.

Mr. Ghilarducci stated yes, but it needs to be defined that there are different services being provided. One charge is to manage storm water and the other is for solving flooding issues in the basin.

Ms. Powe asked if a person could manage his own run off and not be charged. Mr. Ghilarducci stated there is no requirement to provide rate credits but some cities do that. Also, with a rate or a charge, it can vary from area to area. If you want to charge development in the flood plain differently than the rest of the county, you could do that with a rate or charge but not with a tax.

Regarding assessments, they are available for capital only, not operations. You could only assess on capital improvements.

The PowerPoint covered tax information, total taxable assessed value and cost recovery evaluations. The Cost Recovery Questions is to start the discussion; FCS was not asking for answers at this point.

The Non-structural mitigation measure is a reminder of what services the program could use to deliver. For the structural measures, Ms. Bissonnette stated the non-structural lid is okay to use outside the 10%. If you discovered a water quality issue you could broaden water studies.

Mr. Penberth asked if once the multi-county FCZD is created can it do what it wants to change the goals and policies.

Mr. Ghilarducci stated it would only have the authority granted by law, which does not include land use decisions.

Ms. Bissonnette stated if you use existing legislation the power is what the counties give the FCZD in the interlocal agreement. The new legislation is the same. Everything has to be enacted through the interlocal and must go back to the counties for changes. Mr. Ghilarducci stated there can be an advisory board to make sure there is input from interested parties.

Mr. Ghilarducci explained the preliminary draft map.

Cost Recovery Questions: Can taxes and Assessments overlap? Yes. Each county can adopt a tax under the FCZD at a certain level and there might be a rate that applies in the flood plain that would be in addition to that tax. There cannot be two different tax rates; they must be applied uniformly.

Mr. Ghilarducci stated the tax rates could be different in each county because there are individual FCZD in each county rather than having one big district. If you go to the multi-county FCZD then you must have only one tax. This would be a "con" in the pros and cons because there is no flexibility. If you can accomplish the same thing with a charge it is less cumbersome.

Ms. Powe asked if charges would vary in the 50 or 100 year flood zones. Could taxes be decreased because property is de-valued? Mr. Ghilarducci stated you could make adjustments with structuring the charges. And there is almost always an appeal mechanism.

Related Fiscal Policy Issue

Commissioner Averill stated we need to know costs before we can make decisions on property taxes.

Chairman Willis stated the flood plain must be identified and asked if we could use the FEMA maps.

Mr. Ghilarducci stated the FEMA maps could be used and you could define the boundary where a rate would be charged. There is no requirement that there is an official document as long as there is a rationale for the rate. You could look at it again in 5 years when the maps change.

Ms. Bissonnette stated this doesn't all have to be done at once. You can start with just the tax on the early warning system, for example. Later you can come back with a project list and charge this way and charge the flood plain that way. You can start small and build incrementally. Mr. Ghilarducci stated you can also wait until you have projects.

Mr. Treichler asked for an explanation of the nexus in the Characteristics of Options. Mr. Ghilarducci stated there is no need to demonstrate that you are proportionately being charged for the benefit you receive (for a rate). There are utilities that don't offer different rates. If you are served by the system you pay a uniform rate. If people are providing services on site you don't have to provide a rate credit although some cities do. They are an indirect measure of benefits and services that justify being charged a rate.

Mr. Penberth asked about the economic effect. If he has to close his building that reflects on the local economy.

Ms. Bissonnette stated the question is how high the rate would have to be before you left. There is a combination of getting real benefit of not having your inventory destroyed and there is an economic imperative. Some counties are thinking of capping the rates.

2. Break

The meeting recessed until 10:45.

3. Debrief on Public Meetings

Before Chris Hoffman's report on the public meetings, Mr. Mackey commented on an issue before the Flood Authority which is whether the members of the Flood Authority could see eye to eye to form a Flood Control Zone District and work together in the future. Things that have come up are voting, handling land use regulations and other issues that need to be put on the table. At the afternoon meeting, Mr. Phillips will talk about the General Investigation and whether the Flood Authority gets state support or not will be by showing you can work together. If you cannot, then do something different. Ms. Bissonnette, Mr. Hoffman and Mr. Mackey have spoken about this and at the December work session the Flood Authority members should bring their interests about considering joining a multi-county Flood Control Zone District. An example is the public vote. The facilitator and consultants will listen to the Flood Authority's interests and bring back options, so each jurisdiction must identify those interests and needs to be willing to listen to everyone's interests.

Mr. Hoffman reviewed the public meeting issues. His summary was included in the member packets. He distributed a Strategies paper that offered some ideas to improve meeting notification and meeting participation.

Some thought the post cards were effective and some did not. Ms. Fund thought the content of the post card should be more user-friendly. She also stated that a video tape did not happen because of the cost but since post cards were not sent out in Lewis County, the video might have been affordable. She knows of someone who would do this in the future. Videos can be sent to the libraries for anyone to check out.

Public service announcements were suggested for the radio stations. Mr. Hoffman stated he did contact the radio stations and provided information but there is no guarantee that the public service announcements will be read on the air. Guaranteed coverage is fairly reasonable and the Flood Authority may want to allocate money for that.

Other comments included the timing of the meetings, which was at a time when a lot of political mailings were going out and a lot of people did not think a multi-county FCZD applied to them. The information was not clear enough.

Public opinion polls work but they are a big budget item. Mr. Hoffman did not advocate this but thought the Flood Authority may want to consider it and talk to Mr. Elway.

Mr. Hoffman stated the next round of public meetings will be in March or April and these issues should be resolved now. Mr. Mackey asked what Mr. Hoffman recommended the Flood Authority do.

Mr. Hoffman suggested more newspaper advertising and more radio exposure and take advantage of existing mechanisms.

Mr. Thompson thought radio ads are a big factor in public awareness. He suggested a catchy ad and put it in good time spots.

Ms. Fund asked about comment forms and Mr. Hoffman stated no one sent comment forms back.

