

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

**March 31, 2011 – 9:00 a.m.  
Meeting Notes**

**Board Members Present:** Jim Cook, City of Aberdeen; Julie Balmelli-Powe, City of Chehalis; Edna Fund, City of Centralia; Ron Schillinger, City of Montesano; Vickie Raines, City of Montesano; Chip Elliott, Town of Bucoda; Terry Willis, Grays Harbor County; Karen Valenzuela, Thurston County; Ron Averill, Lewis County

**Board Members Absent:** Andrea Fowler, Town of Bucoda; Dan Thompson, City of Oakville

**Consultants Present:** Pam Bissonnette, FCS Group; Spencer Easton and Bruce Mackey, ESA Adolfson

**Others Present:** Please see sign in sheet

**Handouts/Materials Used:**

- Agenda
- Transition Plan
- Draft Interlocal Agreement (ILA)
- Letter from Salmon and Steelhead Conservation Society
- Letter from One Voice
- Comments on Transition Plan from Lewis County
- Comments on Draft ILA from Lewis County

Chairman Willis called the meeting to order at 9:11 a.m. Self-introductions were made.

Mayor Schillinger announced he will be leaving the Flood Authority and Montesano's City Council voted to have Vickie Raines take his place. Both the mayor and the council have great confidence in Ms. Raines.

Commissioner Averill thanked Mayor Schillinger for his participation.

Ms. Fund asked to make some comments before starting the agenda. She stated she looked at the video from the Grays Harbor County workshop regarding its formation of a Flood Control Zone District (FCZD). She feels Lewis County is not seen as a partner but as a scapegoat and that it is not nature that is the issue but Lewis County and Lewis County needs to be controlled.

Ms. Fund stated the City of Centralia has met all 16 items on flood plain development. The city councilors viewed the video and they were surprised about the lack of education of what Lewis County is doing. It is not being represented as part of the team. She asked why the city of Centralia would want to form a multi-county FCZD if not everyone wants to work together and people think that Lewis County is not as up to date as other counties. Ms. Fund is also concerned about municipalities being represented on the board.

Chairman Willis stated the Flood Authority members that attended the workshop were not from outside Grays Harbor County. Conversations at other meetings were about dams, the Twin Cities project and building in the flood plain. Chairman Willis wanted this meeting to focus on a FCZD and what it could do for Grays Harbor County. About 30 people spoke and only one was in favor of a FCZD. These are the issues Chairman Willis struggles with daily. Were there comments made about Lewis County that were not factual? Opinions are not inappropriate.

Mr. Cook stated the people were misinformed, that the meeting was to discuss the creation of a FCZD in Grays Harbor County only and what the benefits would be. People in the audience were thinking all of the money was going to Lewis County. The meeting was not designed to address issues in other counties.

Chairman Willis stated she wanted the people to use their imagination. What would they want to see if the two big projects were out of the picture? They started to come up with some ideas for Grays Harbor County, such as gravel removal. Their main issue was: they are going to be taxed and their dollars will go to other counties even though the talk is about basin-wide issues.

Other comments were made and Chairman Willis defended her position that the meeting was not about Lewis County but what the benefits would be for forming a FCZD in Grays Harbor County.

Commissioner Valenzuela stated the same issues are in Thurston County. Her fellow commissioners are not inclined to form a FCZD. A lot of things have been said and a lot of them are not accurate. She has tried to clarify to the newspapers that she is not opposed to dams but wants to complete the investigations that precede the building of the dam and the paper continues to say differently.

Ms. Raines stated she received comments after the meeting relating to Ms. Fund's comments. The interpretation was that there was a need to form a FCZD to stop Lewis County's land use policies. She believed the interpretation was control – if the FCZD is created then Grays Harbor County can control what Lewis County does.

Chairman Willis stated she was trying to point out that there are steps to take to get to a solution and Grays Harbor County needs to concentrate on those steps in order to have a conversation that is basin-wide and the public did not want to do that. From a commissioner's standpoint, the idea was to have people tell her their issues; not her talking to them. She wanted feedback so she would know how to wrestle with this.

Commissioner Averill stated people opposed to something make strong statements that are not always accurate. In the past there were discussions about the importance of public outreach. The Chehalis River Basin Flood Authority's purpose is to ensure that flood control issues are implemented to protect lives and property.

