

Chehalis River Basin Flood Authority

Business Meeting – 1:30 P.M.

Rochester Community Center
10140 Hwy 12 SW, Rochester, WA

May 17, 2012 - Meeting Notes

Board Members Present: Vickie Raines, City of Cosmopolis; John Henricksen, City of Chehalis; J. Vander Stoep, Town of Pe Ell; Lionel Pinn, City of Napavine; Edna Fund, City of Centralia; Ron Averill, Lewis County Commissioner; Terry Willis, Grays Harbor County Commissioner; Mark Swartout, Town of Bucoda; Dan Thompson, City of Oakville; Jim Cook, City of Aberdeen; Karen Valenzuela, Thurston County Commissioner; Ken Estes, City of Aberdeen

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from Work Session and Business Meeting April 19, 2012
- Draft Resolution 2012-1 for Governor Gregoire
- ESB 5127 Jobs Now Act
- ESB 5127 Project Descriptions
- H & H Modeling Work Plan

1. Call to Order

Chairman Raines called the meeting to order and self-introductions were made.

2. Approval of Agenda

Chairman Raines stated Items 4 and 5 would be moved down and an item would be inserted after Item 5. There was no objection and the agenda was approved with the change.

3. Approval of the Meeting Notes from April 19, 2012

Commissioner Averill made a motion to approve both sets of notes; Ms. Fund seconded. There was no objection and the meeting notes were approved.

6. Discussion on Potential Action on Resolution for Governor Gregoire

Ms. Fowler read a draft resolution recognizing Governor Gregoire for her time and energy in the work in the Basin. Mr. Cook made a motion to approve; Mr. Vander Stoep seconded.

Commissioner Averill stated this was a well-deserved recognition. Commissioner Valenzuela asked to amend the motion to have a place for just the Chair and Vice Chair's signature to expedite the resolution.

Ms. Fowler stated she is trying to get the governor to come to a meeting but it will depend on her schedule or the timing with a special event. The governor is working hard and still devoting attention to the Chehalis Basin.

The Chair asked if there were any other changes or discussion. Mr. Cook approved the amended motion. The motion was approved.

7. State Team Report/Update on Twin Cities Project – John Donahue

Mr. Donahue, speaking to the resolution for the governor, stated Mr. Nelson suggested to him that the Flood Authority meet at the Capital Campus at the Natural Resources Building. Governor Gregoire could stop in briefly and security would not be as much of an issue at that location.

Mr. Donahue stated the draft report of the Twin Cities close-out report should have been received by the Flood Authority and that it is in the process of being finalized. There will be a report on the engineering progress between when the project was authorized and when the work ceased, as well as the documents suspending the work. There were significant investments made in natural resources, hydrology and economics that go into the benefit cost analysis.

Mr. Donahue stated the report offers four options to move forward: terminate; general re-evaluation (start from scratch to see if there is another flood reduction project that makes economic sense); limited re-evaluation (does a piece provide a benefit cost); a combination of the above; restart (new restart project and move ahead on the limited evaluation).

The Army Corps of Engineers tried to document what they learned in the process and what the next steps would be if the project is started again. It allows new staff to come in. The report is still in draft form in various offices across the United States. Mr. Donahue's last understanding was that the report would be finalized in June. A confirmation of the cost benefit is expected.

Commissioner Averill stated he was disappointed in the information that has been collected and he found nothing that calls it a close-out report - it is more like a suspension report. There is no timeline where the Flood Authority could respond to these four options. More importantly, since this project started off as a flood reduction project and the citizens of Chehalis and Centralia have an interest in that, we should be a part of the decision process and sit down with the Corps after studying which options we prefer.

Mr. Donahue stated the State is trying to expedite the process for OFM. Once they have a final report he suspects a stakeholder process would be included; and, he would communicate the desire of Commissioner Averill back to OFM.