Ms. Powe suggested garage sale type signs or sandwich board signs. She also stated at the first meeting a lot of the information presented was new to the Flood Authority members. If we had talked about what was going to be presented, we could have addressed issues at that time.

Mr. Hoffman stated he will work with Mr. Mackey to get specific recommendations. Once the meetings are scheduled then the advertisement can be worked out.

4. Other Issues

Commissioner Averill stated the legislation drafted by Mr. Spitzer is rather broad in terms of having several options. That was done because there are other entities besides the Flood Authority that are interested in using this legislation. This morning one member stated they may not want to use this legislation. If the Flood Authority is not interested in it the legislation might be changed. We need to make a decision if we are going to submit this to the legislature or not.

Mr. Thompson stated the City of Oakville wants the legislation enacted.

Ms. Powe stated the legislation has a provision where a bond could be passed without a public vote and she would not support that. Ms. Bissonnette stated that had been removed and she will be sure the most updated version is sent out.

Commissioner Valenzuela stated the legislation is not needed because we can choose to do what we want with an interlocal agreement.

Commissioner Averill stated the legislative session coming up is a budget session and other issues don't get as much attention as the budget. Submitting this does not make us adopt it but if it doesn't get into this session then there is no option at all. We don't have to use it.

Ms. Powe asked for clarification on what the legislation will allow, such as Tribe involvement, tax options, etc.

Ms. Bissonnette stated she would send out an analysis to show the differences. It allows overlapping FCZD and it allows the multi county authority to directly levy revenues; otherwise only the counties can do that. The multi-county legislation is so broad that it has to start with an interlocal agreement. It is a very open-ended piece of legislation.

Mr. Ghilarducci stated a positive thing about a multi-county FCZD is if you believe an independent body can make better decisions for the entire basin, it can do that and skip a step of going to individual counties for board actions.

Commissioner Willis stated she would talk to Mr. Mackey about when this could be discussed and it must be a public meeting.

5. Adjourn

The meeting adjourned at 12:00 p.m.

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

**November 18, 2010
Meeting Notes**

Board Members Present: Terry Willis, Grays Harbor County Commissioner; Glen Connelly, Chehalis Tribe; Ron Averill, Lewis County Commissioner; Dan Thompson, City of Oakville; Julie Balmelli-Powe, City of Chehalis; Andrea Fowler, Town of Bucoda; Edna Fund, City of Centralia; Karen Valenzuela, Thurston County Commissioner; Jim Cook, City of Aberdeen; Dolores Lee, Town of Pe Ell

Board Members Absent: Ron Schillinger, City of Montesano

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from Special Work Session and Business Meeting on October 21, 2010
- Ongoing Efforts Update
- Expenditure Review
- Budget Request
- Rules of Procedure
- Phase IIB Preliminary Questions from Chehalis Tribe
- Executive Summary on Phase IIB
- Feasibility Study Draft Presentation

1. Call to Order

Chairman Willis called the meeting to order at 1:30 p.m.

2. Introductions

Self-introductions were made by all attending.

3. Approval of Agenda

Mr. Thompson asked to add to the agenda a discussion on the draft legislation regarding the formation of a flood control zone district. The agenda was approved including this addition as Item 15.

4. Approval of October 21 meeting notes

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

5. Public Comment

Mr. Vince Panesko stated the PUD Phase IIB study has a number of things missing. These included timber costs, replacement of the Pe Ell water system, excavation of a land slide site, the cost of hauling rock, the cost of a grout curtain, seams in the hillside that need to be plugged. Mr. Panesko stated that while none of these issues are fatal flaws, the cost could be \$200 million and that figure skews the cost benefit ratio. With those figures included, this dam would not be favorable to build. He asked that all the costs be included in the report, or at least include a placeholder.

6. Reports

a. Chair's Report

Chairman Willis stated she had received several e-mails and letters that all concerned items on the agenda and they would be discussed in the course of the meeting.

Chairman Willis stated she and several people attended a meeting on October 17 with the Corps of Engineers to discuss the modeling they are using to look at the watershed between Pe Ell and Grand Mound. They explained how they got information into the model and asked for comments from the group.

A workshop was held this morning, continuing the discussion about the formation of a multi-county flood zone district. There will be another workshop on this topic on December 16.

b. Member Reports

Mr. Cook read into the record Resolution 2010-15 from the City of Aberdeen supporting water retention as a component of a basin wide flood control plan.

c. Correspondence

Correspondence will be discussed as an item on the agenda.

d. State Team Report

Mr. John Donahue thanked everyone who attended the Corps' meeting on Wednesday. The Corps thought the information was helpful to them as they conclude this portion of the hydraulic modeling. Documentation of this meeting will be available for further comment.

Mr. Donahue stated he suggested to Mr. Goss that as the Corps is concluding other technical aspects of its design for the Twin Cities project that similar meetings are conducted to focus on specific areas as they become available and Mr. Goss agreed to that. Mr. Donahue stated he would use the Flood Authority forum to keep everyone apprised of these sessions.

e. Corps of Engineers Report

i. Twin Cities Project

The Corps is working on the cost benefit ratio, reviewing the economic model and verifying anomalies that are seen. There have been some significant changes on estimated damages and those are being analyzed to get a good number to use for the cost benefit ratio.

The Corps is also looking at environmental mitigation and accepting comments on the report from TetraTech. November 30 is the deadline for that comment period.

Mr. Goss stated there was good information received at the hydraulic modeling meeting that Chairman Willis and Mr. Donahue spoke about. That information will help define the parameters that are being used in the model.

Regarding the Skookumchuck Dam, the Corps is part way through an examination of a liquefaction study that Trans Alta had done and submitted to FERC. This is being looked at in conjunction with Shannon and Wilson as there is a need for additional data in some areas.

ii. Basin Wide General Investigation

Mr. Goss stated there are revisions to the Project Management Plan (PMP) and would like comments as soon as possible to allow moving forward on the basin- wide study.

f. Lewis County PUD Report

Mr. Muller stated he would report under item 8 on the agenda.

