

FINAL
Meeting Summary
WRIA 54 - Lower Spokane River Watershed
February 22, 2006

Location: Tum Tum Community Center, Tum Tum, WA.

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

Jim DeGraffenreid, Lincoln County Planning	Bob Derkey, WA State Dept. of Natural Resources
Lloyd Brewer, City of Spokane	Rob Lindsay, Spokane County
Keith Holliday, WA State Dept. Of Ecology	Dick Price, Stevens PUD #1
Charisse Willis, Stevens PUD #1	Bill Gilmour, Spokane County
Hank Nelson, Avista Corporation	Commissioner Merrill Ott, Stevens County
Bill Madison, Lake Spokane Protection Assoc.	Fran Bessermin, Lake Spokane Protection Assoc.
Gail Madison, Lake Spokane Protection Assoc.	Jay Landreth, Landowner
Brian Crossley, Spokane Tribe	Charlie Peterson, Spokane County Conservation District
Bob Given, Landowner	Bruce Smith, Palisades Neighborhood
Doris Dietrich, Landowner	Jerry Warner, Landowner and Palisades Neighborhood
Judy Kaufman, Spokane Fly Fishers	Craig Volosing, Landowner and Palisades Neighborhood
Bea Lackoff, Citizen	Cynthia Carlstad, Tetrattech/KCM
Pete Rittmueller, EES Consulting	Bob Wheeler, Triangle Associates
Jonathon Rudders, GeoEngineers	Bryony Stasney, Golder Associates Inc.
Wes McCart, Landowner, Stevens County Farm Bureau and Stevens County Water Conservancy Board	

Call to Order

Bryony Stasney opened the meeting at approximately 6:05 pm. Attendees introduced themselves and the interest / organization they represent. Bryony asked all to document their attendance on the sign-in sheet.

The draft January 25, 2006 WRIA 54 meeting summary was reviewed page by page with no comments received from those present. Bryony informed the group that Rob Lindsay had emailed a copy of the draft summary to Brenda Sims (Spokane County Stormwater Utility Manager) for her review and that Brenda had responded with a couple of editorial comments. Bryony asked the group for approval of the January 25, 2006 WRIA 54 meeting summary, including Brenda's edits. With these changes, those present accepted the January 25, 2006 meeting summary as final.

Public Comment

Rob Lindsay informed the group of the Washington Interagency Committee (IAC) Grants Workshop scheduled for Monday February 27 in Spokane Valley. Participants need to register by Thursday February 23. The purpose of the workshop is to help organizations apply for grants to support projects on outdoor recreational facilities, preserving parkland and protecting and enhancing natural resources.

Bill Gilmour said that he had received a phone call from Bill Herrlinger expressing concern about potential impacts to groundwater from two housing developments that are planned south of I-90, almost directly over the underground river. This feature (i.e. the underground river) was discussed by Bill Herrlinger at the November 2005 WRIA 54 Planning Unit meeting and is described in the November 2005 meeting summary (available on the County's web site at www.spokanecounty.org/wqmp/wria_home.htm). Rob confirmed that the underground river is not the same feature as the palaeo-channels discussed by Brenda Sims (Spokane County Stormwater Utility Manager) at the January 2006 WRIA 54 meeting. Rob Lindsay noted that the area planned for development is located within the City of Spokane's urban growth area (UGA) and also that these developments would supply public water and sewer.

Instream Flow Technical Team Update

Rob Lindsay informed the group that there had been a meeting that morning with the WRIA 54 and WRIA55/57 Instream Flow Technical Team members and the consulting team. Rob said that the three hour meeting was very productive and included an introductory session on the study objectives and various instream flow assessment methods. The team started to identify study reaches and preliminary assessment methods on a map of the watershed (presented at this meeting). Additional Instream Flow Technical Team meetings have been scheduled for March 8 (when the team will present the preliminary scope of work to the WRIA 54 Steering Committee) and March 22 (to coincide with next WRIA 54 Planning Unit meeting). The team's objective is to complete the scope of work to support starting the field work within the next couple of months.

Presentation on "Phase 2, Level 1 Scope of Work, Schedule and Lessons Learned" by Ms. Cynthia Carlstad of TetraTech/KCM.

Cynthia introduced herself as the Phase 2 consultant team project manager. Cynthia is a Hydrogeologist by training and has worked for twenty years on Watershed Planning projects, the last six primarily on State Watershed Management Act projects. Cynthia introduced other team members: Jon Rudders with GeoEngineers in Spokane who is focusing on the technical assessment; Pete Rittmueller with EES Consulting; and, Bob Wheeler of Triangle Associates. Both Pete and Bob will be working on the instream flow study.