Commissioner Averill stated he has pictures of the 2007 flood and he would like to show everyone what Lewis County had to deal with. All of Chehalis was a huge lake; there was \$900 million in damages; 1800 head of cattle were lost. Pe Ell was not able to use their water for 3 months; roads and bridges were washed out and one bridge still has not been replaced in that area. We are committed to solving the flooding problem and we will continue to have that as a #1 priority.

When there is that much water [as in 2007] the Mellen Street bridge restricts the flow and the water backs up there. Studies show that if that could be reduced the damages would be held back by existing levees plus the levees that are planned in the Corps project. The building that is complained about was done behind the levee. There is a lot of opposition to retention and the Flood Authority is looking at different types of retention. Lewis County could take out the Mellen St. bridge and [Lewis County] wouldn't have a problem. We need to work on mitigation and we can't do everything at once so we need to work on other projects that will benefit everyone.

Ms. Powe stated Pe Ell had 8' of water and they have not done any filling. Lewis County is not trying to control what each county does; it is trying to help everyone.

Commissioner Valenzuela stated the 2007 flood was unusual and it is right to depend on neighboring counties. Lewis County thinks dams will solve the problem yet it continues to place itself where the water is going to be. The flood plain is there for a function and building in it impairs its function.

Chairman Willis stated Ms. Powe's comments are the issues that she tried to address in the workshop. We have talked about solutions but we are still thinking dams and dikes. We need the constituents to say what they think will be beneficial.

Commissioner Averill stated he would not dispute building in the flood plain; a great deal of the building there was done many, many years ago and none has been done in recent years. The railroad and I-5 contribute to the flooding. We are not going to tear out what we already have; it needs to be protected.

Commissioner Valenzuela stated Lewis County has strong opposition to the levees.

Commissioner Averill stated Lewis County is not opposed to the levee projects. It is trying to get details on levee projects and concerns. When the original levee was built it included 11 miles on the east and west side of the Twin Cities and additional storage at the Skookumchuck Dam. That additional storage is essential because if the water does not spread into the cities it is forced to go through the chokepoint and more water will go down the river. The original study indicated 20,000 acre feet of additional storage on the Skookumchuck are needed to compensate for additional water. The Corps says only 11,000 acre feet are needed and if we want more then we have to pay for it. The Corps is looking at alternatives to the dam but they don't want to include the 11,000 acre feet because it is too expensive. But where will we put that 11,000 acre feet before it gets to the port? It will be too late for Thurston County and the Tribe. A dam above Pe Ell will give us more protection. On the other hand Twin Cities Project is still at 35% design, which is where it was in 2008.

Mr. Elliott stated in 2007 there was a lot of rain but what hurt Pe Ell were the landslides that backed up the river. People are not in favor of a dam and taxes but retention is necessary and a plan is needed to move ahead.

Commissioner Valenzuela stated she and Chairman Willis toured the Pe Ell area with Ms. Lee, visiting where the dam would go and looked at the bridge. Each story is interesting and brings home the point: why would the neighboring county keep doing what it has been doing if it is being harmed by it. Consider other ideas: a moratorium and regulating logging.

Mr. Penberth stated the SB 5265 legislation passed outlining a multi-county FCZD if formed. Only three people spoke on this bill; Mr. Penberth was opposed. The government entities are not in agreement on

it; people do not want to pay for flood control if there is no limit on what that means. Once the board is created and they throw a plan on the table and people vote for it, how much will it cost? A county can bail out but it still has to collect taxes for it. That will go on the landowner. It is socialistic for all taxpayers to pay for something that is not outlined. The word "retention" is used one time but there is no talk about fees levied on tax payers. Who represents the tax payers?

Chairman Willis stated she is planning another workshop. The citizens were starting to feel what a FCZD could do for them. The people who opposed it want to come back and have another discussion.

Mr. Cook stated Mr. Penberth pointed out mistakes but no solutions. He asked if there is another approach that should be taken.

Mr. Penberth stated the answer is to look at history. At the Mellen St. bridge there was an Indian village 18 feet down. We have to learn to live with the river – don't make it the bad guy. Slides have been coming down for years – don't make the timber industry the bad guy. Build around the river and stop building in the flood plain.

Chairman Willis asked what would be the best way for an organization to do that. How do we have a plan without legislation?