OLD BUSINESS

7. Ongoing Efforts Update

Mr. Bruce Mackey stated the General Investigation is item 10 on the agenda and would be discussed at that time.

Regarding the flood plan, there is a question as to whether or not DOE should approve the plan and that decision won't be reached until grant funding is available in March.

The public involvement regarding the flood district formation was discussed at the morning session.

Upstream Storage will be covered later in the agenda.

Mr. Mackey gave an update on the Early Warning System. Good progress has been made on the flood inundation maps and the maps will be put on the website. Almost all of the equipment has been delivered and West Consulting is working to complete and identify specific locations for the new gauge placement.

Fisheries Study update: Mr. Mackey forwarded the full comments to the Flood Authority and to the Board Advisory Committee. He summarized a few points. Regarding field work, data is still being collected at seven reaches for the IFIM study and taking water quality samples at nine locations to support the habitat simulation model called PHABSIM. Temperature data has been taken at nine water quality samples and those collections are continuing; Anchor is working with the DOE to ensure their sampling methods match up with DOE's requirements. They are also continuing to identify and compile existing sources for fish and habitat data and that data is being evaluated to determine its quality and applicability for use in the SHIRAZ modeling exercise.

Chairman Willis stated Mr. Mackey made a comment on the Early Warning System that West is trying to determine where some of the equipment would be placed. She asked if the Flood Authority had input in that regard.

Mr. Mackey stated the report states they were trying to identify specific locations for new gauge placement and it was taking a little longer than anticipated. Mr. Easton stated West Consulting is starting with the gauge report that ESA put together using information that the Flood Authority provided on where gauges could go. He does not know what the process is from that point.

Ms. Fund stated regarding the flood plan, DOE is going to be reviewing it in March and the jurisdictions were going to look at it, also. She asked if the jurisdictions should wait to make a decision until DOE has made comments.

Mr. Easton stated Ms. Chris Hempleman stated if the jurisdictions want DOE to approve the Plan a letter could be sent to DOE. It is still desired that the jurisdictions adopt the Plan and if DOE approves it, it could help jurisdictions that have adopted the Plan get grant funding in the future for projects listed in the Plan. Funding will not be available for those grants until March so it is hoped that Ecology would have the Plan approved before that. The jurisdictions should continue with their review of the Plan.

Ms. Powe stated she did see that the Flood Authority and the BAC got a copy of the fisheries study but it did not go to everyone on the committee, such as Mark Daley and Dave Muller.

Mr. Mackey stated they were not included but he could do that. He was keeping the Flood Authority and BAC informed; this is the consultant working with the DOE so that protocol is followed to allow the data to be used in other studies and that it is up to standard.

Commissioner Averill stated Mr. Mackey's summary did not cover the activities coming up in December.

Mr. Mackey stated in the coming months, Anchor will continue to monitor the flow conditions to identify high flow events for collection for additional data to support the FABSIM modeling effort as well as the water quality analysis. If and when suitable conditions occur, the team will mobilize and collect discharge, habitat and water quality data, temperature data will continue to be retrieved and the collection of sediment samples will continue.

Mr. Connelly is on the Board Advisory Committee and offered some insight on the Early Warning System. He stated that several weeks ago the BAC and emergency managers from various jurisdictions met with West Consultants. They had the original request from the Flood Authority where more gauges might go. West had already consulted with NOAA to determine where there were holes with no data coming in. Most of the gauges that are going in will be rain gauges with the exception of a few stream gauges or upgrades to existing stream gauges. The rain gauges will better predict where the rain is falling in the basin and then predict where the water is going to go.

8. Upstream Storage Phase IIB Executive Summary

Mr. Muller stated the Phase IIB report was sent out about a week ago. He gave an overview of the report and stated that at the December Flood Authority meeting the consultants would be present to address questions that are collected between now and December. Mr. Muller noted Mr. Panesko's questions and they will be considered.

Mr. Muller's overview included how the study got to where it is today, the engineering design cost, the benefit cost analysis and the methodology used, and the review of the feedback received. Comments will be taken over the next month or two.

Commissioner Averill stated Mr. Muller said the Newaukum River did not provide any area for a dam to be located. He asked if this was because it would not hold a hydro dam or would not hold any type of dam.

Mr. Muller stated it would not hold any type of dam. The criteria included finding a site that was above residential development. If we went far enough upstream there would not be enough of a drainage area to capture enough rainfall to make it worthwhile.

Mr. Mackey stated Mr. Muller is open for feedback and the consultants will be at the December morning session. The object is to get the study out and have enough time to review it and ask more detailed questions. Mr. Mackey stated Appendix B was missing from the report.

Mr. Muller stated he would get that sent out. He also stated written questions provided ahead of the meeting will allow the consultants to be better prepared to address the concerns.

Mr. Mackey stated if the implication is that the time and energy should be spent on just the main fork of the Chehalis that could have some impacts on the fish study. In that case, we could go back to Anchor so they can direct their resources and efforts on just the one effort.

9. State Sponsorship of the General Investigation

Mr. Keith Phillips stated the governor has to propose a state budget for the 2011-2013 biennium that starts next summer. She will be making decisions on what she will request in the next few days. Mr. Phillips asked what the Flood Authority thinks she should include, if she can, in terms of funding to help meet the needs in the Chehalis Basin.

Mr. Phillips stated he would summarize what he understands is going on in the Basin.

Twin Cities Project: The benefit to cost model is still being worked on. Mr. Phillips believes when the model is completed there will be more benefits than costs so it will still be positive. There will be some serious issues as to whether the Skookumchuck Dam improvements can be afforded and whether they are technically sound. Taking that dam out of the picture has some serious implications for either flooding in Bucoda or Centralia, if the levees are not adjusted, and even if the levees are adjusted, water may still be passed down river and impact downstream communities.

If the dam comes out of the project, new federal re-authorization will be required. Re-authorization introduces the question around the loss of momentum or the loss of federal commitment to do something. If, however, you go for authorization, you may be able to bring together some of the work that is going on in the Basin into one federal program rather than two. This is being tracked very closely.

