

MINUTES

McKenzie Watershed Council
Eugene Water & Electric Board Training Room

April 14, 2005
5:30 p.m.

PRESENT: Mike McDowell (Weyerhaeuser), Facilitator; Emily Rice (Bureau of Land Management), Chris Pryor (City of Eugene), John Simpson, (Eugene Water & Electric Board), Faye Stewart (Lane County), Laurel Stone (for Douglas Brooke) (Hynix Semiconductor), Kurt Cox (McKenzie Schools), Ray Rivera (for Mary Allison) (McKenzie River Ranger District), Pat Gripp (McKenzie Residents Association); Diane Albino (Mohawk Watershed Partnership), Gene Highfill (McKenzie River Guides Association), Joe Moll (McKenzie River Trust), Douglass Moser (At-large Stakeholder), Ralph Perkins (East Lane Soil & Water Conservation District), Erik Petersen (Army Corps of Engineers), Charlene Phipps (McKenzie Residents Association), Michael Kerrick (At-Large Stakeholder), Jeff Ziller (Oregon Department of Fish and Wildlife), Council Partners.

Megan Finnessy, Juan Welsh, Kate Ferschweiler, Jared Weybright, John Runyon, Council staff

Wade Stampe, former Council Partner; Chuck Davis, Springfield Utility Board; Chuck Gottfried, City of Springfield; Tim Wright, Oregon Department of Fish and Wildlife; Dave Kretzing, US Forest Service; Kathy Keable, H. J. Andrews Experimental Forest; Mark Slaten, Oregon Department of Forestry; Dave Downing, East Lane Soil and Water Conservation District; Yoko Silk, Steve Carper University of Oregon; Dave Hill, Carol Ach, guests.

1. REVIEW AGENDA & INTRODUCTIONS

Mr. McDowell called the meeting of the McKenzie Watershed Council to order. He briefly reviewed the agenda. With the consent of the Council, he rearranged agenda to move item 6, Leaburg Hatchery Down-by-the-Riverside Project, to item 4.

Council Partners, staff, and guests introduced themselves.

2. FURTHER DISCUSSION AND APPROVAL OF DECISIONS

Mr. McDowell determined that Council Partners had no objections to the decisions made at the March 10 meeting.

Council Partners considered the minutes of March 10, 2005.

Mr. Stewart noted he was incorrectly listed as present at the meeting.

Mr. Simpson said the reference to historic highways in paragraph 2 on page 2 of the minutes should

actually be “scenic byways.”

Mr. Welsh noted that the reference in paragraph 6 on page 4 of the minutes to Mr. Rivera’s assistance with the culvert projects should actually be to the Simmonds Creek project.

Members indicated acceptance of the revised minutes showing Consensus Level 3.

3. SHORT ANNOUNCEMENTS/PUBLIC COMMENTS

Ms. Finnessy called the Council’s attention to the upcoming Crilly Trail cleanup scheduled to begin at 9:30 a.m. on April 23 at Armitage Park, and encouraged Partners’ attendance.

Mr. Simpson reported that the Eugene Water & Electric Board (EWEB) had scheduled the lake raise at Leaburg Lake for Monday, May 16. He explained that the raise had been postponed due to the need for more normal water flows. A public information meeting on the lake raise was scheduled for April 21 at 7 p.m. at the Vida McKenzie Community Center.

Mr. Simpson reported on community outreach efforts being conducted by EWEB in regard to the Carmen Smith relicensing project. He said that he had attended an outreach presentation in company with EWEB staff on March 23 at the Upper McKenzie Community Center. Responding to a question from Mr. Wright, Mr. Simpson indicated that EWEB was sending out an announcement and would notify all those living around the lake raise area. He said he would ensure the Oregon Department of Fish and Wildlife (ODFW) was notified.

Ms. Ferschweiler reported that the Council received a grant from the Oregon Watershed Enhancement Board (OWEB) to support educational efforts for 2005-2006.

Ms. Keable reported that the HJ Andrews Experimental Forest had hosted a conference regarding long-term ecological research for graduate students. The conference had drawn participants from around the world. She hoped the conference was the first conference of many.

Mr. McDowell noted that a two-day conference on the headwaters would occur soon, and he would provide more details when they were available.

4. LEABURG HATCHERY DOWN-BY-THE-RIVERSIDE PROJECT

Mr. Wright, Ms. Silk and Mr. Carper provided a presentation on a proposal to create a trail at the Leaburg Hatchery. He said that spring Chinook run spawning beds could be viewed in the river from the banks if a trail was developed. Currently, access to the location was difficult. He was working with students from the University of Oregon on a project to create an interpretative trail and viewing area. Mr. Carper overviewed a Down-by-the-Riverside Volunteer Day proposal, and solicited volunteers from the Council to help improve the trail site. He shared photographs of the area and outlined the tentative improvement plans. He anticipated the effort would take about four hours. Mr. Carper distributed information about the project and said Partners could contact Ms. Finnessy, Mr. Wright, or Ms. Silk for more information.