Mr. Penberth stated it has been pointed out that there is misinformation and untruths, outside influences, etc. If this was trying to solve the problems then all the players would be here. The Quinault Tribe was denied [a seat at the table]. The treaty with them supersedes anything you do. He regrets that this was not taken before the Chehalis Basin Partnership where all entities were at the table.

Ms. Powe stated part of the Flood Authority's mission was to protect commerce and transportation. In order to do that I-5 must be raised, or levees must be built or water must be retained. Residents can learn to live with the river but the Flood Authority was instructed to protect certain things.

Mr. Penberth asked what happens when all three mountain passes are blocked with snow. Are we going to build tunnels? There will always be interruptions to commerce. We have to learn to live with it.

Commissioner Averill stated that in 2008 the Flood Authority received a letter from the Oregon Trucking Association that stated they would sue the state, the counties and the Flood Authority because we were not taking measures to protect I-5. We stayed off that suit because we told them we were working on it. When do they determine that we are not making progress?

Ms. Mary Toole stated there are people disenfranchised about the Twin Cities project because they will be adversely affected by it. They will not come to anything that has to do with the Twin Cities project because it is a levee, and they don't want you to build in the flood plain. People want dredging done. What is more scientific about a levee or a dam? She would be willing to talk to people but they won't come because it won't affect them.

The Chair called for a recess at 10:44; the meeting reconvened at 11:04.

## **1. Transition Plan**

Chairman Willis stated she would like everyone to focus on the transition plan itself, not projects. Look at what the organization would look like, how it will be governed, etc.

Mr. Mackey stated after looking at the background the board will need to discuss the assumption to move forward. You will need to look at forming a new entity and end with things you need to do in the near term such as staffing, etc. Eventually everything will be addressed in the ILA.

Mr. Mackey went through the PowerPoint and stated he would take comments at the end.

Ms. Powe spoke to Background: Next Steps. She does not see that a body needs to be set up but agrees about taking steps in order to get things done.

Mr. Mackey stated in the original ILA the board specified it wanted to form a FCZD and you want to know the taxing structures, etc. Mr. Ghilarducci and Ms. Bissonnette are doing that. You need some kind of an agreement between the entities to move forward.

Ms. Powe asked for clarification: an agreement rather than an entity. Mr. Mackey stated a governance agreement is needed. The ILA will state how to allocate expenditures for capital projects and the language in the current legislation calls for a permanent structure.

Commissioner Averill stated we can move towards a governance structure but we will not form a multi-county FCZD by July 1. We don't have a basic agreement from several parties that they can provide input. At this point if we take the option that one county operates as a member the cities won't be represented in this type of agreement. He perceived that in July there will be a layered structure; one will act as a body to collaborate and identify the most immediate objectives and determine the funding needed and go back to the counties to raise money. This body is trying to set guidelines but at the will of the counties cooperating.

Mr. Mackey stated you are looking at putting together a structure whether or not you raise money. Are you sincere about putting together a permanent organization? It may not be fully formed but all entities are moving in a certain direction for a vehicle to receive money and to do positive things in the future.

Chairman Willis stated we need to form something – an agreement amongst the players that we will form something. The structure of the ILA will designate what it will look like at that point in time; it does not have to be totally fleshed out. We are trying to form a structure that does not flesh out but will form a group that will have those authorities.

Mr. Carter stated under the current capital budget he understands the appropriations are subject to conditions and limitations: \$1.32 million are for the Flood Authority to establish local flood control districts. We are talking about county agreements. Ms. Powe is right – you are to develop government agreements for funding and developing flood hazard mitigation throughout the basin. The idea is a local FCZD makes decisions to mitigate measures within its jurisdiction; it does not heed agreements with anyone else. Only if it is retention that goes beyond its jurisdiction is where the agreement comes in. Those beyond the jurisdiction of the local flood district needs a governance agreement for particular projects, not the continuing subsistence of some super structure. It is not talking about an agreement for three counties but establishing local FCZDs. Counties are not mentioned here. FCS Group talked to each board about a FCZD and last month there was discussion about including a storm water utility; now you are talking about counties. Things have become a moving target.

Mr. Mackey stated it was always known that Thurston County might not get there and that has not changed. There are reasons to have a FCZD in each county. The reason for a broader organization is for projects that cross boundaries, science, more data and major projects where a non-federal sponsor can look at alternatives. This will never solve all the things you can do in your own county. We need to make the distinction of a place for a big project if the money comes in.