PUD Water Retention Project: Mr. Phillips is hearing good reviews on the economics. There are questions around the contingency value and the environmental mitigation estimates, but those are things that can be looked at as this proposal proceeds. He agrees that the fish study is the key piece of information that is needed to know about future steps. If extending the fish study through the summer or the end of next year in order to get a better technical answer makes sense, stretching the money by focusing on one dam rather than two merits your attention.

General Investigation Study: Mr. Phillips believes the Basin should take advantage of the federal appropriation and try to make some progress. A dual purpose approach makes the most sense. When you look at the Basin as a whole there are places where ecosystem restoration or environmental restoration that also provide some flood benefit can be done. There are also opportunities for flood mitigation at a Basin scale that could be done in a dual purpose program. He understands this can be done thinking about the levee project and how it interacts.

Mr. Phillips stated if the Flood Authority agrees, he is willing to take to the governor the recommendation that the state steps in as the non-federal sponsor to the General Investigation. He believes the authority is there to do that now, but not necessarily the resources and he is pursuing that.

As a condition for the state to do that, given its budget, the state would want the Flood Authority's support to be able to tap into the work that Grays Harbor County has already done. That would act as a match that would enable the Corps to use the federal money for the GI work and get the Corps money into play on a 50/50 basis.

Mr. Phillips understands there is a staffing issue and he does not know if Grays Harbor County will hire someone or if there is local staff who could coordinate with the GI work but he is willing to see if there is a state staffer that could be put on to coordinate the work. He will await feedback if this is something he should take to the governor.

Mr. Phillips believes there is a way to run a concurrent process, lining up key decisions being made on advanced design and/or start of construction or acquisition for the levee project along with the rest of the basin-wide flood work. Important decisions can be made in the next three to five years depending on funding. There may be new information, such as levee or dam costs, that require a decision to be made earlier. At this point he does not think there is enough information to make a decision.

In the long term it is unknown if the Federal Government can afford the construction and build it but it is worth discussion. At this time neither the levee project nor the retention project will produce numbers that will give Congress the go-ahead to fund it and build it right away. Typically those are benefit costs that are 2 to 1 or 3 to 1 to get into the president's budget, and those generate quick construction work. The numbers you are seeing are 1 to 2 or 1 to 1 and that does not mean "no" because flooding usually gets better treatment because of community priorities and safety. The Interstate brings in a different conversation from Department of Commerce; there is opportunity for environmental benefits in the rest of the basin. In terms of where Congress is going to go in the new political posture there are two options. There is a 'no earmark' platform which is: if the president doesn't ask for it, the state won't ask for it and it won't happen. The other is that members of Congress succeed by bringing home what their constituents really need. There is room for positive federal action here, both in continuing the design and the feasibility work, as well as getting to construction, though it may not be a few years of construction - it could be spread out over a longer period of time if the construction money is earmarked out.

If the retention project does not take care of some of the basin needs is there anything else out there. It would be appropriate to have conversations of what other actions might be possible. There are a couple of things to consider. One, the Federal Natural Resources Conservation Service and the State Conservation Commission have a number of federal assistance and funding programs at 75% federal cost for land owners to do the work. They are interested in doing work in the basin and they are hearing from some landowners in the basin asking for this type of assistance. The advantage of those programs is they are dual purpose. They have environmental restoration programs, wetland restoration programs, riparian and habitat programs that can be done working with landowners on their land and providing most of the cost. They also have flood retention authority. They can do small retention facilities and land easements for flood programs, reversible dikes, agreements with landowners to let the flood waters go across the dike onto their farmland. The dike is restored and the water is taken off. They also do livestock staging and rescue operations. This is not the solution to the Centralia/Chehalis/I-5 flooding problem, but is adaptive management. It may be a tool and the federal agencies are willing to come and talk to the Flood Authority. Mr. Phillips is willing to help arrange for them to do that. If that comes about, Mr. Phillips encouraged bringing the county conservation districts to be part of that conversation.

Projects in the Centralia/Chehalis area: Improvements to the airport levee are possible in a way that still retains the federal benefit of restoring flood damages, the 80% cost share that is provided after a flood. That could provide some significant protection and an alternative to some of the other options that are being discussed. The DOT is working on the Mellen St. exchange; there is probably a flood wall that needs to go in as well as flood mitigation that needs to happen along Salzer Creek. If the Flood Authority has not heard from the city and port or the Department of Transportation, it might be advisable to invite them to brief the Flood Authority on what is going on and how it fits with the overall needs and opportunities in the basin and what the relative costs will be.

In terms of what to do, there are people saying this will never pencil out so work on smaller things. Some are also saying that 2020 is too long, that we should be able to build something in four years. There is a lot more that is being said somewhere in the middle, that there is not enough information to give up on anything, to continue with the due diligence and try to get to a well-founded decision in a reasonable time frame.

Budget: It is not likely that the Federal Government will put more than \$1 million into the programs in the Chehalis Basin. For the state budget, incoming requests for the biennial capital budget was \$3.3 billion, which is to carry current programs forward. With current revenue and the constitutional debt limit, they can only spend \$1.3 billion. That means the state is short \$2 billion which funds the Chehalis work. There might be \$1 million that will be left over that could be re-appropriated in the next biennium. The Flood Authority has expenses and work to do regarding the formation of a flood control district as well as other priorities.

Levee Project: The state has to put up 25% of the cost and it is federally limited there. If the Corps gets \$500,000 we can only give them \$160,000 and that is all they can do in a given year. The design work is fairly affordable. For the GI it is a 50/50 match. If we can get match from the county and deal with the staffing issues that will allow that work to move forward once the program is agreed upon.

Retention: The PUD is thinking about what to bring to the Flood Authority. Mr. Phillips has seen the proposals and there is a lot to do in terms of answering the hydraulic and fisheries questions. There may be pieces of that work that are needed not only to evaluate the retention but are also needed to evaluate the levee project. If the Flood Authority, the PUD and the Corps can think the same way about the hydraulic modeling or other work, there may be things that can be moved forward effectively.

