

**FINAL**  
**Meeting Summary**  
**WRIA 54 - Lower Spokane River Watershed**  
**April 22, 2009**

**Location:** Airway Heights Community Center, Airway Heights, WA.

**Planning Unit members and guests in attendance / recorded on the sign-in sheet were:**

Mike Hermanson, Spokane County	Sara Hunt, WA State Dept. of Ecology
Rob Lindsay, Spokane County	Lloyd Brewer, City of Spokane
Dick Price, Stevens County PUD#1	Larry Guenther, Stevens County Commissioner
Brian Crossley, Spokane Tribe	Courtney Harder, Lincoln County
Cindy Reddekopp, City of Airway Heights	Bryan St. Clair, City of Airway Heights
Hank Nelson, Avista	Charlie Kessler, Stevens County Conservation District
Mike McCollum, EWU Geologist	Dave Jones, Spokane County Planning Commission
Cynthia Carlstad, TetraTech	Charlie Peterson, Spokane County Conservation District
Bryony Stasney, Golder Associates Inc.	Craig Volosing, Landowner and Palisades Neighborhood
Linda Kiefer, Stevens County Watershed Planning	
David Luders, Fairchild Airforce Base and Indian Village Estates Water Assoc.	
Jeanne Barnes, Spokane Association of Realtors and Lake Spokane Park Homeowners Association	

**Call to Order**

Bryony opened the meeting at 9:00 am. Attendees introduced themselves. Bryony requested that each attendee complete the sign-in sheet.

**Review and Approve March 2009 Meeting Summary**

The draft March 25, 2009 WRIA 54 Planning Unit meeting summary was reviewed and approved with the following changes: 1) update project website to <http://www.spokanecounty.org/wqmp/project54/asp/home.asp>; 2) page 1, remove Dick Price from the attendance list since Dick noted that he did not attend the meeting; 3) page 4, item #9, replace Stevens County Water Conservancy Board with Stevens County Farm Bureau; and, 4) page 4, item #13, edit the first item in the bulleted list to read, "Eliminate septic tanks and replace them with a sewer system in the Lake Spokane UGA. Planning Unit agreed to add as an action to consider (in the WQ section – Chapter 10) and to make the action general across the watershed (i.e., not only specific to the Lake Spokane UGA)." The final summary will be posted on Spokane County's web site at <http://www.spokanecounty.org/wqmp/project54/asp/home.asp>.

**Public Comment**

- Bryony noted that the project web link is <http://www.spokanecounty.org/wqmp/project54/asp/home.asp>.
- Bryony noted that the 7<sup>th</sup> Annual Washington Hydrogeology Symposium will be held in Tacoma on April 28 through April 30. Bryony will be presenting on the Chamokane Aquifers on April 28.
- Mike McCollum noted that there will be a talk on May 12 at Eastern Washington University and field trip to the West Plains on Saturday May 16 hosted by the Ice Age Floods Institute. There is additional information on these events at the Ice Age Floods Institute website.

**Discuss April 2009 draft final WRIA 54 Watershed Plan – Cynthia Carlstad, TetraTech**

Cynthia Carlstad reviewed the development of the draft final WRIA 54 Watershed Plan:

- Public Review Draft WRIA 54 Watershed Plan released in January 2009 with a 45-day public comment period ending on March 11, 2009.
- Cynthia compiled comments received and emailed the response-to-comment log to the WRIA 54 Planning Unit members and email list.
- Cynthia worked through the issues needing immediate discussion with the Planning Unit at the March 25, 2009 Planning Unit meeting. A record of these items and the decisions agreed to by the Planning

- Unit is included in the March 25, 2009 meeting summary.
- Cynthia reviewed the major decisions made at the March 25, 2009 meeting that resulted in changes / additions of recommendations and obligations:
    - Request for the following suggestions under WFN-4 be elevated to recommendation:
      - WRIA 54 Planning Unit, Ecology, Counties, and Stevens, Spokane and Lincoln County Water Conservancy Boards should explore water rights trusts, banking, water leasing and acquisition as potential solutions to limited availability of new water rights in WRIA 54. **Planning Unit agreed to elevate to a recommendation. Stevens County agreed to take the lead. Spokane County and Lincoln County and Stevens County Water Conservancy Board will be added as supporting entities.**
      - The state Legislature should amend current law to allow water banking throughout the state. **Planning Unit agreed to elevate to a recommendation.**
    - WRA-7: Planning Unit will review, discuss and develop improvements to the relinquishment law. **Planning Unit agreed to add this as a new recommendation with Stevens County Farm Bureau (represented at the March 2009 meeting by Wes McCart) as the lead.**
    - Ecology shall keep the planning unit updated on all TMDL and clean up plans within WRIA 54. **Planning Unit and Sara Hunt (Ecology) agreed to add as an obligation for Ecology (to the Water Quality section).**
  - On April 3, the consultant team posted a mark-up draft of the public review draft watershed plan – incorporating the changes agreed to at the March 25 meeting - on Spokane County’s web site for review by the Planning Unit.
  - The consultant team posted the clean and complete (no track changes) draft watershed plan incorporating the March changes on the website on April 7.

