

MEMORANDUM

Date: September 28, 2020
To: Chehalis Basin Board
From: OCB Director Andrea McNamara Doyle
Re: Draft Board response to Governor Inslee's July 22, 2020 letter

Below is a draft letter from the Board to Governor Inslee for your consideration at the September 30, 2020 Board meeting. The Governor has requested your response by the end of September.

Dear Governor,

Thank you for your July 22, 2020 letter to those of us who serve on the Chehalis Basin Board. We appreciate your recognition of our work to “advance consensus-based, win-win solutions for flooding and fish in the Chehalis Basin.” You requested 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.*

This letter is our response to your request.

Background

As you know, the Chehalis Basin Strategy launched in 2010 to meet two of the Basin's greatest challenges—the precipitous decline of salmon and other aquatic species and the certainty that catastrophic flooding will once again devastate the Basin. If we don't act, \$3.5 billion in economic damage is predicted over the next 100-years without any changes in climate. When factoring in projected climate change, disaster will no longer be an isolated incident. Catastrophic (“100-year”) floods in the Basin will occur more frequently and at higher volumes by the latter part of this century, causing disastrous damage to families, communities, agriculture, and infrastructure. Salmon, whose existing habitat has already degraded to alarming levels, will find the temperature of their waters uninhabitable.

From the headwaters to the coast, and every community in between, the Chehalis Basin Board aspires to come together around a set of actions that meet the impacts of climate change head-on. Based on more than a decade of public engagement, scientific analysis, and collaboration with local leaders we see the need to employ a combination of natural and engineered solutions at every scale to build resilience across the Basin and implement a new path forward.

Our work to-date would not have been possible without your unwavering encouragement and bipartisan support in the legislature. Over the last several biennia, we have advanced the science and implemented numerous projects to improve conditions on the ground for people and fish. As we have found over the last ten years, protecting our communities and restoring the Basin's natural systems will require ongoing vigilance to evolve and adapt to everchanging social and natural conditions. The nature of these challenges does not allow for simple "silver bullet" solutions that solve problems once and for all. These challenges require ongoing efforts to improve conditions and make progress. We have attached a more illustrative background document that summarizes the progress we've achieved to date and the challenges ahead.

Our Objectives for the Next Phase of Work

This next six-months will be a critical period for our work in support of the Basin's human communities and natural ecosystems. In response to your request for our process we have defined the objectives that must be achieved before the end of March 2021.

We will determine the:

1. Potential for flood damage reduction through a comprehensive, basin wide approach that includes a Local Actions Program, Community Flood Assistance & Resilience (CFAR) program, local flood damage reduction projects, etc., with and without the proposed flood retention facility (dam), including estimated costs.
2. Potential to avoid, minimize, and/or mitigate aquatic habitat and species impacts of the proposed dam, including estimated costs.
3. Magnitude, priority and sequence of Aquatic Species Restoration Plan (ASRP) actions necessary to protect and restore freshwater habitat and the abundance and resilience of aquatic species, including estimated costs.

We plan to recommend:

1. Which actions are ready to be implemented as part of the long-term strategy.
2. Which actions need more evaluation before determining whether they should be implemented.
3. Which actions should not move forward.
4. Refinements to our 2021-2023 biennial capital budget recommendation.
5. Next steps and resources needed to advance the long-term strategy over the next 4-6 years.

We use the word “potential” in our determination above because it is not possible in a six-month timeframe to fully define and provide detailed recommendations on every action needed in explicit detail. We do believe we can conduct a thorough preliminary technical and policy level feasibility assessment of the potential results from the suite of actions.

Our Structure and Process

The Board takes full responsibility, with support from Office of Chehalis Basin (OCB) staff, for guiding this process over the next six months. There are three major elements for our near-term work plan:

1. Assessing the feasibility of a Local Actions Program for basin-wide flood damage reduction.
2. Evaluating work by the Chehalis River Basin Flood Control Zone District (Flood District) to avoid, minimize, and mitigate aquatic habitat and species impacts from the proposed dam.
3. Refining the ASRP and the more detailed strategy for its implementation.