Mr. Phillips stated there are some elected officials who are willing to dive into an issue and figure out the right direction and that kind of leadership is required to make things happen. When it comes to the legislative vote, most of the legislators are going to ask where the local governments are on this issue. If they are together, it is easier for a broader vote. If they hear debate they may interpret it as noise and decide it cannot be afforded anyway. Mr. Phillips stated the mood in Olympia was not very good. The forecast for the state budget came out this morning and another \$1.2 billion shortfall in addition to the shortfall it already has. That pushes us closer to a special session and puts the state at over a \$5.5 billion shortfall for the next biennium for the operating budget for the state. It is going to be a rough session; the more you are together on what needs to happen for the good of the basin, the more the governor will know where you stand, and you can tell your elected officials where you stand which gives you a much better chance with the legislators.

Mr. Phillips thanked the Flood Authority for the opportunity to address the issues and asked if there were any questions.

Commissioner Averill thanked Mr. Phillips for his report, which offers hope for us. He agreed that we need to work together and the GI study needs to move forward. He understands there is about \$1.6 million to go towards that and there might be another \$500,000 that would be appropriated in the 2011 cycle. He is also pleased that Mr. Phillips will ask the governor to have the state take the lead on the GI project and perhaps provide staff support. Lewis County would endorse that and asked Mr. Phillips to pursue that possibility.

Ms. Fund agreed with Commissioner Averill's statement. Mr. Phillips summarized very well what the Flood Authority has been looking at and she appreciated that the state would be willing to take the lead. The City of Centralia will do whatever it can to make this happen. She would like the Centralia City counselors to hear what he had to say today.

Commissioner Valenzuela thanked Mr. Phillips for attending the meeting. She stated the public meetings that were held in the three counties offered input from concerned citizens who felt that the proposal for the flood control zone district was just another way to tax people possibly for projects that they don't agree with. These projects would help people that they don't want to help because in their view the reason for the situation they are in is through deliberate action on their part. Commissioner Valenzuela stated she is referring to the differing land use regulations among the three counties. There is a lot of concern that it is allowable in Lewis County to continue building and developing in the flood plain and the bulk of the flood damage is in Lewis County when the Chehalis River floods. Citizens in Thurston and Grays Harbor Counties are concerned that they may be asked to contribute to the cost of protecting Lewis County from itself.

Commissioner Valenzuela continued to say that we are learning more and more from other parts of the country about the true long term costs of dams. There is a question of breaching dams as opposed to keeping them, as well as learning about the true cost of living close to the river's edge as people like to do. In some parts of the country people are starting to move back instead of trying to tame the river. As far as Thurston County Commissioners conversations have gotten they have concerns about participating in a multi-county flood control zone in which we may end up obligating ourselves to pay for projects we don't agree with. We might want to condition our participation in such a flood control zone district. At some point those difficult conversations have to be had.

Mr. Phillips stated none of the issues raised by Commissioner Valenzuela should be ignored. There is a lot of debate about land use in the flood plain, both where we've been and where we need to go. The Federal Government has put out a new insurance program which will significantly change what we do in the future. Washington is the first state that is doing that work and it will move throughout the rest of the country.

Mr. Phillips pointed out the levee project, the Corps involvement, has with it an understanding that divides the past from the future. It states if the Federal Government is going to put a levee in a certain place, the locals have to commit to not doing anything that affects the future benefits of that project: no encroachment, no additional construction outside the levee, so it never happens unless there is a binding long-term commitment. That has to be made by the jurisdictions with land use authority. Where the state is the current non-federal sponsor of the levee project, unless all the local governments and state and federal governments sign an agreement on the project to go forward with, how it will be cost shared, who is going to do the operations and maintenance, the project does not get constructed.

When it comes to taxing and benefits across multiple jurisdictions, you probably will not face a more difficult question than that. There are proportionality kinds of tests when it comes to fees and taxes. Mr. Phillips assumes that each county will not be able to take a single vote binding across all three counties on one activity. Each county will have to decide if it is in or out and each tax payer will pay what is proportionate to his benefits.

On the true costs of dams, Mr. Phillips is very aware of that issue. That is likely to be the persistent question, even after all the fish studies are available and put into place. If a main stream reservoir is proposed the questions about the long-term environmental implications and the costs of that will get monetized. It may not be included in the Corps' benefit to cost ratio for justifying the project, but they will still get monetized to determine what the benefits and costs are and the social costs of that need to be part of the conversation.

Mr. Connelly stated the Tribe looks forward to a basin-wide study, which is a holistic way to look at flooding and ecosystem restoration which makes good sense. If the state can help jump start that it would be a great step. It sounds like there will be more to work out. Even with the potential for the state to step in and with the changes in Grays Harbor County there will still need to be some discussions as to how to make this work.

Mr. Phillips stated the Department of Transportation has money that can be rolled over to the next biennium. Mr. Donahue has control of the flow of funding to the state agency staff. He is still looking at the flexibility for that money. If Mr. Phillips can match up the statutory authority for the state to step in, Mr. Donahue can help match up the money for front-end staffing so we can get this process going.

Chairman Willis stated Grays Harbor County and the governor have not had a conversation to determine how that could work. Ms. Napier is no longer available and it takes a half time employee to fill her position. Grays Harbor County does not have a person to do that work, even if the state paid for it. Chairman Willis encourages the proposal that Mr. Phillips is bringing forward.

Chairman Willis stated a question that will come up on Friday with the Chehalis Basin Partnership has to do with the match dollars. Going into the water retention and ecosystem restoration GI there was a \$1 million match that had been accrued by the CBP. Chairman Willis asked if there is a need to give up all of the matching funds to go towards the new dual purpose GI with no input as to how it is spent, or can it be spent 50/50, or can matching dollars for environmental work go towards water retention. Those questions need to be cleared up.

Mr. Phillips stated he did not know the answers to those questions. He hoped there could be an agreement on what work needs to be done at the basin level. He does not know the source of their match or what limitations there might be.