Responding to a question from Ms. Gripp, Mr. Wright said he did not think the viewing area would affect the spawning fish. He noted that the area was not restricted to angling and was already heavily used. The project was intended to make the trail safer for the children that visited the hatchery. The trail site would be low-impact and people would not be in the water. Ms. Silk added that screening vegetation would be retained. She said that the Outdoor Program would be contributing some funding to the project, which was

scheduled for May 21, 2006. Ms. Silk expressed pleasure to be working with the Council.

Responding to a question from Mr. Cox, Mr. Wright said that most spawning fish were left alone by anglers, who tended to fish above and below the site. The area was signed to deter abuse. Steve added that more interpretative signage regarding spawning could be added, suggesting that the more people there were learning at the site, the fewer people there would be fishing there. He invited suggestions on how to deal with the rip rap that was located in the area.

5. RIPARIAN MANAGEMENT IN THE McKENZIE WATERSHED

Mr. Kretzing of the Oregon Department of Fish and Wildlife provided a PowerPoint presentation entitled *Water Quality Protection under the Northwest Forest Plan in the McKenzie River*. Copies of the presentation were provided to Council Partners. Mr. Kretzing discussed the federal record of decision process that led to the 1994 Aquatic Conservation Strategy, which had four components, riparian reserves, key watersheds, watershed analysis, and watershed restoration. He noted the standards and guidelines established for riparian reserves and offered the Council a timber management example, a roads example, and a fire management example in illustration of his remarks.

Mr. Kretzing called the Council's attention to the subsequent March 2004 record of decision, and said it had provided clarification of the proper scale for land managers to evaluate progress toward achievement of the strategy's objectives, strengthened the link between the watershed analysis and decision process, and facilitated implementation of restoration work with long-term benefits even if short-term adverse effects occur.

Mr. Kretzing provided the Council with a Web link for further information:

<http://www.reo.gov/library/index.htm>

Ms. Finnessy asked if there were active earth flows in the McKenzie basin. Mr. Kretzing said there were several, noting one near Terwilliger Hot Springs.

Responding to a question from Mr. Highfill, Mr. Kretzing said the ODFW had been doing watershed restoration for some time, citing the Sweet Water Creek culvert project as an example. Mr. Rivera noted that ODFW was also placing large woody debris in Olallie Creek and was decommissioning roads in the watershed.

Mr. Pryor asked how much private property owners were doing in regard to restoration and protection. Mr. Kretzing did not know, and deferred the question to the Mr. Slaten, whose department regulated private forests.

Mr. McDowell called the Council's attention to attachments 2 and 3 in the agenda packet, which were associated with the presentations.

Mr. Slaten provided a briefing on the Oregon Department of Forestry's (ODF) regulatory approach to private forests. He circulated the Oregon Forest Protection laws that govern activities on private forestlands. He noted that the Department of Environmental Quality had accepted the Oregon Forest Practices Act as a best management practice under the Clean Water Act, which averted further federal regulation.

Mr. Slaten reviewed the legal requirements for tree harvests, noting the permit requirement, waiting

period, and need for a written plan. He discussed the State's requirements in regard to the protection of riparian areas, noting that waterways were classified on the basis of whether they carried fish, which governed the nature of the protections required. Mr. Slaten shared a matrix showing the size and classes of waterways and some diagrams illustrating how the requirements were intended to work in practice.

Mr. Slaten briefly reviewed the State requirements governing pesticide spraying.

Mr. Slaten noted that there were 55 stewardship foresters working for the ODF, and they conducted 15,000 to 20,000 inspections annually. He emphasized the importance of forestry to the Oregon economy and said it was important to ensure that it was done right.

Responding to a question from the audience as to whether there was a minimum lot size that triggered the jurisdiction of the ODF, Mr. Slaten said that depended on the situation. In the case of small lots with a few trees, generally the county had jurisdiction.

Ms. Rice asked if there were consequences from the failure to protect riparian areas. Mr. Slaten indicated that civil penalties existed. He pointed that a violation would look bad on a wood lot operator's record, particularly if the lot was green-certified. He said that liens could be placed on a property if fines were not paid. He said that the most egregious violators could be banned from operations. He confirmed, in response to a follow-up question from Ms. Rice, that the fines included the value of the trees removed.

Mr. Downing provided a presentation on the South Willamette Agriculture Water Quality Area Management Plan and associated rules. He said that an advisory committee had worked to develop the plan over an 18-month period. It addressed the issues of water quality and riparian protection from the agricultural point of view and provided guidelines for such things as waste, pesticides, and sediments. Mr. Downing said the plan was enforced by the Oregon Department of Agriculture and while civil penalties were possible, the soil and water conservation district preferred to work with land owners to address violations. He said most farmers see the value of the program.