Those present confirmed that they had reviewed the clean and complete copy of the plan. Dick Price said that the consultant team had done a great job.

Lloyd Brewer said that he had provided the document incorporating the March changes to the Spokane City Council and Public Works Committee and that Council / Public Works had some concerns still to discuss. Council deferred discussion to a May 7 study session and May 11 Council meeting. Lloyd asked to move the next Planning Unit meeting to the last Wednesday in May (May 27) and to allow Lloyd not to vote today and instead to cast two votes on behalf of the City at the May 27 Planning Unit meeting, assuming that the City approves the Plan by that time. This will give the Spokane City Council and Public Works Committee time to work through their concerns.

Brian St Clair noted that the City of Airway Heights also has some concerns and he would abstain from voting today. Brian said that he would be working with and educating the City of Airway Heights about the WRIA 54 Watershed Plan over the next few weeks and expected the City of Airway Heights to be ready to make a decision by the May 27 meeting.

Sara Hunt asked if it would be helpful for other Planning Unit members to attend the City of Spokane and City of Airway Heights meetings. Brian and Lloyd both said yes. Rob Lindsay said that Spokane staff could attend to explain the process and list those involved. Brian said that he would inform Rob of the best meetings for Spokane County to attend. Lloyd suggested that Planning Unit members attend the 3:30 pm May 7 study session and 6 pm May 11 Council meeting (both in the basement of City Hall at 808 West Spokane Blvd).

Mike Hermanson said that grant funds to continue the WRIA 54 Phase 3 planning process are limited. Sara noted that Phase 4 funds would not be received until the Plan is approved.

Cynthia reviewed the two-meeting approval process for the Plan in the Planning Unit’s operating procedures.

Bryony confirmed that consensus of all governmental planning unit members is needed for Plan approval. After discussion, the Planning Unit confirmed that they would like to have the first approval of the Plan at today's meeting and schedule the second approval for the May 27 Planning Unit meeting. The Planning Unit felt that having the first approval today would send a strong message of support for the Plan to the Cities of Spokane and Airway Heights.

### **Call for Approval of draft final WRIA 54 Watershed Plan**

Bryony called for approval of the draft final WRIA 54 Watershed Plan. Those in attendance made their first approval of the draft final WRIA 54 Watershed Plan with the exception of Lloyd Brewer (representing the City of Spokane) and Cindy Reddekopp (representing the City of Airway Heights) who both deferred their first approval to the next Planning Unit meeting, seeking approval from their elected officials and with the intention of casting their first and second approvals at the next Planning Unit meeting. The meeting for second approval of the draft final WRIA 54 Watershed Plan is currently scheduled for Wednesday May 27, at the Lakeside High School library, starting at 6 pm.

### **Discuss Watershed Plan Implementation**

Cynthia noted that once the Watershed Plan is approved, the Planning Unit will be eligible for state funding of up to \$100,000 per year for three years and up to \$50,000 for the next two years with 10% match required. Rob said that Spokane County applies \$15 per hour for every volunteer involved in WRIA 55/57 implementation as match and that this essentially covers the match requirement.

Per the implementation chapter (Chapter 13) of the Watershed Plan, the Planning Unit will need to complete the following during implementation:

- Decide on and work towards implementing a governing structure for the Planning Unit;
- Revise the current MOA to guide the Planning Unit during implementation;
- Provide more detail on priorities, funding and schedules for implementation recommendations and obligations that are listed in the implementation matrix;
- Complete a Detailed Implementation Plan (DIP) during the first year of Phase IV Implementation per The Watershed Planning Act (RCW 90.82.043 and 048).