Cynthia provided an overview of the Watershed Planning process. The group is now starting Phase 2, the technical assessment / data collection phase. In Phase 3, the technical information gathered in Phase 2 will be used in conjunction with policy, laws and regulations and public involvement to develop the Watershed Plan. Following approval of the Plan, the process will move into Phase 4 Implementation.

The consultant team is currently starting the technical assessment and instream flow supplemental work. Work for the water quality and multi-purpose storage supplemental studies is planned to start in May / June 2006.

Cynthia summarized Phase 2 as:

- Development of the information base for the Watershed Plan;
- Primarily a compilation of existing information (e.g., flow monitoring, water quality, water rights) into one document that includes a common level of understanding on the water resources of WRIA 54;
- Development of new information through supplemental assessments (e.g., instream flow, water quality, multi-purpose storage);
- The start of discussions on how the Watershed Plan will be structured (e.g., detailed Plan versus broad overview); and,
- Identification and preliminary discussion on issues to be addressed in the Watershed Plan.

Cynthia noted that it will be important for the Planning Unit to:

- Stay informed about the work products and to gain the level of understanding needed to make decisions;
- Come to the meetings prepared, having reviewed documents that will be discussed; and,
- Help the consultant team to identify and obtain watershed data.

Currently primarily Jon Rudders is working on the Phase 2 technical assessment and is focusing on water quantity, including:

- Description of water resources in WRIA 54;
- Water rights, including permits, certificates, claims, federal and tribal rights, and exempt wells;
- Current and future water use estimates; and,
- The water balance.

The instream flow assessment is organized into 3 steps:

1. Step A – scoping;
2. Step B – data collection and assessment; and,

3. Step C – negotiation and recommendations.

By accepting instream flow funding, the Planning Unit is committed to making a recommendation, but not necessarily a flow recommendation. For example, the recommendation could be to do additional instream flow work. Other instream flow considerations involve restrictions (or no restrictions) on exempt wells, setting a reservation for future growth, and other sorts of mitigation in exchange for water rights, etc.

The water quality supplemental is a relatively flexible grant. Examples of work that could be completed include additional data compilation and assessment in coordination with the Total Daily Maximum Load (TMDL) for Lower Spokane River, development of a watershed monitoring program, and a benthic index of biotic integrity (BIBI) field survey.

The multi-purpose storage supplemental work also has a relatively flexible scope and can take two general forms: 1) a survey level overview of different storage opportunities in the watershed; or, 2) development of one or more selected storage options in detail.

Cynthia noted that, in her experience, it is very important that the Planning Unit integrate “real work” (e.g. data collection or analysis) into the Planning efforts to benefit the Watershed Plan and to make the Planning Unit feel that substantive and concrete work efforts are being accomplished.

Cynthia described the project timelines as:

- Watershed Plan complete by early 2008.
- Technical Assessment in draft by July 2006, and finalized by September 2006.
- Instream Flow field work during 2006.
- Water Quality and Storage supplemental work starting with the grant application process in May / June 2006.

Once the Plan is approved by the Planning Unit, the Plan will be presented to the three Counties in WRIA 54 (i.e., Spokane, Stevens and Lincoln) for approval. If the County Commissioners request some edits to the Plan, the Plan will be passed back to the Planning Unit and if agreement is reached on the requested changes, the Plan is presented a final time to the County Commissioners for public hearing, approval and adoption.

Cynthia then provided some background to Watershed Planning in Washington and provided examples of the planning process in other watersheds and lessons learned. Please see Cynthia’s presentation on the county web site (www.spokanecounty.org/wqmp/wria_home.htm). The points listed below summarize the information presented:

- **Water rights versus actual water use** are often difficult to address since water rights often do not reflect actual water use. Legally, adjudication is the only process to determine the validity of water rights.
- **People always feel that more data are needed.** Cynthia said that the group should try not to let this become too much of an obstacle to Plan development and to move forward and make plans to collect more data if needed.
- **The consensus based framework is a challenge but also powerful** when consensus is reached. Cynthia said to be patient and listen. Relationships and trust that develop when difficult issues are tackled are very important.
- **Water for people and fish** inevitably means compromise will have to happen.
- **Public interest and involvement** is important. Evening meetings help since people have jobs in the day. It is important to keep citizens informed and involved so that community is well represented.
- **Long term problem solving seems to be a hallmark of success.** The existence of planning groups that met prior to watershed planning seems to be important to success. The willingness of these groups to continue their work, in some form, into implementation is crucial.