Ms. Powe also thanked Mr. Phillips for attending the meeting. She stated the City of Chehalis' concern has always been the dual purpose GI - too much money and too long a time. Is there a direction we could take that would bring us answers sooner and what kind of cost obligation there might be for the city signing on to the \$24 million?

Mr. Phillips stated from what he has heard, no one wants to take the full bite all at once. There is an opportunity in the GI to build in a decision point, 3 to 5 years out, where enough work has been done on basin-level flood mitigation and basin-level ecosystem opportunities where you would have the

feasibility scoping. At that point you would have to decide if you are going to take the next step and get into the more detailed and more expensive work. That could occur about the same time where a decision must be made on the levee project, either finish design or begin acquisition or construction. We don't want to do that without knowing where the rest of the basin work is, and you won't want to give up on that until you know that the rest of the basin work is going to get you there. The task is to pencil out the schedule, know what the answers are and the scope of work to get there and cost that out. The state can step in as the local sponsor and do the best it can. If it fails at some point the Corps can ask for anyone else to step in. The state is not locked in for the \$24 million but to move this along up to the point that a jurisdiction wants to become the sponsor of a piece of the project.

Mr. Phillips stated the Corps can't move or request additional funding beyond what the non-federal sponsor has put up for match. In a year or so we may know that the fish study says the main stem dam is going to be hard to do, the passage will be difficult or the cost will be too high, and you may be done with that piece at that point. The same could happen at the levees. The cost could jump 100%, the benefit to cost could come in poorly in March and then more decisions will need to be made.

Ms. Fund stated a lot of time was spent at the morning work session discussing how to improve public participation. In Centralia, 18 citizens attended who were not associated with the Flood Authority or municipalities. That is not enough people to talk with and educate. When we do the next round we will do a better job of that so our constituents are well aware of what this is all about. She wants the citizens to know the Flood Authority is working hard and trying to get to an outcome, and everyone at the table is committed to that happening although getting there is an issue at times.

10. General Investigation

Commissioner Averill stated we are partially done with the General Investigation and perhaps someone on the Flood Authority should be appointed to work with the governor's office on how we might proceed.

Chairman Willis agreed and stated there are new revisions to the PMP that the Flood Authority has not seen yet. She believed Grays Harbor should take some of the lead on this as the fiscal agent. We need to understand where the PMP plays in this if we follow the state's lead and it becomes the sponsor. Will the PMP be approved ahead of time, and how does the Flood Authority play into that?

11. Biennial Budget Request

Mr. Mackey referred to the memo in the member packets regarding the budget request. On page 2 is the proposed budget. Given the financial situation that Mr. Phillips reiterated, ESA thought a minimum budget should be put in and things could be added after today's discussion. He asked that a decision is made on the budget today, authorize Mr. Mackey to work with Chairman Willis to finalize it and get it to the governor's office within three to five days.

The first page talks about how the requirements were met in the legislation from the last budget. The only thing we are working on is the formation of a flood district by the end of June, 2011. If you make that deadline, you will have in place a flood district and the documents signed, but it will not be staffed and there will not be any ability to plan the projects, and there will be no revenue for an extended period of time. This budget suggests a full time staff person with office space, computer, benefits, administrative support, an operating budget, and enough money to do the third phase in the FCS Group's contract. That budget request would be for \$645,000. This would not have to be all new money. The Flood Authority currently has about \$400,000 left in the current budget, and about \$50,000

of that will be used by the counties and staff for the Flood Authority meetings, leaving about \$350,000 that could be rolled over. Mr. Mackey stated while the total bill is \$645,000, if \$350,000 can be rolled over, then you would need \$295,000 in new money. That is not shown in the budget because Mr. Mackey clarified with the governor's office that even if you have something under contract, if you want to roll it over you still have to ask for that amount to be rolled over.

In the fish study there has always been a concern of getting that work done in a timely manner. What this does is request that the deadline be extended six months but does not ask for any more money. Mr. Mackey is working with Anchor to try to get a number which would allow the study to go slower and do it over six months, and spend part of the current \$900,000 budget in the next biennium, and therefore some of the money would have to be rolled over. He is guessing it will be about \$275,000. Mr. Mackey suggests that that request would be put together for the governor's consideration. If there are other things that the Flood Authority wants beyond that, they have not been anticipated in this budget. Mr. Phillips talked about extending the hydraulic modeling or the LiDAR associated with that could be a couple of things. But given the budget situation, and given the mood of the legislators when they put your last budget together, concentrate on what you have gotten done and to be successful request the minimal things you need.

Mr. Mackey also put some ideas together for the funding of a half time person for the GI and the kinds of alternatives under the match. That would not be part of your request, but would be for the governor's office to decide.

Mr. Mackey asked if the Flood Authority wants to move forward with this budget, the \$645,000, part of which is rolled over and the extension of the fish study with part of that money rolled over. If that is what the Flood Authority authorizes, Mr. Mackey will work with Chairman Willis to finalize it and send it to the governor's office.

Chairman Willis asked for discussion.

Commissioner Valenzuela stated Mr. Mackey asked the Flood Authority to think about what is to be paid for with this budget request but those things have not been agreed to by any of the jurisdictions. She does not want moving forward with the budget request to commit the jurisdictions to something that the citizens in the three counties said not to do.

Mr. Mackey stated if you decide not to form a flood district or form it in some other matter that is fine. What you need to do here is get a place holder so that if it can be moved forward you have the ability to move it forward. It would not commit you to these things; you are simply asking for a budget. You also want to indicate to the legislators why you are asking for the money, and that is why the bullets are there regarding Anchor.

Ms. Powe asked if there is an estimate on extending the hydraulic study past Porter.

Mr. Mackey stated when the Flood Authority considered that in the past, \$350,000 was budgeted for that study. In the meeting on Wednesday with the Corps there was an indication that FEMA was again trying to do that, but Dave Carlton did not think there was current money. Mr. Mackey is working with someone in Thurston County to get that answer. If FEMA does it, there is no need for the Flood Authority to budget for it.