Commissioner Valenzuela stated it is now a Flood Authority issue so stakeholders should not be limited to Centralia and Chehalis. Commissioner Averill stated he did not care which communities were involved, and that the project initially included Grays Harbor County. His opinion was that after 16 years this report does not "cut the mustard".

Mr. Donahue stated there was no timeline provided because there is no funding. The work performed under this was from state dollars and they are used up.

Mr. Vander Stoep stated in the 1930s the Corps started working on Chehalis Basin flood control. If the Flood Authority stays with the Corps and their options it will still be here 90 years from now. If any options come to fruition it will be because state and local entities provide leadership. This has happened in other states where they produced a plan that the community did not accept and the communities have met the objective and Congress has directed the studies to be accepted. He asked

that the Flood Authority consider that it is not constrained by the four options that the Corps has laid out.

Mr. Donahue stated a conversation could provide better options. The information here is important but he is looking for the final report which will kick off another project.

Commissioner Valenzuela stated Keith Phillips said he and the state team might perform their own analysis. She asked if there is a plan to do that, to question the analysis. Mr. Donahue stated the state did question the contingencies. WSDOT does not do flooding but the numbers seem to be within the parameters of a project this size.

Note: John Donahue followed up on May 31st with the following information:

This is a follow up to the May 17 Flood Authority meeting, during which the Corps' Twin Cities project Close Out report was discussed. Since that meeting, the process for local review of that report, and how the state will receive comments, has been clarified.

The subject of the Twin Cities project, and the Close Out report in particular, will be on the agenda for discussion during the June 14 and 15 policy workshop sponsored by the Ruckelshaus Center. State agency staff, including Keith Phillips, will be in attendance during those discussions. With that in mind, we expect the current draft of the Close Out report will be a primary resource for the discussion, and that the June 14/15 workshop discussion about the Twin Cities project will be a key opportunity for communicating your concerns and suggestions about the project, including options presented in the close out report about the project going forward. Also, please note that the state is not planning on making any decision regarding the Twin Cities project outside of the ESHB 2020 Section 1033 process / report that Jim Kramer is leading.

You can also send written comments to me about the report by email or regular mail at the address below, and I will forward those to State Office of Financial Management (the official non-federal sponsor of the project) for their consideration. Please send any written comments by June 30.

A copy of the current draft of the Close Out report (aka "wrap up report") is posted on the flood authority website under the May 17 meeting materials.

8. Updates/Discussion – Lara Fowler

a. 2012 "Jobs Now" Package

ESB 5127 – Jobs Now Act – Implementation in the Chehalis River Basin

Ms. Fowler stated the Jobs Now Act is the same that was provided previously. There have been a number of follow-up discussions regarding the allocation of the \$5 million to fund jobs in the basin. Ms. Fowler has talked to Chairman Burnett, Mr. Warneke, Chairman Raines and Mr. Phillips to try to figure out what the parameters look like and distill down the basic assumptions. Distributed today was the draft implementation document. The assumptions are that the \$5 million will benefit areas throughout the basin; the projects should provide benefits and not create more problems, and the allotment of funds by OFM depends on the review and approval by the Chehalis River Basin Flood Authority and the Chehalis Tribe. Ms. Fowler talked with Keith Phillips and the funding is available now and must be spent by July 2013. The legislature may choose to extend the funding beyond that point; they may allow for

expenditures to be encumbered by that date or they may not. Mr. Phillips stated the goal is to get as many projects as possible on the ground and jobs created by that date.

Discussion included a 30-day review, creating a jobs tracking system to see how many jobs have been created, and how to involve the public for input. Ms. Fowler has emailed the Chehalis Tribe and is waiting for a response.

Mr. Nelson stated he would be glad to work with the Flood Authority and Mr. Phillips to make sure the fish window is met. Mr. Hueckel asked if there is a possibility for the fish window to be widened. Mr. Nelson stated yes, if it is needed, and the Flood Authority should get to Mr. Phillips sooner rather than later.