Chairman Willis stated this is not just for projects. It could also cover the philosophy for the basin that we might not have individually. Legislation gave us the authority to do that; it's not just a project but how we treat the basin and we do it from one end to the other.

Mr. Carter stated the legislation does not talk about creating a single structure amongst the counties. It says develop a governance agreement to construct, operate and maintain and fund flood control measures. You don't have the deadline to form the governance structure by July 1.

Mr. Mackey stated it is clear to him that if the Flood Authority cannot make the deadline the next funding will not be there. He has been called by OFM and the House asking where you are with this. Mr. Phillips was clear that if you are not close to an agreement then this will not occur. It's up to the Flood Authority. It does not make sense to go forward unless you want to put that type of organization together.

Commissioner Averill stated last year's legislation stated this entity should be created by July 1 and a FCZD could be formed right away. He would like to continue with this but we need to have a phased structure that moves from where we were to where we are going to go. None of us are ready to say we will have a new FCZD interlocal that will state what we want it to be to eventually form a basin-wide district.

Commissioner Valenzuela stated the board agreed that it understood the goals and would do something to transition from the Flood Authority to whatever the new entity might be, given each county would form an individual FCZD. She felt the legislation was a moot point because the board should be focusing on an ILA to be in place by July 1 and a multi county FCZD would not be ready by July 1. Mr. Mackey is doing what we asked him to do.

Mr. Mackey stated you can't say exactly what it is going to be in the end. Is there good faith and intent to do this? He is hearing "yes".

Ms. Powe stated she agreed that everyone believed that was the intent; that we would come to another government: an entity that could tax. Each county needs a structure in charge and agreements need to be made that if a project comes up that crosses boundaries each county agrees to put in some money. Each county needs a governance agreement that we are working together for a project that requires everyone's cooperation.

Mr. Mackey stated that is what you are doing in going through the work that Mr. Ghilarducci and Ms. Bissonnette are doing in the ILA. If you do it that way it is done once; if you do it Ms. Powe's way you do it every time. You can have this document in place without a project. Ms. Powe stated we need staff.

Chairman Willis stated we do need staff and we have a transitional staff to get us to the projects you are talking about and there will be funding from the state.

Ms. Fund spoke about the staffing money: \$500 thousand for general staffing; \$145 thousand for FCS; this year's contract comes in at half a million. Why do we need to do all of this – why not reform the Flood Authority instead of spending the money to move this forward.

Commissioner Valenzuela stated if that was how Ms. Fund felt about spending the money it should have been discussed for the budget request. Some of that was conditioned on becoming a successor. We decided that was our end goal. Someone has to administer the fish studies, the hydraulic model studies and we're still talking about the entity we will eventually become. FCS can help us get there.

Mr. Mackey stated ESA put the budget together to justify what you asked the governor's office for; there is some flexibility.

Mr. Mackey suggested looking at the slides in the PowerPoint that talk about work projects, board members and public outreach, etc. Most of that is in the ILA that will be discussed at the afternoon meeting. Staffing can wait until later and you can look at how to proceed at that point.

## **2. Lunch break**

The meeting recessed at 12:00 and reconvened at 1:30 p.m.

Mr. Mackey went through the work priorities in the PowerPoint which included the interlocal district development, board members, public outreach and the capital plan. These will give the board ideas in the process of transitioning to a new entity.

## **3. Draft Interlocal Agreement**

Ms. Bissonnette explained that FCS Group was hired to help the Flood Authority accomplish several things:

- A. Form a multi county FCZD that would be capable of taking on a local sponsorship for the Corps project and that requires a funding commitment. It assumes that the project is bigger than any other entity can handle on its own.
- B. Coordinate an approach to flood management in the basin.
- C. Respond to state direction and continued funding partnership.
- D. Help the Flood Authority resolve catastrophic flooding damages to your citizens.

Commissioner Averill stated the state put up the bonding for most of the local match. There was concern in talking about the Corps project that the tax payers would have to raise \$100 million. That is not going to happen. There may be some need to provide additional funding for the Corps project but the main expense will be the operations and maintenance.

Ms. Bissonnette stated whatever the funding commitment is for it is bigger than any one county. You wanted a coordinated approach to flood management that is responsive to state direction and to resolve catastrophic flooding damages. This is what FCS Group understood its work to be.