Mr. Downing discussed the element of the plan related to riparian protection and noted the goals of maintenance and protection, minimum erosion, and increased stream shading. To meet those goals, farmers must farm away from the edge of riparian areas and move grazing activities away from such areas. He shared pictures of good riparian examples and some examples of problem areas.

Mr. Downing provided the Web site address for the ODA:

<http://www.oregon.gov/ODA/index.shtml>

Mr. Perkins reinforced that the Soil and Water Conservation District was in place to support the landowners, and had nothing to do with enforcement. Mr. Downing concurred, saying enforcement and civil penalties were a last resort.

At this point in the meeting, Ms. Rice presented a plaque to Wade Stampe for his years of service on the McKenzie Watershed Council. She recalled the formation of the Watershed Council in 1994 and noted that Mr. Stampe was an initial member of the Council partnership representing the Army Corps of Engineers. He was a very active Partner and willing to commit his time and energy to Council activities.

Mr. McDowell called for a brief meeting break.

6. WILLAMETTE RESTORATION PRIORITIES PROJECT/CONFLUENCE STEERING COMMITTEE UPDATE

Mr. Runyon provided the update, reporting that the Willamette Restoration Priorities Project was an effort to provide Oregon Watershed Enhancement Board (OWEB) with local restoration priorities. OWEB would use the information to fund projects. The agency was working with all the watersheds on the effort. He anticipated there would be a series of meetings to discuss local priorities for the upper Willamette River basin. The outcome of the process would be a document listing the priorities and overarching themes. He anticipated that the priorities would also be used by the Bonneville Power Administration when making funding decisions. Mr. Runyon said there would be more information to come.

Mr. Runyon reminded the Council of the McKenzie/Willamette Confluence Steering Committee, which involved the Council, McKenzie River Trust, and the gravel companies that operated at the confluence. He said the Committee was beginning to implement projects in the area, such as the creation of a backwater on property owned by Delta Sand and Gravel. In addition, OWEB had funded sampling in the area and that indicated the area was used by many fish species, including sticklebacks and juvenile Chinook. Mr. Runyon observed that the Committee was perceived as a leading model for habitat restoration. He said he recently received a call from staff at the Oregon Department of Geology and Mineral Industries, who indicated that Delta Sand and Gravel had been selected as a candidate for the Oregon Plan Watershed Award.

Mr. Runyon distributed a map showing the details of a side channel project proposed by Wildish Sand and Gravel for the confluence area. He said that staff was discussing how to work with the McKenzie River Trust on an integrated project approach as other opportunities for projects existed. He would continue to provide the Council with updates.

7. COMMITTEE UPDATES

Education Committee

Mr. Cox reported the Committee reviewed education program activities to date. The Committee also discussed community outreach and the impact the Council has on events. The Committee also looked at benchmark evaluations to see what was doable. The next meeting would be on April 18 at Ike's Pizza at 6 p.m.

Ms. Ferschweiler indicated that she had not yet heard back from any Council Partners other than the McKenzie River Guides regarding contributions to the scholarship fund. She said that the McKenzie River Guides was exploring the idea of setting up a scholarship fund, and she had met with Greg White of the Guides to review the process. There was discussion of merging that scholarship with the council scholarship into a single scholarship to honor Ken Robinson, who lost his life in a river accident the previous year. She noted that Mr. Robinson had been instrumental to the success of the annual river clean-up. She asked for Council concurrence to proceed.

Council Partners indicated support for the proposal showing consensus level 3, with the exception of Mr. Highfill, who indicated consensus level 1, and Mr. Cox, who indicated consensus level 2.

Executive Committees

Mr. McDowell said the Committee was working with Cascade RC&D to develop a tracking form for expenditures. The Committee reviewed the form and requested some small revisions. He anticipated that

when the nonprofit was in place, funding would be directed to Citizens Bank for easier access and more local control. The Committee discussed the nominees for the landowner awards, and would forward its recommendations to the Council at the next meeting.

8. ADMINISTRATIVE UPDATE

Ms. Finnessy called the Council's attention to the attachments in the packet related to the item. They included the conflict of interest policy, a progress report on the current Work Plan, a letter of support from the Council for the ODF's grant application for the McKenzie Community Fire Plan, Education, and Hazard Reduction Plan, and a letter from the Council to the ACOE in support of post-construction monitoring for the Willamette Temperature Control Project at Cougar Dam and Reservoir.

Ms. Finnessy reported that the Lane County complex at Amitage Park, including the Council offices, had been broken into on April 11. The thieves took software and hardware. She thanked staff for its quick response to the break-in. She indicated that in the future, she would keep the main computer hard drive at her home. She said Lane County was working to improve security at the park.

The meeting adjourned at 8:20 p.m.

(Recorded by Kimberly Young)