- **For the Watershed Planning process to work in the long term, it is important to have local funding input as well as grants.**
- **Relationships** that extend beyond the Watershed Planning process are often fostered in this process and develop into important collaborations for the future.
- **Do some “real work” during Watershed Planning.** Early action projects are useful for Watershed Planning and beyond and provide the group with a sense of achievement.
- **Consider your audience for the Watershed Plan.** The Plan needs to be understandable to your Commissioners and the public.

Cynthia noted that those present know the most about the watershed and that it is important that any relevant information is passed on to the consultant team to support the technical and planning work. Cynthia asked the Planning Unit to pass information directly to her or via Rob Lindsay at Spokane County. Cynthia’s and Rob’s contact information are:

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Overview of Instream Flow work by Mr. Bob Wheeler of Triangle Associates and Mr. Pete Rittmueller of EES Consulting.

Bob introduced himself as the previous public works director for Port Townsend and involved in that position in the Watershed Planning Process for the Dungeness – Quilcene (i.e. on the same side of the project as the WRIA 54 Planning Unit members). Bob asked the group to expect this planning process to require time and effort and also to be exciting and rewarding.

Bob explained that he will be involved in developing the instream flow scope of work, the technical assessment work and with helping the Planning Unit to develop flow recommendations. The scope of work is being developed now with the instream flow technical team in conjunction with the Washington State Departments of Ecology (Ecology) and Fish and Wildlife (WDFW). After the scoping is completed, data collection and analysis will follow. The next step will be to develop recommendations. This step is often the most difficult and time consuming since the Planning Unit members must understand the technical information in order to feel comfortable making recommendations. In the final step, Ecology is ultimately responsible for setting instream flows in rule. The rule can include components to protect and preserve fish and wildlife, recreation, scenic and aesthetic values, navigation, water quality and other environmental values. The Planning Unit can decide what values to protect in addition to fish. The best approach is for the Planning Unit to agree on recommendations and then pass the recommendations on to Ecology. Ecology will then work with WDFW and tribes (as co-managers) as well as the Planning Unit.

Bob informed the group that Ecology has developed a prioritized list of streams for instream flow setting outside of the Watershed Planning process and has also committed to setting instream flows through recommendations made by Watershed Planning Units. Under the Watershed Planning process, a Planning Unit must make recommendations within 4 years of accepting instream flow supplemental funding. Ecology must then set any flow recommendations into administrative rule. The priority date for the instream flow right may vary (e.g. the date may be when instream flow funding is received or when the recommendation is made). Bob also noted that the instream flow rule does not effect existing water rights that are senior to the instream flow right.

Of the 64 WRIsAs in Washington, 44 have opted to conduct Watershed Planning and 30 have taken on Instream Flow. To date, 11 recommendations have been received by Ecology and two new instream flow rules have been set (in the Entiat and Stillaguamish).

Bob informed the group that the instream flow process is not only about flows. The group needs to decide which streams to study and which methods to use to collect and evaluate data. The flow recommendations may vary on a month-by-month basis and may include options such as whether or not restrictions will apply to exempt wells and whether or not a water reservation will be set in place to support future population growth and development. Bob noted that setting instream flows does not increase or improve the amount of water in the stream. To do this, the Planning Unit may consider setting flow targets.

Pete Rittmueller has been doing instream flow studies for 24 years. The EESC office in Bellingham has completed over 50 instream flow projects in WA. Pete emphasized that as a consultant, EESC has no stake in the outcome for the instream flow recommendations. The objective of their work is to complete an unbiased, good technical survey and study that the Planning Unit can use with confidence to formulate their recommendations. For this project, we know that we will be completing work on the Spokane River in WRIA 57 just below the Monroe St Bridge. The study goals, sites and methods in WRIA 54 are currently being determined.

At Spokane River mainstem sites, the best study method is IFIM (Instream Flow Incremental Methodology) / PHABSIM (Physical Habitat Simulation Model). This is a data collection method and hydraulic model that considers depths and velocities all the way across the river and projects fish habitat into the model. It is the method / model most often recommended by WDFW and Ecology for major rivers and sometimes for smaller rivers. The basic assumptions are that various fish species over various life stages prefer certain conditions (e.g., flow velocity and water depth). Flow velocities and depths are measured in the field and used to develop a relatively accurate model.

