

MEMORANDUM

Date: August 4, 2020
To: Chehalis Basin Board
From: Andrea McNamara Doyle, OCB Director
Re: Considerations for responding to Governor Inslee's letter on development of Chehalis Basin Strategy

This memorandum outlines some of the major issues the Board will need to consider in responding to Governor Inslee's July 22, 2020 letter (attached) on development of the Chehalis Basin Strategy. These issues include considerations for (1) Developing a Local Actions Program, including key milestones/decision points, potential program goals, potential program elements, and a range of topics where Board direction will be needed; (2) Evaluating the potential to avoid, minimize, and mitigate the identified impacts of the proposed flood retention facility; and (3) Making refinements to the Aquatic Species Restoration Plan (ASRP).

Key Milestones/Decision Points

Board direction and guidance will be necessary over the next 5-6 months to meet the following key milestones/decision points related to responding to the Governor's letter, 2021-23 biennium budget recommendations, and development of the Long-Term Strategy Assessment. These milestones are based on directives from the Governor's office and Legislature.

September 30, 2020

- Board-approved path forward for analyses of Local Actions Program and mitigation assessment for flood retention facility

Governor's letter from July 22, 2020 requests the Board work together to:

- *"Define a process and timeline for developing and evaluating a basin-wide non-dam alternative to reducing flood damage.*
- *Continue evaluating the issues raised regarding the retention project and other flood risk reduction projects and the potential to avoid, minimize, and mitigate the identified impacts.*
- *Deliver a consensus recommendation on the process back to me no later than the end of September 2020 that will lead to a long-term strategy for consideration by me and the legislature in the first quarter of 2021."*

Board Action Needed: By September 30, Board determines high-level approach for developing scope, budget, and schedule of Local Actions Program *and* flood retention facility mitigation evaluation.

December 2020

- 2021-23 biennium budget submissions due to Governor and Legislature

SHB 1154 (2019) requires: “(1) The OCB shall, based on the anticipation of completing the strategic plan with an implementation schedule, submit agency decision packages in preparation for the 2021-2023 fiscal biennium omnibus capital appropriations act, with a report of out-biennia detail, containing:

- a) A specific list of projects;*
- b) Project costs and suggested fund sources;*
- c) Location information; and*
- d) A time frame, including initiation and completion.”*

Board Action Needed: By December 2020, Board determines scope and budget required to advance detailed approach for development and evaluation of Local Actions Program *and* flood retention facility mitigation evaluation to include in capital budget recommendation for 2021-23 biennium.

January 1, 2021

- OCB report due to Legislature

SHB 1154 (2019) requires: “The OCB shall submit a report by January 1, 2021, to the legislature that meets the requirement of a finalized strategic plan containing an implementation schedule and quantified measures for evaluating the success of implementation, and the appropriate policy and fiscal committees of the legislature shall, within one hundred twenty days of the receipt, conduct a joint hearing for the purposes of: (1) Receiving a report from the OCB; and (2) considering potential funding strategies to achieve the implementation schedule.”

Board Action Needed: Depending on the process the Board establishes in response to the Governor’s letter, the Board will need to develop appropriate messaging/framing for the OCB report that will be provided to the Legislature by January 1, 2021.

Board Direction Needed on Development of Local Actions Program

At the June 4, 2020 Board meeting, you discussed potential goals and elements for a Local Actions Program. At the August 6, 2020 Board meeting, you will have an opportunity to build on that discussion by adding any refinements to the potential goals and identifying key features of the process requested by the Governor. Staff will use this information to develop process options for you to consider in preparing your response to the Governor by September 30, 2020.

The questions below highlight a range of issues staff anticipates Board direction will be needed to guide the process of developing a Local Actions Program. The process you adopt should ideally incorporate your preferences for addressing each of these questions:

1. What is the OCB's role and the Board's role in leading development of the Local Actions Program?
2. If there is disagreement on the technical approach or policy implications, how/who does the Board want to resolve those issues? Should a technical and/or policy group be created to guide processes?
3. What is the engagement approach with basin local governments, tribal communities, agricultural communities, environmental community, WA State Legislature, federal delegation, and other affected community members?
4. How can the Board build on readily available technical information and any newly generated technical information to achieve the key milestones/decision points above?
5. What is a reasonable timeframe for extending the previously identified schedule for completing the Long-Term Strategy Assessment?