#### *RCW 90.82.043:*

*(1) Within one year of accepting funding ...the planning unit must complete a detailed implementation plan. Submittal of a detailed implementation plan to the department [of Ecology] is a condition of receiving grants for the second and all subsequent years of the phase four grant.*

*(2) Each implementation plan must contain strategies to provide sufficient water for: (a) Production agriculture; (b) commercial, industrial, and residential use; and (c) instream flows. Each implementation plan must contain timelines to achieve these strategies and interim milestones to measure progress.*

*(3) The implementation plan must clearly define coordination and oversight responsibilities; any needed interlocal agreements, rules, or ordinances; any needed state or local administrative approvals and permits that must be secured; and specific funding mechanisms.*

*(4) In developing the implementation plan, the planning unit must consult with other entities planning in the watershed management area and identify and seek to eliminate any activities or policies that are duplicative or inconsistent.*

Cynthia noted that the strategies to provide sufficient water are the recommendations and obligations contained within the Watershed Plan and that the timelines and milestones are developed for the Detailed Implementation Plan

#### *RCW 90.82.048:*

*(1) The timelines and interim milestones in a detailed implementation plan ... must address the planned future use of existing water rights for municipal water supply purposes, as defined in RCW [90.03.015](#), that are inchoate, including how these rights will be used to meet the projected future needs identified in the watershed plan, and how the use of these rights will be addressed when implementing instream flow strategies identified in the watershed plan.*

*(2) The watershed planning unit or other authorized lead agency shall ensure that holders of water rights for municipal water supply purposes not currently in use are asked to participate in defining the timelines and interim milestones to be included in the detailed implementation plan.*

Bryony noted that she has worked with WRIAs 34, 59 and 62 on detailed implementation planning and provided an overview of:

- Accounting of inchoate water rights; and,
- Working with the Planning Units to prioritize implementation actions and develop an implementation schedule that considers available funding / sponsors.

Dick Price explained that WRIA 59 has developed a Watershed Management Partnership (WMP) to continue Watershed Planning in WRIA 59 during and beyond Phase 4. The WRIA 59 WMP comprises governmental entities and is eligible to receive state funding. WRIA 59 has also continued with a Planning Team to guide the WMP. Dick said that the advantage of having a WMP is that the governmental entities can be more open in this forum and as a result WRIA 59 has identified a number of opportunities for governmental entities to work together. Bryony noted that the WRIA 59 WMP is formed under the Interlocal Cooperation Act (Chapter 39.34 RCW) and that the Spokane Aquifer Joint Board is another example of an entity formed under the Interlocal Cooperation Act.

Hank Nelson asked Sara Hunt how the instream flow process for the Spokane River is likely to proceed since the Planning Unit did not come to consensus on instream flow recommendations. Sara said that in accordance with the Watershed Planning Act, Ecology may initiate instream flow rule-making within two years. However, Ecology is currently focusing on instream flow rule-making for Washington's 15 fish critical basins and, with this priority and the associated workload, it is not certain when Ecology would initiate instream flow rule-making for the Spokane River. Sara said that she would find out and report back on Ecology's current / near future instream flow work load.

Cynthia reminded the Planning Unit that the WRIA 54 Watershed Plan does include a recommendation that states when Ecology is ready to take on instream flow, that Ecology initiate a community based process to establish the recommended flows.

Lloyd Brewer said that the City of Spokane would like to see the regional Watershed Planning processes consolidated to the extent possible. Rob Lindsay agreed with Lloyd and noted that it will be important to gain efficiencies during implementation (since there will be less money available for Watershed Planning in the future) but also to make sure that urban, rural and tribal concerns are addressed / projects are implemented as funding allows. Rob Lindsay said that he has considered combining efforts of the WRIA 55/57, 56 and 54 Planning Units. Lloyd Brewer said that he would not be in favor of dividing WRIAs for implementation purposes.

Linda Kiefer said that it may be necessary to meet more frequently (i.e., monthly) during the first year of Phase 4 to complete the Detailed Implementation Plan (DIP). Rob Lindsay said that he hopes that the DIP can be completed in less than a year considering how the recommendations and obligations are written in the WRIA 54 Watershed Plan. Rob has reviewed the RFP for the current consultant team and believes that this RFP may not be worded in such a way that allows the Planning Unit to continue into Phase 4 with the current consultant team. Rob said that he believes that the current team is well qualified. Rob also noted that the WRIA 55/57 facilitator is also well qualified for this type of work. Rob noted that if a procurement process is required for Phase 4, this may take 6 to 8 weeks. Rob said that he would check with Spokane County procurement in the next couple of weeks.

Linda Kiefer suggested that Spokane County (as the lead agency) develop options for completing the DIP that the Planning Unit could consider – including various tasks that may be completed by the Planning Unit members versus the lead agency versus the consultant. Rob Lindsay asked the Planning Unit if they were interested in hiring this team or another firm to assist the Planning Unit to prepare the DIP. The group agreed that hiring a consultant to conduct some of the work would be the most efficient way to complete the DIP. Mike suggested that Spokane County draft a scope of work for the DIP for distribution prior to and review at the next Planning Unit meeting and that the Planning Unit discuss the tasks and which entity could complete the tasks at the next meeting. Rob will check with Spokane County procurement and will report back at the next meeting.