Bob informed the group about the first Instream Flow Technical Team meeting that occurred today. Items discussed included: 1) the team members' thoughts on instream flow; 2) various instream flow methods; 3) the scope of work for the current study; 4) in WRIA 54 which sections of the mainstem to consider (free flowing versus pooled); 5) in WRIA 54 which tributaries and reaches to consider and prioritize; 6) fish species and occurrence (rainbow trout and brown trout were discussed along with spawning and rearing areas); and, 7) the influence of springs and groundwater inflow to the streams (e.g., there is +/- 250 cfs inflow to the Spokane River within the upper portion of WRIA 54). WDFW will be putting together information on where they think the species and life stages exist within the various WRIA 54 drainages. Bob also noted that the study purpose was discussed and that there is enough information for the consultant team to put together a draft purpose statement.

Two additional meetings have been scheduled on March 8 and March 22 to continue with these discussions and to develop the scope of work. Bob noted that it will be up to the team to keep the Planning Unit up to speed so that they are prepared to review and approve the scope of work. Ecology and WDFW are involved in the scoping process and are working with the Spokane Tribe to identify high priority streams and appropriate assessment methods.

In terms of the field work timing:

1. Work on the mainstem of the Spokane River would likely start after the peak flows in March / April as the river flow decreases through to August or September.
2. Work on the tributaries will depend on the hydrograph of individual streams.

The work will develop a hydraulic model(s) so habitat can be predicted for fish species and life stages. As long as significant channel changing flows do not occur during the field work, the models can be used to predict habitat for a wide range of flows, but maybe not peak flows. Because the method is evaluating habitat quality

and quantity related to channel and flow conditions, rather than fish presence, it is not necessary to be where the fish are during the field work effort.

Rob Lindsay reminded the group that neither the Plan recommendations nor setting instream flows can affect existing water rights.

Lloyd Brewer noted that setting instream flows can have an impact by putting pressure on existing water rights if the study findings indicate that there is not enough water in the stream. If this is the case, issuance of new water rights (without any mitigation) will cease.

Pete noted that based on his experience, it is often easier to deal with instream flow setting on the east side relative to the west side of the Cascades because east side water rights tend to have been put to beneficial use. This makes the transition from, for example, agricultural land to developed land to support population growth easier because the irrigation water rights are more likely to be valid and can be transferred from one use to another without impact to instream flows.

Consideration of WRIA 54 Draft Operating Procedures

Bryony made sure that everyone had a copy of the draft Operating Procedures and brought everyone's attention to the note at the top of today's meeting notice – that the first approval of the draft operating procedures will be sought at this meeting.

Bryony went over the following points to summarize the development of the draft Operating Procedures:

- At the January 25, 2006 Planning Unit meeting, the Planning Unit reviewed the draft Operating Procedures including changes suggested by the Steering Committee at their January 11 meeting.
- At the January 25, 2006 Planning Unit meeting, the Planning Unit made additional edits that are summarized in the January 25, 2006 Planning Unit meeting summary.
- The comment period to suggest additional changes was open through February 6, 2006. Spokane County staff received no additional comment.
- Spokane County staff then made the edits agreed to by the Planning Unit at the January 25 meeting and presented this revised version of the Operating Procedures to the Steering Committee at their February 8, 2006 meeting.
- On February 8, the Steering Committee made one additional change that involved adding some text –see Section 8, (a) (2), page 5, second sentence – “A Planning Unit member **with prior notification to the Lead Agency** may designate an alternate or another Planning Unit member as their proxy vote.”

Bryony first asked the group to make sure that they are comfortable with the language added by the Steering Committee. All present agreed with this language.

Bryony asked the group if they would like her to go through edits made by the County to address the changes agreed to by the Planning Unit at the January 25, 2006 meeting. Those present said no.

Bryony then asked Rob to address the comments made at the January 25 meeting on Best Available Science versus Credible Data. Research by Spokane County staff indicates that the Planning Unit will need to use Best Available Science if the Watershed Planning work is to feed into Comprehensive Planning (since Best Available Science is a requirement of the Comprehensive Planning process). Without committing to Best Available Science Rob said that we risk our work being dismissed. Rob also discussed the suggestion made to look at using Best Credible Data. Additional research indicated that this particular term refers strictly to water quality data as it applies to the WA State standards, so it is not really applicable to what we are doing. After discussing these issues at their February 8 meeting, the Steering Committee decided to keep Best Available Science as is in the Operating Procedures and the Memorandum of Agreement (MOA) between the initiators.