This morning she heard that the Flood Authority does not have a project to agree upon, or it is unknown. There is no way to resolve that because the studies aren't done. Perhaps you could agree

on a protection level to which any or all projects would be designed - a 100-year storm, for example. Whether it takes 5 or 30 years that is the level of protection that can be anticipated. You could widen the list of types of projects for consideration to include levees, dams, restoration, gravel removal, home elevations, buy-outs and non-structural means. You can put these together over time that will ultimately achieve the level of protection that you want. You could use your staffing over the next two years to develop the project list, do the scientific studies, work with the Corps and put it to a public vote.

Ms. Bissonnette also heard that the ILA goes too far. It was designed so the Flood Authority and the public would understand the nature of the relationship you are getting into. It was designed to easily transition the new structure under the new legislation, if desired. It was a place to record "promises" to each other and to the public on things such as votes on a capital plan, board members, taxes and rates. It could reduce or delay some pieces for two years (bonding, allocations) but would need to be negotiated at that time. It could sunset the ILA if certain key objectives were not fulfilled, such as state or federal funding commitments or unsuccessful public votes.

The counties versus the FCZD as initial members is not a legal issue. It is a means to continue to make progress should you desire to show progress.

Not all counties need to sign, but at least two counties must sign to form an ILA and that could be the first of the agreements referenced this morning. The ILA might leave the door open for the Tribe to return; and you could do at least one agreement by July 1 if two parties are willing.

Ms. Bissonnette stated options today could be to have several comments resulting from the last draft go through, or Flood Authority members could make proposals to change, reduce or eliminate sections of the ILA.

Ms. Fund stated the group did not finish the transition planning; it did not discuss budget. This is the money we have to spend. Policy makers will adjust the amount to spend depending on the circumstances.

Ms. Powe read a statement. It is the City of Chehalis' opinion that there is no point talking about an ILA or transition plan if we do not agree. The plan is a way to continue a bureaucracy; it is not a plan for flood control. We need to concentrate on a solution rather than setting up staff. The City does not believe the plan comes close to the legislation for providing for the flooding issue. We are spending money that is not leading to a decision. Ms. Powe did not believe editing [the ILA] was a good way to spend time. She wanted to see work done on a cooperative agenda to solve the flooding, protect communities and commerce. To go on to the ILA before the transition plan is discussed is putting the cart before the horse.

Chairman Willis stated until we discuss the ILA we can't form an agreement. We need to know what the issues are. We can't get to a project until this is done. We need the ILA and if this is not the document then what will it look like?

Ms. Powe stated the goal was to set up a FCZD and we aren't there yet. She cannot agree to something unless she knows who she is agreeing with. Who are the players?

Commissioner Averill stated that last September we thought we would make more progress. It is clear we are not there. It is also clear that the initial ILA does not mirror the legislation to form a district. We



can do some type of interim organization that is not going to be able to do all the things originally projected and the decision-making body will need to come up with the money. That would be the three county's commissioners unless the cities chip in. Whatever this body does eventually to make progress will come back to the county commissioners. Will they agree to provide funding? Right now we have one project that costs money handled by the governor's office; it has nothing to do with the Flood Authority. There is no project currently that we are faced with funding, only studies that lead to something that we might be able to do in the future. We are not under any pressure to decide what project we will end up with on July 1 or later and certainly not for funding. We need to establish an organization that points to transitions. It might look like what is proposed or there may be changes. We need to recognize we aren't there and we need something to lead on with. If money is involved it will eventually come back to the counties.

Ms. Raines understood that the three county's commissioners could enter into an ILA without establishing a FCZD in their own county. A resolution is not needed to enter into an ILA so why are the rest of us here? She did not think it is appropriate to raise funds without a public vote. If you establish a hospital district there is a plan for a hospital. We don't have a plan. Going back to Ms. Fund's comment and the control issue – what is the intent at your level for the ILA? It was Ms. Raines' opinion that it is not appropriate to control Lewis County; we have to partner. She does not care who gets the money if hydro comes with a dam as long as it keeps flood waters out of her community. She wants to work with Thurston and Lewis Counties.