Another issue that goes with that is the LiDAR for the lower part of the river, which would greatly enhance the predictability of that model. The LiDAR was originally budgeted at \$170,000.

Commissioner Averill stated there is a timing problem because of vegetation.

Mr. Mackey stated Thurston County was working on that and was told the time was from leaf off to snow on the ground, which was a very short window.

Commissioner Averill moved that the Flood Authority authorize Mr. Mackey to work with the governor's office on a proposed budget as stipulated. Ms. Lee seconded the motion.

Chairman Willis asked for discussion.

Ms. Powe asked if the Flood Authority would see a final copy of the budget before it is sent to the governor.

Mr. Mackey stated he would work with the Chair and she will approve it. The Flood Authority will be sent a copy when it goes to the governor.

The Chair asked if there was opposition to the motion. There was none and the motion passed.

NEW BUSINESS

12. Rules of Procedure

The Chair asked who would take the lead on this discussion.

Commissioner Valenzuela stated she had requested that the Rules of Procedure be put on the agenda. There are several new members on the Flood Authority who may not have seen these and may not know agreements under which original members of the Flood Authority established themselves. She thought they could be reviewed to make changes to those that are no longer appropriate or re-commit ourselves to these procedures.

Chairman Willis stated Media Communications was an item she wished to discuss. She read the rule. She stated the Board must be very cautious when speaking to the media and the public in general. Comments should be prefaced as to whether it is the speaker's comment alone, or if it has to do with the community or the speaker's representation. Comments made outside a jurisdiction could put the person who actually represents that jurisdiction in an awkward position. If a member is speaking about an issue then he or she makes sure his or her constituents' issues are being addressed; and, if this person speaks on behalf of the Flood Authority, then there is a formal process to allow you to do that and it has been agreed upon by all members of the Flood Authority.

Commissioner Averill agrees with the Rules of Procedure and he was on the Board when they were drafted. His concern is what prompted this item coming before this body. There is the implication that there are members on the Flood Authority that are speaking for it in violation of these rules and he challenged that.

Commissioner Averill stated he has a right as a Commissioner and as a Flood Authority member to challenge misstatements made against his county, misstatements that were made in this meeting saying

that Lewis County is violating the law by building in the flood plain. Lewis County is not. Lewis County has built behind a levee that has existed since 1943. By the rules of FEMA and the Corps, that area is not in the flood plain. He also stated that Lewis County has not authorized any building in the flood plain since 2000. The City of Centralia has drastically revised its rules about building in the flood plain and it would require an act by the City Council to do so, as well as going up against laws made by the state legislature that do not allow expansions of UGAs into the flood plain.

Commissioner Averill stated when he hears these types of statements he feels compelled to challenge them. Another statement he challenges is regarding the projects being worked on and that they benefit Lewis County alone. While we have been talking about water retention, it is not a project. We are still studying it and it will not go forward until there is evidence that it will contribute something to flood mitigation. There is only one project on the table and that is the Twin Cities project. The Skookumchuck Dam is in Thurston County. Bucoda is part of the project and it is in Thurston County, as is Rochester. The Twin Cities project benefits both Lewis and Thurston County and eventually it will benefit Grays Harbor County because if it is built the way it is designed it will lessen the impact of water going downstream.

If this discussion is to keep Commissioner Averill from agreeing with false statements made about Lewis County, he will not. He is compelled to defend Lewis County.

Chairman Willis stated her comments were not targeted at anyone in particular but to all members of the Board. She believes this needs to be revisited occasionally to ensure no one is misstating things that are not true. The only things that we can state are what we know about our own constituency.

Mr. Connelly stated Commissioner Averill has the right to defend misstatements about Lewis County. He admits that the Tribe has been very critical of development in the flood plain and while Lewis County is mentioned in general, specifically it is the area along I-5 where development can be seen. The Tribe has never said the development is illegal but that it is a bad move. The Tribe realizes that the flood plain can be filled but it has philosophical differences in that regard. Centralia and Chehalis have both developed in the flood plain but if there are misstatements made there is the right to defend them and there is a right to put out proper information so the public knows what is going on.

Mr. Connelly stated Commissioner Averill spoke about the levees that protect people but they do not. They are not 100-year levees so there is a flood plain and FEMA considers it a flood plain. Development in the flood plain does affect where the water goes when it comes down. In the past people have said that the Tribe is filling the flood plain. Mr. Connelly's job is to see that the Tribe does not fill. It does compensatory storage and a lot of design work so that it does not impact the flood way to its neighbors. The Tribe wants the truth to be put out there.

Commissioner Valenzuela stated to Commissioner Averill that this was not her intent in asking to have the Rules of Procedure put on the agenda. She had an altogether different reason which is the section on the media communications. It is regarding the conduct at Flood Authority meetings. It states that members will respect each other's rights to disagree. There are a lot of different points of view and we must give each other latitude for our own points of view. She stated she does not ever recall accusing Lewis County of doing anything illegal. She wished to clarify that when she says "Lewis County" she does not actually mean the county, but rather inside Lewis County.

Commissioner Valenzuela stated a couple of the Flood Authority members have been objects of ridicule in the [local] newspaper and it was clear to her that it could have only been written if the newspaper had talked to other members of the Flood Authority. She stated Commissioner Averill had been quoted in the newspaper in a way that Commissioner Valenzuela saw as a violation of subsection A under the Media Communications section of the Rules of Procedure. These are the reasons she thought the members should be aware of the rules and to remind everyone that there is an obligation to each other through these rules not to speak about other members to the newspaper.

Commissioner Valenzuela stated she wrote a letter to the editor and it was printed. Nothing is mentioned in the Rules of Procedure about letters to the editor and she hopes it was clear in her letter that she was speaking only of herself and she did identify herself as a member of the Authority. She thought there could be a quick discussion about putting that topic in the Rules of Procedure.

Chairman Willis stated there is always an opportunity to revise the rules by going through the proper procedures.

Ms. Powe stated last month the group talked about having a discussion to clarify differences of opinion. That meeting should have come first, or this discussion should have been incorporated into that meeting. A lot of these issues are brought up because of misconceptions. If they are cleared up then the Rules of Procedure can be addressed more clearly.