Suggested Steps for Development of a Local Actions Program

The following steps provide a suggested approach the Board could choose to generate a scope, budget, and schedule for development of a Local Actions Program:

1. Define goals for flood damage reduction, e.g., by flood event (catastrophic, major, seasonal; mid- and late-century climate change predictions) and location within the Chehalis River Basin
2. Confirm elements of a local actions program (see below)
3. Identify and collect existing information
4. Identify what priority information gap(s) exist
5. Prepare options/recommendations for the scope, budget, and schedule for filling priority information gaps
6. Approve scope, budget, and schedule for filling priority information gaps

For each of these steps, it will be important for the Board to agree on the roles and responsibilities of Board Members, OCB Staff, and other participants in the process.

Potential Local Actions Program Goals

At the June 4, 2020 Board meeting, Board members were divided into three breakout groups to discuss potential goals for a Local Actions Program. Below are the two questions they considered and a high-level summary of responses.

1. How would you describe "success" of a non-dam alternative to flood-damage reduction in the Chehalis Basin?
 - An alternative that is comparable in cost or costs less than the flood retention facility, including associated costs like long-term maintenance and mitigation.

- To the extent possible, use non-structural actions, and if needed, smaller-scale structural actions to achieve flood damage reduction benefits that are comparable to the flood retention facility.
 - Flood damage reduction benefits that are basin-wide and comprehensive, including protecting structures in areas that do not currently flood given potential future flooding conditions and extents.
 - Measurable goals and targets that consider the unique flooding issues geographically across the basin.
 - Understanding the difference between regular (seasonal) flooding, major flooding, and catastrophic flooding so goals can be established around each type of flood event.
 - Determine the degree to which structures can be moved out of harm's way to achieve flood damage reduction for each of the various flood events.
 - Goals need to be consistent and compatible with the ASRP and acknowledge and address climate change impacts.
 - Metrics for success should consider how many people could be removed from the floodplain.
 - Metrics for success should consider the total ecological benefit of actions beyond flood damage reduction and aquatic species restoration, e.g., benefits to forestry, habitat connectivity, resiliency, and climate change.
 - Ensuring public safety and reducing damage to residential, agricultural, and commercial properties and infrastructure.
2. As you consider what outcomes are within the Board's control or sphere of influence, who else needs to be part of the conversation to achieve the desired success?
- Local governments
 - Residents
 - Agricultural communities
 - Federal delegation
 - WA State Legislature
 - Local interest groups
 - Chambers of Commerce
 - Outside experts not currently involved in the Chehalis Basin

Potential Local Actions Program Elements

The potential Local Action Program elements summarized below are based on (1) information from the memorandum from Natural Systems Design, Inc. and Northwest Hydraulic Consultants to the Quinalt Indian Nation regarding "Critical Review of Proposed Chehalis River Basin Flood Damage Reduction Project Draft SEPA EIS (Local Actions Alternative Technical Analyses Review)" submitted as part of the Nation's comments on the draft SEPA EIS, (2) other comments received on the draft SEPA EIS that specifically addressed the EIS' Local Action Alternative, and (3) comments from Board members at the June 4, 2020 meeting.

List of Potential Elements from “Local Actions Alternative Technical Analyses Review” Memorandum (see attached)

The list below of potential elements of a Local Actions Program is referenced directly from the Local Actions Alternative Technical Analysis Review memorandum prepared by Natural Systems Design, Inc. and Northwest Hydraulic Consultants, and submitted as part of the Quinault Indian Nation’s comments on the draft SEPA EIS.