Local Actions Program

In regard to the Local Actions Program, we will establish two advisory groups to provide us with constructive input from both a technical and policy implementation perspective. We have also agreed upon a set of measurable outcomes (attached) that will be used to focus development of options and evaluate the suite of actions in a Local Actions Program over the coming months.

The technical advisory group will review past efforts and propose potential new approaches for local-scale flood damage reduction actions; advise on the use of climate science and the potential expansion of the floodplain in the future; causes of flood damage basin-wide and in specific sub-basins; addressing erosion risks to property and structures; and potential opportunities for additional flood storage through restoring natural processes or new infrastructure. Technical experts will be invited to participate in the group from state agencies, tribes, local government, and private consulting firms.

An implementation advisory group will focus on the effects that implementing the potential elements of a local action program (including but not limited to floodproofing or relocating structures at risk, changes in land use management to prevent new at-risk development, and actions to increase the storage of flood waters through natural processes or new infrastructure) can have on existing local programs and policies. Policy and program experts will be invited to participate in the group from local governments, state agencies, tribes, conservation, environmental, agricultural, and business communities. Implementation advisory group members will also be asked to gather and share input from their constituent communities on the implications of implementing potential actions, including strengths and limitations.

Collectively, the two advisory groups will help us evaluate the types and magnitude of different actions necessary to achieve the measurable reductions in flood damage we've agreed upon, and determine the optimal combinations of actions to include with the long-term strategy.

Feasibility of Mitigating the Impacts of Proposed Dam

In regard to evaluating the Flood District's proposed dam, we will review the US Army Corps of Engineers Draft National Environmental Policy Act (NEPA) environmental impact statement (EIS) and how it compares to the impacts identified in Ecology's Draft State Environmental Policy Act (SEPA) EIS. We will consider the public comments provided on both the Draft SEPA and Draft NEPA EIS. The Flood District has also developed a draft *Aquatic and Terrestrial Mitigation Opportunities Assessment* (attached) of mitigation potential and is in the process of developing refinements to their proposal to avoid and minimize other types of impacts. We will review this information and solicit other technical perspectives.

Aquatic Species Restoration Plan

In regard to the ASRP, a draft plan was available for public review late last year through January of this year. We have a Steering Committee and Science Review Team currently working on addressing the public comments and assisting the Department of Fish and Wildlife in the on-going implementation of early reach-scale habitat restoration projects. They will propose refinements to the ASRP in the next several months regarding the long-term implementation structure, changes to the magnitude of protection and restoration needed, and priority and sequencing of implementation actions. This work is being completed with ongoing input and coordination with local conservation districts, the Chehalis Basin Lead Entity, and other key stakeholders.

Public Workshops

In addition to the input mentioned above from technical and policy experts, as well as stakeholders and tribes, we plan to conduct three public workshops:

- Oct – Nov 2020: we will present and receive input on the actions and analyses that will be considered for development of a Local Actions Program and feasibility of FRE mitigation.
- Nov 2020 – mid-Feb 2021: we will present and receive input on the initial conclusions of technical analyses and perspectives on implementation feasibility for Local Actions Program, retention facility mitigation, and ASRP.
- Mid-Feb – Mar 2021: we will present and receive input on the conclusions of technical analyses and implementation feasibility, and potential options for the long-term strategy for the Board's consideration.

In March, we will make our recommendations to you and the legislature to advance the Chehalis Basin Strategy over the coming years and provide more detailed recommendations for the 2021-23 biennium budget and work program.

Conclusion

In closing, we want to thank you again for your support and recognition that time is of the essence as climate change is already negatively impacting the basin. We have a challenging set of tasks over the next six months to utilize the best scientific evaluation of options and determine if we can reach a “consensus, win-win” agreement for advancing the Chehalis Basin Strategy. We are optimistic that with hard work and thoughtful deliberations by many, we can provide you and the legislature with the best strategy to protect our communities and restore habitat for our Basin’s cherished aquatic species.

Sincerely,

[Include e-signature of Board chair and list of Board members]

Attachments:

Chehalis Basin Strategy Background Document (September 2020)

Outcomes to guide evaluation of Local Actions Program (September 2020)

Flood Control Zone District Aquatic and Terrestrial Mitigation Opportunities Assessment (July 2020)