ESB 5127 Project Description

Mr. Hueckel stated this document describes what we know about the projects. An assignment from the chair due March 31 was to drill down the projects for which there were details and those are now on a matrix. Mr. Hueckel plugged these into the different subsections that looked like they fit the criteria.

Ms. Fowler stated that today the Authority would try to get a handle on who has a regulatory interest on any of these projects, who has information, and who reviews them.

Commissioner Averill stated the airport levee is owned by Lewis County and by the City of Chehalis. On the Adna project, the USACE did some investigation but the County does not have that initial information to see what their plan was. As soon as he gets it he will send it to Mr. Hueckel. The Adna levee is actually a railroad berm that belongs to Washington State Parks.

Commissioner Averill explained that numbers on the matrix are project numbers, not prioritization numbers.

Mr. Hueckel stated if the Authority gets a list of projects tied to the legislation it can get the attention of the regulatory agents and work with them to facilitate that process.

Commissioner Willis stated the Satsop property belongs to Washington Department of Fish and Wildlife.

Page 6, Subsection 3 – Modification to Sickman Ford Bridge – this information is being developed by the Chehalis Tribe.

Page 8 – Rain Gage – The Chehalis Tribe is working on this. It is most likely a river gage, not a rain gage.

Page 9 – Critter pads – What are the opportunities in all the counties? DOE is going to see if a programmatic environmental review under SEPA might be possible for the critter pads. The Conservation District is working on locations, design and regulatory processes.

Mr. Henricksen asked if these projects are measured against a "do no harm" gage. Commissioner Willis stated that question had been raised on the Sickman Ford Bridge and an H & H study was done in that area. The inundation study is completed and it shows very little impact downstream. Grays Harbor County wants community meetings so some impacts can be looked at closely.

Mr. Cook stated the critter pads are site specific. At the last meeting there was discussion about using existing fill at the site rather than bringing it in from somewhere else.

Page 10 – Up to \$500,000 for improvements to areas affected by the Satsop River. Is this a complete collection?

Ms. Fowler asked the Flood Authority to look at this and provide feedback. Mr. Hueckel stated the Project Committee would like direction to further this along.

Commissioner Willis stated there were 231 projects and the Project Committee honed them down. The matrix worked well and they will continue to do that. The Project Committee wants the Flood Authority to decide what to do next. There are three projects in Grays Harbor County that she has engineers and planning people looking at. The county is working with the tribe on the Sickman Ford Bridge. Is this a go?

Ms. Fowler stated we don't need every piece of this to approve. OFM is apparently willing to take it one project at a time.

Commissioner Averill stated the legislation does not set criteria about how the money will be disbursed. So far it has gone through Lewis County as the fiscal agent. There are some projects on this list that would go through the Flood Authority. If the critter pads are done as a soil district project, to send it to the Flood Authority is an added step. If a project is on the Satsop, should Lewis County handle the funding?

Mr. Henricksen stated the Project Committee needs to look at the projects to determine which projects are most likely to receive funding. Commissioner Averill stated the airport project could be done under Washington State Department of Transportation.

Mr. Vander Stoep asked if there are projects that could be done within the summer fish window. Commissioner Averill stated Lewis County is dealing with the Adna project by getting information from the Corps to determine what they can do. If it is cleaning channels and culverts it would not be very expensive. If it's building something the window could not be met.

Mr. Johnson reminded everyone that the projects have to have prioritization by the Flood Authority and the Tribe.

Ms. Fowler stated what needs to be done is: 1 - Check with the Tribe on the implementation and process; 2 – Look at the project description; 3 – Project Committee meets to think through implementation; 4 – Work closely with the Tribe to make sure they agree on projects.