Lloyd Brewer said that he would review the existing MOA and come to the next meeting with suggested language to modify the current MOA so that it is relevant to Phase 4 Implementation. Rob Lindsay suggested that it would be good to consider one MOA that allows the Planning Unit to work together to complete and then implement the DIP. Rob Lindsay informed the group that an example MOA is available on the WRIA 55/57 website.

Rob Lindsay reminded the group that once the WRIA 54 Planning Unit approves the Watershed Plan, the Watershed Plan then goes to Spokane, Stevens and Lincoln Counties for approval and public hearings. Rob noted that it takes considerable coordination to get the County Commissioners together. Craig suggested that Rob contact the clerks of the Boards for the Spokane, Stevens and Lincoln County Commissioners and ask the clerks to tentatively schedule the hearings. Rob Lindsay said that Spokane County staff will contact the clerks to see if they will do this.

Lloyd Brewer asked Sara Hunt if funding for WRIA 54 would be jeopardized if the Plan is not approved / adopted by June 30, 2009. Sara said that there will not be any additional Phase 3 funds available but this will not threaten Phase 4 implementation funds. Rob Lindsay said that Spokane County wants to avoid performing Phase 3 lead agency duties beyond June 30, 2009 since Spokane County will not be reimbursed for lead agency duties beyond June 30, 2009.

### **Public Comment**

- Rob Lindsay noted that Spokane County is implementing a water conservation rebate program aimed at sewer service customers to reduce flows to the County's water reclamation facility. Spokane County has just executed an agreement with Ecology for an additional \$150,000 to include WRIA 55 in this program. The target group in WRIA 55 is permit exempt well holders.
- Rob Lindsay noted that Spokane County is administering a \$240,000 US EPA grant to conduct a phosphorus non-point source assessment in the Spokane River Basin, including Latah Creek (WRIA 56) and Coeur d'Alene Lake. Spokane County has accepted an additional \$700,000 from Ecology to continue non-point source assessment studies and implement BMPs to reduce phosphorus. Rob Lindsay noted that it has not been determined how the \$700,000 will be spent. Larry Guenther asked if some of this funding could potentially be applied to address septic along Lake Spokane in the Suncrest area. Rob said that this type of a project could potentially be funded. However, the first and second steps of the program will need to be completed. The first step involves compiling and assessing existing data using GIS and time-series and geographical graphs. The second step will be to identify data gaps and to prioritize future data collection efforts and studies. Rob noted that Spokane County is looking forward to collaborating with the non-point source advisory committee and that Spokane County will keep the Planning Unit informed about this project. Mike McCollum noted that EWU staff is available to help on these types of projects.
- Mike Hermanson noted that EWU conducted a study in 1990 on loading of phosphorus from septic along Lake Spokane.
- Hank Nelson informed the group that Avista anticipates a new FERC license in the summer of 2009. Also, Hank noted that there is good progress on the 401 appeal and agreements are being formed. Once a new license and 401 certifications are granted, Avista will be free to start implementing projects of

benefit to the resource.

- Sara Hunt informed the group that there will be a Dissolved Oxygen (DO) stakeholder group meeting in May / June and that Ecology anticipates releasing the revised draft DO TMDL in September 2009.

### **Administration and General Schedule Announcements**

The following agenda items are anticipated for the next WRIA 54 Planning Unit meeting:

- Discussion and call for approval of the final draft WRIA 54 Watershed Plan.
- Spokane County will distribute prior to the meeting and discuss the first draft scope of work for Phase 4.
- Lloyd Brewer will review / lead discussion on the MOA for Phase 4.
- Spokane County will provide an update on the schedule for the County hearings for Watershed Plan adoption.
- Sara Hunt will provide a budget update from Ecology

The following meetings are scheduled and open to everyone:

#### **MAY 2009:**

- WRIA 54 Planning Unit meeting, Wednesday May 27, 6 – 9 pm, Lakeside High School Library. Second approval of the draft final WRIA 54 Watershed Plan will be sought at this meeting.

#### **JUNE 2009:**

- WRIA 54 Planning Unit meeting, *tentatively scheduled* for Wednesday June 3, 1:30 – 4:30 pm, at the Airway Heights Community Center.

### **Next Meeting Date and Adjourn**

The next WRIA 54 Planning Unit meeting is scheduled for Wednesday May 27, 2009, 6:00 – 9:00 pm, Lakeside High School Library. Bryony adjourned the meeting at 11:45 am.