Wes McCart noted that he had brought the issue of Best Available Science up at the January 25 meeting. Wes noted that the RCW related to Comprehensive Planning says that Best Available Science must be “considered” but not necessarily used when producing documentation. Wes said that he did compare the MOA with Operating Procedures and noted that the MOA does say that Best Available Science must be “used”. Wes said that he will not vote against the need to “use” Best Available Science in the Operating Procedures but would like to express his concern. Rob asked Wes if he felt that the Planning Unit risked being dismissed if they made no mention of Best Available Science in their Operating Procedures. Wes said that based on what the MOA says, the language in the Operating Procedures needs to stay as is. Wes said that he still wanted to express his concern regarding the wording making it necessary to “use” versus “consider” Best Available Science.

Lloyd Brewer asked Wes McCart to clarify that the relevant RCW says that Best Available Science must be “considered”. Wes said yes, that this was the case.

Bryony noted that one other change would be made to the Operating Procedures – the date revised would be changed to 2/8/2006 to reflect the date of the edit suggested by the Steering Committee.

Bryony asked for a motion to approve the draft Operating Procedures as presented and discussed. Bill Gilmour made the motion that those present accept the draft Operating Procedures as discussed and including the revisions made following the January 25, 2006 Planning Unit meeting and the February 8, 2006 Steering Committee meeting and the revision date change to 2/8/06. The motion was seconded by Jay Landreth. All were in favor. None present abstained. Wes McCart noted that Commissioner Merrill Ott had to leave the meeting a few minutes ago and had left a note saying that “Stevens County votes “Aye” for operating procedures unless a substantial change has amended the procedures”.

Bryony noted that there will be a second vote to approve the Operating Procedures at the March 22, 2006 Planning Unit meeting.

Administrative Issues

Bryony discussed the following administrative issues:

1. An attendance / membership roster was presented to the group that was developed using sign-in-sheet logs from May 2004. Bryony asked the group to review and comment on the roster and come prepared at the March 22 meeting to discuss. This roster will be used to decide Planning Unit membership at the next meeting.
2. Those present confirmed that they are comfortable with seeing everyone else’s email address on the emails. Bryony said she would continue this form of group email rather than using an email list name.
3. Spokane County will be updating the WRIA 54 website to include information from each meeting – i.e., final agenda, final meeting summary, and presentation materials.
4. Bryony reminded the group that the meetings are being recorded to help her develop the meeting summaries and asked the group to confirm that they are comfortable with this. The group expressed no concern. Bryony said that the recordings will be stored for 6 years prior to being deleted.
5. Rob apologized about the double booking of the room. Fran will see if she can find another Tum Tum area location and will work with Bill Gilmour. Research into the new fire station indicates that the space available there is too small.

Public Comment

Craig Volosing asked if there are other hands on projects (other than the instream flow project) that Planning Unit members can help with. Rob said that there is an open invitation to help with instream flow scoping and that 3 more meetings with the consultant team are planned. The next tasks for the group will be to develop the water quality and storage scopes of work and that this would be an opportunity for the Planning Unit to get involved. There may also be opportunities to help the consultant team with the technical assessment. Jay

Landreth said that he is considering being involved in the instream flow scoping and will communicate with Rob.

Jay asked if someone could provide more detail on the recently passed Columbia Water bill (House Bill 2860). Keith Holliday noted that the funds are intended to support new water storage projects in the Columbia Basin. Brian Crossley said that the bill relates to new storage projects in the Columbia Basin. There is a signed MOA with the Colville Tribe that says no more water can be allocated from the Columbia River without hurting fish. Water storage is therefore being considered as potential mitigation to allow for future allocation and to provide additional summer flow. Two-thirds of stored water can be considered for mitigation and one-third must be used for instream flow.

Cynthia noted that storage is a priority for the Governor and that this bill may provide potential opportunity for WRIA 54.

Keith noted that if the bill is not funded it will expire (Section 11 of the bill says that the entire bill is null and void unless \$200 million is placed in the new account this year). Keith said that there are still hurdles before the \$200 million is secure. Keith said he would provide more detail on this at the next meeting.

Keith also requested that there is a discussion at the next meeting on early actions items – including some examples on what other watershed planning groups have been doing.

Upcoming Meetings and Adjourn

The following meetings were scheduled:

- The next Planning Unit meeting was scheduled for March 22, 2006 from 10:00 am to 12:00 noon at the Airway Heights Community Center.
- The next Steering Committee was scheduled for March 8, 2006 from 10:00 am to 12:00 noon at the Spokane County Public Works Building.
- The next two Instream Flow Technical Team meetings were scheduled for March 8 and March 22, 2006, starting at 1:00 pm at the Spokane County Public Works Building, conference room 2B.

The meeting was adjourned at 8:05 pm.