Mr. Thompson asked if the description of projects for ESB 5127 had been sent to the tribe. Mr. Hueckel stated the project list will be refined at the next subcommittee meeting, bring it back to the Flood Authority and then schedule a meeting with the Tribe. Ms. Fund asked if there could be a phone conference rather than waiting for the next meeting.

b. H & H Modeling – Work Plan Update

Ms. Fowler stated WSE is working under a work plan. Mr. Karpack put together a report on what the work plan was, the work changes and where WSE is going; the first page includes an overall summary.

WSE has enough in its budget; they have been working with the model of the Twin Cities Project to get it to work and originally identified it would take some work but there was no line item so he is moving it around to accommodate that work. She asked that the Flood Authority give the Executive Committee permission to go through it and give the Flood Authority direction to approve it or not approve it. The Flood Authority agreed to have the Executive Committee review the revised worked plan.

c. Interlocal Agreement

Ms. Fowler stated all the jurisdictions have approved the Interlocal Agreement. She is still trying to track down some paperwork and will get complete copies to the jurisdictions.

d. Early Warning System – Updates, Potential Options for O & M

Ms. Fowler stated that currently the Flood Authority has funding from OFM to get the Early Warning System installed and calibrated, and that funding will end in June. She talked with Dr. Curtis about going forward and there are three tasks: 1 – Installation of remaining gages; 2 – Field calibration and testing of gages (July 2012 to June 2013); 3 – Website and system report.

The costs for the tasks are:

- 1 - \$ 9,331 (Already covered under OFM)
- 2 - \$ 38,438
- 3 – \$29,500 (Of this, \$9,999 was a one-time cost).

Per agreement with OFM, funding could be used for installation and calibration, but not on-going operations and maintenance. For the upcoming budget, the total of Task 2 and 3 equals \$67,938 and would not be covered going forward. Some possibilities to pay for this is divide unfunded costs between Flood Authority members (\$5,661 each); ask Washington Department of Transportation for a contribution and divide the rest between entities; split by population or percentages within the basin. Ms. Fowler asked if there are other alternatives.

Commissioner Averill stated Pe Ell and Bucoda would not be able to come up with the money. Distributing it out should be based on population, or where does the gage lie and who is responsible for it. Lewis County already has 10 USGS gages for which it is responsible.

Mr. Swartout asked about going to EMS. He approached Thurston County stormwater folks and the rain gages are beyond their capability; the stream gages may not be. The gages will require training and time availability as well.

Ms. Fowler stated she will close the loop further on EMS support. Maybe someone locally could help, not necessarily monetarily.

Mr. Estes stated some of the small cities don't have the population or the money. He suggested asking Washington State Department of Transportation. Ms. Fowler will continue to explore options and follow up with the Executive Committee on this topic.

9. Flood Authority Work Plan/Staffing (PowerPoint)

a. Potential options from Executive Committee

Ms. Fowler quickly reviewed the overall budget, and summarized it as follows:

- Expended to Date: \$932,000
- Remaining: \$440,500

She noted that for staffing, there are two periods of interest:

- Now through June 30, 2012
- From July 1, 2012 to June 30, 2013

She said there are number of questions related to staffing; I.e., what will happen after contracts run out in June? Ms. Fowler stated she will be leaving Washington this summer. What might the options look like after June? She noted that the Executive Committee had recommended that the \$10,000 left from Task 5 on the OFM report be utilized for coordination on the OFM report.

Commissioner Averill stated Task 8 (related to Flood Authority support in general) has not had the expenditures expected because the Flood Authority members decided not to have their travel expenses come out of its funding. The costs for next year will be similar to this year's to cover Lewis County expenses as fiscal agent.

Commissioner Valenzuela suggested taking the \$10,000 out of Task 5 to cover the rest of Ms. Fowler's time.

Staffing options were discussed.

Mr. Vander Stoep stated in July, August and September 2013 the Authority will be dealing with the report. Whatever projects are agreed to by the Flood Authority and the Tribe will be under way by September. Most of Ms. Fowler's work will be done and will not need to be replicated. Unless there are things we don't see now, by September and October this group may not to meet every month.