“A viable Local Actions Program would include the elements listed below:

1. Develop more accurate flood models for entire Chehalis Basin with focus on sub-basins
2. Develop a comprehensive strategic plan for prioritizing local actions
3. Delineate erosion hazards through a comprehensive channel migration zone delineation of Chehalis and its tributaries. Develop recommendations of areas where bank protection is acceptable and guidelines on how it should be done.
4. Improve floodplain function with regards to temporarily storing floodwaters
5. Land use management actions
 - Encourage development outside flood and erosion hazard areas
 - Legislative actions to allow Cities and the Ports of Chehalis and Centralia to expand land holdings outside flood prone areas and restore flood prone lands
6. Local flood protection actions
 - Levee improvements
 - New floodwalls
 - Flood gates
 - Pumping stations
 - Raising structures
 - Relocation of infrastructure such as roads, water treatment facilities.
7. Floodplain agriculture ‘stay-in-place’ assistance tailored to address site-specific flood and erosion risks
8. Acquisition of flood-prone land
 - Establish & fund a land acquisition division within Office of Chehalis Basin
 - Monitor floodplain properties for sale
 - Quickly acquire land
 - Establish protocols for land ownership (e.g., land trust, state, county) and coordination with Aquatic Species Restoration Plan (ASRP)
9. Relocating people out of harm’s way
 - Establish and fund a hazard relocation division within Office of Chehalis Basin
 - Identify homes and businesses with flood and erosion hazard areas
 - Identify regional areas outside flood and erosion hazards well suited for relocation

- Agricultural areas (e.g. high terraces and prairie communities south of South Fork Newaukum, State Route 512 area, and Southern Lewis County have existing agriculture, area with potential to expand agriculture, and good transportation infrastructure).
- Residential areas (e.g., high ground with established infrastructure)
- Industrial areas (e.g., high terraces south of Newaukum River along I-5)
- Public outreach program to landowners
- Legislature actions to streamline land development associated with relocations out of flood and erosion risk areas.

10. Improving flood emergency response actions

11. Increase floodplain water storage along South Fork Chehalis River, Newaukum River, mainstem Chehalis River from Pe Ell to Centralia and other upper watershed sub-basins.

- This should be done in manner consistent with meeting goals of the ASRP.
- Increasing floodplain engagement in areas outside of the upper basins of the Chehalis watershed could benefit additional communities and should be considered.”

Other Potential Elements

The following other potential elements of a Local Actions Program were referenced in other comments received on the draft SEPA EIS that specifically addressed the EIS’s Local Action Alternative and comments from Board members at the June 4, 2020 meeting.

- 12. Evaluate contemporary forest practices
- 13. Protect I-5 transportation corridor
- 14. Others?

Flood Retention Facility

The Governor’s letter requested that the Board “work together to continue evaluating the issues raised regarding the retention project and other flood risk reduction projects and the potential to avoid, minimize, and mitigate the identified impacts.” Lewis County’s Chehalis River Basin Flood Control Zone District (Flood District) is assessing the actions needed to address the impacts of the flood retention facility. The Board will need to determine how it wants to be involved in evaluating the Flood District’s work, including the Draft Mitigation Opportunities Assessment being prepared by the Flood District’s consulting team (Kleinschmidt), and any additional analyses.

Aquatic Species Restoration Plan (ASRP)

The ASRP Steering Committee and Science Review Team are in the process of identifying potential refinements to the ASRP scenarios and results. They are also developing an implementation structure and sequencing approach. The Board will need to consider this additional information as part of the process you recommend to the Governor in response to his letter.

Breakout Session Questions for August 6 Meeting:

In order to help meet the September 30, 2020 and January 1, 2021 milestones described above, Board members will be divided into breakout rooms to discuss and report out on the questions below at the August 6, 2020 Board meeting. The Board will first be divided into breakout rooms to discuss questions 1 and 2 and then report out, and then be re-divided into breakout rooms to discuss questions 3 and 4 and then report out.

Breakout Session 1

1. Are there additions or refinements you would recommend to the potential list of goals and program elements of a Local Actions Program described above?
2. What are your thoughts on OCB's role and the Board's role in leading development of the Local Actions Program?

Breakout Session 2

3. What are your initial thoughts in response to the Governor's letter?
4. In developing the process requested by the Governor, what guidance do you want to provide to staff to develop options for your consideration?

Attachments: Governor Inslee July 22, 2020 Letter to Chehalis Basin Board
Local Actions Alternative Technical Analysis Review Memorandum