Chairman Willis stated the next work shop allows a block of time to discuss the wishes of each member, regarding forming a flood district or any other issue. She would like all the members to take the opportunity to bring their thoughts forward. By putting the needs and wishes of each jurisdiction on the table it will be helpful to understand where everyone is coming from.

Ms. Fund stated there is not a list of the Flood Authority members on the website and she suggested the contact information be provided for the public.

13. Officer Elections

Chairman Willis stated officers on the Flood Authority Board are the Chair and the Vice Chair. The elections normally take place in December; however nominations can be made at this meeting. After discussion, the Board opted to hold the nominations and elections at the December meeting.

14. Expenditure Review

Mr. Bob Johnson explained the Expenditure Review, stating the balance excluding encumbered funds is \$402,993.97. Mr. Mackey expected there might be some of that money spent on some other things that come along between now and June of next year.

15. Discussion on multi-county Flood Control Zone District legislation

Chairman Willis stated this item was added to the agenda during the approval of the agenda. She asked Mr. Thompson to start the discussion.

Mr. Thompson stated the multi-county flood control zone district legislation that was drafted was discussed at the morning work session, as well as a telephonic conference with the author of the legislation at the previous months' meeting. The window to have this introduced is very short, about three weeks, and as he understands it these types of legislation need to be submitted sooner rather than later. He urged the Flood Authority to go forward with this legislation via FCS Group.

Commissioner Valenzuela stated her point of view is that after the telephonic conference and because of subsequent conversations with her fellow commissioners in Thurston County, she does not consider this legislation absolutely necessary. She believes the Flood Authority can accomplish the same things through an interlocal agreement in which all three counties can agree to the terms and conditions of their participation. She is concerned about spending any more of the Flood Authority's very limited resources in both time and money on something that it does not absolutely need.

Commissioner Averill did not agree and stated the Flood Authority has not had all the discussions, such as pros and cons of going either direction. FCS is committed to providing a paper that stipulates what those things are. The next legislative session is a budget session and there are usually three or four weeks maximum that are spent looking at things that are not budget oriented. Because of that, things need to be submitted earlier. He pointed out that the Flood Authority is not the only body that is interested in this legislation. The Puget Sound Partnership is interested and probably some other counties and if we don't take it to the legislature it will be taken by another entity. The Puget Sound Partnership has indicated they would take it forward but they would drastically reduce the options that are within the plan. If we came to a decision later on to form a tri-county flood control district and we don't have this legislation, we will not be able to do it. We are not committing ourselves to form a flood control zone district by allowing this legislation as currently designed to go forward. When it was designed it was made sufficiently flexible that a number of entities could take it and choose the pieces they wanted to use and form the district. If we continue to delay this, we will lose the opportunity because of the budget issues in the legislature.

Ms. Powe stated we do need to be prudent with our money and time. She understood that the writing of this legislation is complete and no more money would be spent on this legislation. She believes the Flood Authority will have wasted a lot of money if it does not proceed with it and that we should start the process.

Mr. Connelly asked what the costs would be for moving forward since it has already been written. The discussion is that it needs to be introduced in the next three weeks and our next meeting is in four weeks. Are we trying to meet a deadline or are we trying to get the legislation in early?

Commissioner Averill stated the three weeks is not a deadline but the things that get introduced earliest will get the first attention and the longer this is put off there is a risk that it will not get heard.

Chairman Willis stated there are some good partners in this, also. If you put the Puget Sound Partnership in with us that is a good-sized constituent base that the legislators can please. There is an advantage for this particular issue at this particular time because of the other partnerships.

Mr. Thompson made a motion that the Flood Authority directs FCS Group to go forward with the multi-county flood control zone district legislation. Commissioner Averill seconded the motion.

The Chair asked for further discussion.

Ms. Powe stated she is in favor of it moving forward but she has concerns about voting at this time because a copy of the final wording has yet to be sent to the members. She would feel more comfortable voting after receiving that.

Mr. Connelly stated he is not clear on the pros and cons, either, and was looking forward to receiving the information from FCS Group. He believes the Tribe would rather review it before making a decision. He also wants to know the costs associated with it going forward, if there are any.

Commissioner Valenzuela agreed with waiting to see the document from FCS Group. She moved to table the vote until the December meeting.

Discussion followed about the legal possibilities of a conference call as a public meeting to decide this issue.

The Chair asked for a second to the motion to table. Mr. Connelly seconded.

Ms. Powe asked if Mr. Mackey knew what the cost would be since the legislation has already been written. Mr. Mackey stated he did not know the cost. Someone must support the bill, which he thinks could be done fairly easily. The only cost that he would anticipate is time in terms of coordinating with the Puget Sound Partnership and/or preparing some testimony in front of the legislature.

Chairman Willis asked if there was any opposition to tabling the original motion until the December meeting. Four members opposed. The Chair stated the motion to table failed and brought back the original motion.

Commissioner Averill stated it was a legitimate request to review the issue but did not think it should be put off until the middle of December. He hoped an agreement could be reached to have a conference call when everyone has the document in hand.

Ms. Fund concurred as did Mr. Thompson, Ms. Lee and Mr. Cook.

Mr. Thompson amended his motion to include a conference call.

Chairman Willis asked if there was any objection to the amended motion. There was none and the motion passed.

Chairman Willis stated no time for the conference call has been set. Mr. Mackey stated if FCS is to accommodate the Flood Authority, they should be notified. The material should be received after Thanksgiving so the members should plan on the week after Thanksgiving to have FCS reach everyone and set a mutual date.

Mr. Mackey asked how to proceed if not everyone can be included in the phone conference. It was decided the vote would be by quorum.

16. Confirm Next Meeting and Board Requested Topics

The next meeting will be on December 16, with a morning work session from 9:00 to 11:30 at the Veteran's Museum and the business meeting from 1:30 to 3:30 at the Lewis County Courthouse.

17. Adjourn

The meeting adjourned at 4:04 p.m.