Mr. Thompson stated that concept was touched on in the Executive Committee meetings. We have \$5 million to spend and work should slow down a little as we get to spending and the work load will be about the same as it is now.

Mr. Swartout stated working with the legislature is not captured here. Should we authorize the Executive Committee to work with Ms. Fowler for options at the next meeting?

There were thumbs up for authorizing funding under Task 5 to meet staff needs through the end of June. Ms. Fowler then turned to potential staffing beyond the end of June.

There was some interest in the Ruckelshaus Center taking on a role. Mr. Kramer stated he had spoken to Ms. Fowler about this. If it was to be involved, the Ruckelshaus Center can support the Flood Authority from a neutral third party role. Funding for it needs to be cleared out. Mr. Kramer's work is contracted until the end of August and a grant program has been applied for to allow him to continue at least briefing people through the fall. Ruckelshaus does not want to be involved in providing a Flood Authority staff person and communicating the positions of the Flood Authority and others as they then could no longer remain neutral.

Ms. Fund asked if there could be a partnership with GTH staffing and Ruckelshaus. Mr. Kramer stated there would need to be a conclusion about what has to be done. The big strategy is to set funds for what the Flood Authority wants to see in the future and it needs a legislative interface.

Discussion continued as to a role by Cindy Zender or equivalent for the legislative side; Nancy Ligon for the administrative side; SBGH working through H & H modeling.

Commissioner Valenzuela asked the Board's opinion of the possibility of splitting up the roles. There was a thumbs' up in favor of that.

Mr. Vander Stoep stated there are two pieces to facilitation: Administrative (Nancy) and Facilitation (Ruckelshaus). Project supervision will involve both the Flood Authority and the Tribe. The project administration and engineering would be taken over from someone other than the facilitator. That could be a sub-contractor. For the legislative part, the governor's office will make a policy decision in August or September. From that the next legislature will decide something about flood control in the basin. Hopefully at that time the Authority would have projects to support basin-wide solutions. Then there is the role of advocacy, whether it is with Congress or the legislature or the local jurisdictions. That is different from the role of someone like Cindy Zender. All of these roles are something sub-contractors could do.

Commissioner Averill stated the piece not being addressed is if we wait until the legislature gives us guidance then nothing will be done in 2012. The purpose of the Flood Authority was to come up with basin-wide solutions. \$5 million is a pittance of what is required to handle flood mitigation in the basin. What project are we going to pursue and how will we go about it? We need policy decisions. Part of it is legislation but to convince all the powers that water retention is the way to go we have to start the implementation process.

Mr. Henricksen stated that everyone is saying option #2 (split the potential staffing roles into different assignments) is the most inviting. Consider this as the best alternative and develop that. Mr. Vander Stoep suggested project supervision and legislation/advocacy beneath facilitation/administration.

Commissioner Valenzuela suggested taking #2 with Lara's assistance and developing that into a recommendation for action at the June meeting. As soon as the Executive Committee has something in place the members will be contacted.

b. OFM/Flood Authority Contract

The outline of the work plan for 2012-2013 showed what is required each month to meet the OFM requirements.

4. Public Comment

There were no public comments.

5. Reports

c. Member Reports

Ms. Fund stated after speaking with the farmer this morning the Outreach/Education Committee may want to step up outreach so people are aware of resources. It was good that the morning session was video-taped. The same method could be used in the future. The cost was \$100.

Commissioner Willis reported that the Grays Harbor County Conservation District will have two outreach meetings the third week in June. The County Conservation District is working with the backing of the State Commission who has made Flood Authority activities a high priority.

11. Confirm Next Meeting Location

Mr. Thompson stated the City of Oakville would like to host the meeting in June. There will be no cost for the use of the building.

Commissioner Valenzuela asked for thoughts on other public meetings to discuss in June.

12. Adjourn

The meeting adjourned at 4:10 p.m.