Ms. Raines does not agree that a FCZD is able to tax without taking a vote. She does not agree with the transition plan that states Grays Harbor County would have to put in 53% of the money. She stated that if a dam is the answer to the flooding she is all for it, regardless of who might make money from it. The fish study needs to be completed and she hopes that after spending \$9.5 million we can go back to the governor and tell her we have a plan.

Chairman Willis explained why Grays Harbor County would pay the 53%. In drawing the FCZD proposed boundary, because of the WRIA sizes, it turns out that Grays Harbor County has the most population within the district and also the highest dollar amount of valuation. It is still not known if Westport or Ocean Shores should be in or not (they are in the WRIA). If they are not the numbers would be lower.

Chairman Willis stated she is trying to get to the next step so Grays Harbor County can stay in the process and create some type of mechanism to get us to where the legislation asked us to go.

Commissioner Valenzuela stated we do not agree about what we are to do as stated in the legislation. The main attempt is to make a decision about what happens on July 1 that allows us to continue our work. If people don't want to do that they don't have to show up. If you do want to, figure out how to do it. Given that the budget proposal assumes we will continue what we are doing, if we cannot make progress by June 30 what happens to the budget request?

Mr. Mackey stated the current budget could form some entity. The current legislation gives you more time for studies and a capital plan but the legislation is clear that if the Flood Authority does not speak with a unified voice to move forward the plan will go away.

Commissioner Averill stated it was always the intent that the Flood Authority was an interim body. In 2008 there was talk of taking a flood district to the voters but legislation was needed and ESA suggested

going with a FCZD. A flood district would have to have a project and have it voted on by the public. There is more flexibility with a FCZD.

Mr. Mackey stated that while the counties enter into an ILA to create a permanent body, the ILA language would say who will have a vote. What you want to work on and how you spend the money needs to be decided before signing the ILA. If you can't agree on that then we can't agree that the county commissioners should sign it. You can negotiate the roles of everyone and what you commit to or don't commit to. This group could do only specific things. Do you want an entity that works across county lines, plans across county lines and votes? If you decide on those you can put together an ILA.

Mr. Plotz asked if no entity exists but the budget still passes would the fish study continue.

Commissioner Valenzuela stated that unless we can demonstrate that we have made some progress for an organization the budget request would go down. There needs to be a transition plan. Even though it would be allowed under statute for the FCZD to do things without a vote she would not do that.

Commissioner Averill explained to new people attending the meeting that under the new legislation there are three ways to get money: property tax which has to be equal for everyone and can only be a maximum of fifty cents on \$1000 of assessed valuation. There is a rate and there is an assessment. If we were to bond we would have to put up assessments to pay back the bond; that is based on different values which are based on benefit. The FCZD would need to deal with that.

Ms. Bissonnette stated rates can be levied like storm water rates based on impervious surfaces; they do not have to be equal, and they can be levied by a city.

Ms. Powe stated it goes back to mistrust. The counties have to come up with the money. The citizens and the cities is where the control and votes come from. The counties can form a district. The legislation does not say the Flood Authority will no longer function. As a flood authority the cities should have a vote whether or not the counties sign the agreement. The county commissioners don't always represent the cities even if they think they are doing what is best. If Grays Harbor County can't convince its citizens they need a FCZD how will we get the money? They won't agree to be taxed.

Mr. Elliott asked if the group could get a legal opinion about the appropriations in the legislation.

Mr. J Vander Stoep stated there is a false premise that the Flood Authority is required to form a different organization. That is not what the budget says. You are to develop a governance agreement. It could be that the Flood Authority would carry forward or work with any FCZD already in existence. Saying that the legislation required this change is not true. The proof is in the governor's current budget that says \$1.3 million is provided solely for the Flood Authority to do certain things by July 1. If the members of this committee don't want to change the organization the money does not disappear under the capital budget.

Mr. Mackey stated the legislation can be interpreted that way. The signed ILA was clear that the Flood Authority was to form a permanent entity as soon as practicable. Legislation is looking for a permanent organization to work on flooding issues over time. It is true that the Flood Authority does not have to go away but the legislation is looking for projects and if they don't get them it will be hesitant to fund the Flood Authority.

Mr. Vander Stoep stated there has not been enough time spent on the development operation of flood hazard mitigation measures.

Mr. Mackey stated the sole purpose was to give money to the Flood Authority to establish local flood districts. He read the statute. Do you want to have an organization that looks at long term projects and undertakes the capital plan that the legislation asks.

Commissioner Valenzuela stated the legislation refers to local flood organizations. Each county will do something and if you pair that with 5266 allowing for multi-county FCZDs then you have a different interpretation. This Flood Authority is not a legal organization; we are here by agreement. We talked about how to transition to something that has more permanence.

Commissioner Averill stated the current interlocal agreement that formed the Flood Authority is not a municipal corporation; it cannot collect taxes, cannot get a bond, etc. Without a structure to form a municipal organization the decisions will fall back to the counties.

Mr. Mackey stated the purpose of the Flood Authority was to oversee flood reduction until a permanent entity was formed and achieve a basin-wide FCZD.

Mr. Cook stated it appears it is not practical because of misinformation. We thought we were under a deadline and now we hear we have time after June 30. It is difficult to understand where we are today.

Commissioner Averill stated we negotiated through the legislation from last year. There was a sentiment then that the Flood Authority should go away and we should form a permanent body. This is new legislation – this is what we have to operate under now. The language has changed and perhaps gives us some wiggle room.

Mr. Carter stated the legislation for this year refers to the Chehalis River Basin Flood Authority and has money for those purposes. He does not know why there needs to be a change in the organization. The Flood Authority can be appropriated the money. That has already been stated.

Discussion followed regarding taxes and voting, adjusting the money allocated to the facilitators, spending the money on projects and talking to constituents.

Chairman Willis asked if we stay with the Flood Authority and it is not a municipal corporation, how would we proceed to get to projects if there is no mechanism to raise the funds.

Commissioner Averill asked if we have to raise funds. The West study is funded out of the appropriation. Chairman Willis was thinking five years down the road. How would the Sigmund Ford bridge be funded? Commissioner Averill stated that would be in the county road budget. Chairman Willis stated as a multi-jurisdictional entity there are “x” amount of projects that we want to address. If we stay with the Flood Authority we can’t raise the funds. How would we do the list of projects?

Ms. Powe stated the project would be discussed depending on the members that benefit. When you talk about how much each county will contribute it depends on the benefit.

Mr. Treichler stated if this is set up so there are county projects he does not want to pay money for those. He expected this entity would put together a list of projects and work its way through the

projects using best available science and everyone would pay – those who contribute and those who benefit, but equitably for all taxpayers throughout the basin. He stated this has been a very disappointing discussion. The only way to have a long-term effect is through a joint effort. Raise the funds for a project; he does not want to raise money for more studies.

Ms. Fund stated Chairman Willis' constituents do not want to spend any money in Lewis County. Chairman Willis stated that is why she asked how we get to the projects and get permission. She thought there would be a list of things done throughout the basin. The only way to look at the new entity is to look basin-wide because the benefit would be better if we collaborate and it has nothing to do with single jurisdictions but with the whole basin.

Mr. Mackey stated the reason for a multi-county entity is so you can figure out what projects will be done. You have to have some need to take to the people for a vote and you have to have a mechanism to do that. The Flood Authority cannot raise money. Ms. Powe stated the Flood Authority can do the plan. Mr. Mackey stated there is no staff to do that.

Ms. Bissonnette stated the group can walk away without an agreement. We need to talk about how to approach the next series of public meetings. There is nothing to tell the public so she suggested not holding public meetings.

Commissioner Averill requested time at the April meeting to put to bed the issue of Lewis County building in the flood plain. He has pictures and maps of where and when the construction took place – it has not happened in the last 8 years.

Ms. Fund would like the public to be educated and put the rumors to rest. She wants scientific knowledge and it needs to be passed on to the constituents.

Mr. Mackey agreed but stated being reactionary putting out fires and educating people can take all your energy. Mr. Treichler challenged you to be pro-active. Put out a vision with some principles (promise not to tax without doing your homework) that you can sell to the constituents. Mr. Mackey has been requested to go back to Mr. Phillips with a report and he will find it difficult to know what to tell him.

Chairman Willis asked the Board what the message was that Mr. Mackey could take back.

Commissioner Averill stated Lewis County's perspective is that this body is not at a point that a basin-wide district can be formed. The next entity will not have any more authority than this one because no one is willing to form a municipal corporation. There are a number of issues in the ILA. We want to create the organization but we are caught up with the model we have been provided and we need to argue those out. The best thing is to provide another interim organization before reaching the municipal corporation.

Commissioner Valenzuela stated we have shared our principles, Lewis County has formed a FCZD and Thurston County can use its storm water utility. She believes the group is doing what it needs to do to form an interim organization.

Chairman Willis stated she would like to see Grays Harbor County move forward to an agreement with others in the basin to come up with solutions but put those solutions out for a vote. The Flood Authority is the catalyst to get us to the bigger basin-wide organization. The agreement could be much simpler in

the beginning, basing it on philosophy, goals to reach, and not drawn out to the exact dollar. If a bigger project comes up it goes out to the public.

Ms. Raines stated the MOU has defined the group and how it is going to be supportive of one another. An MOU by all of those involved would create an ILA and would provide the construction of an entity and direction. The priorities must be outlined. We need to understand what the arrangement means to each of us and agree on how to spend the money.

Mr. Cook stated the Flood Authority needs a philosophical statement and a mission statement. That would make it easier to engage the public.

Ms. Raines would like to see more support of Grays Harbor County and Lewis County working together, eliminating the tri-county FCZD and using a regional or basin-wide group. It would be less territorial and would show communication of all involved.

Ms. Bissonnette stated the next regular meeting is April 21. She tentatively planned a meeting for April 28 and then a couple more in May. If there is nothing to present perhaps the meetings should be canceled until further notice.

Mr. Elliott agreed with Ms. Raines: there needs to be a plan to be voted on by the public.

Chairman Willis stated we need to build a mechanism that will have outcomes effective 10-20 years from now. To form this other organization we need to answer the question: What do we want the basin to look like 20 years from now?

Ms. Powe stated all of us need to go back to our councils and commissions and say something based on fact. We can't go forward until everyone knows the facts. We all want a solution but right now we need full cooperation and larger representation in the basin.

Mr. Mackey wanted to clarify some issues. There is confusion about who is signing the agreement and who has a voice. All the jurisdictions have a voice. The counties and jurisdictions can have a strong advisory committee. Who do you want to have a vote and how do you want the organization to work? What matters is what you put into the ILA, such as a vote before taxes and how you want the cities to be represented. The fact that it gets formed by an ILA is irrelevant.

Ms. Bissonnette asked what the group wanted FCS Group to bring back to the next meeting. It could go back through the ILA but she is not sure what everyone wants. What agreement would the group want to show to the governor's office?

Ms. Powe stated without the trust factor it's huge as to who signs that agreement. Mr. Mackey stated you can put anything in it that you want.

Ms. Fund asked why we need another interim entity. We have the Flood Authority and the legislation states that the funding goes to the Flood Authority. The cities have 7 representatives; the counties have three – why do we need an interim? The ILA is next – we're passing the buck to another entity. As a Flood Authority we have to engage in good public relations and start working together. The ILA does not do it. She wanted Mr. Mackey to tell the Representatives that we are taking this seriously and that

we all want something to happen. We are having second thoughts and want to make the best decision possible and are not sure the ILA will do it.

Chairman Willis would like a presentation at the next meeting regarding the white paper from Mr. Larry Karpack and to look at the flood plain maps. She thought another workshop would be necessary to go over the ILA and how to proceed with that.

Commissioner Averill asked if an ILA is needed. We are looking at creating an organization that is basin-wide and we thought we were compelled to get rid of the Flood Authority to get to an interim body. There are items Lewis County wants to talk about in the ILA. He would rather operate as a Flood Authority and work at forming a basin-wide district than have something that is threatening to take tax monies. That is premature.

Dr. Hendrickson stated the trust factor has hampered the Authority for three years. This is a small step to get to that level because the next step is really important and unless there is trust established citizens feel there is a hidden agenda in the room. The fill issue has to be put to rest.

Ms. Powe stated Commissioner Valenzuela stated the victims of flooding brought it on themselves. If that is the attitude it needs to be put on the table and she has to hear it and agree or disagree.

Discussion followed regarding April's meeting, scheduled for the 21st. It was determined that there would be a brief business meeting to approve the meeting notes and read the budget followed by an all-day work session. The mapping and hydrology reports would be first and then go into other issues not resolved today. The meeting is tentatively scheduled for the Veterans' Memorial Museum starting at 9:00 a.m.

The meeting adjourned at 3:53 p.m.