

MINUTES

McKenzie Watershed Council
Eugene Water & Electric Board Training Room

September 8, 2005
5:30 p.m.

PRESENT: Emily Rice (Bureau of Land Management), Facilitator; Diane Albino (Mohawk Watershed Partnership), Allen Olander (for Doug Brook, Hynix Semiconductor), Bob Bumstead (McKenzie Flyfishers), Kurt Cox (McKenzie School District), Gene Highfill (McKenzie River Guides Association), John Lilly (Division of State Lands), Joe Moll (McKenzie River Trust); Douglas Moser (At-Large Stakeholder), Joe Pishioneri (City of Springfield), Chris Pryor (City of Eugene), Ray Rivera (for Mary Allison, United States Forest Service), Erik Petersen (Army Corps of Engineers), John Simpson (Eugene Water & Electric Board), Kelly Reis (for Jeff Ziller, Oregon Department of Fish and Wildlife), Council Partners; Juan Welsh, Council staff; Rachel Burr, Jared Rubin, Oregon Department of Environmental Quality; Ben Mundie, Department of Geology and Mineral Industries; Milo Mecham, Lane Council of Governments; Judy Volta, Coburg Mayor; Nancy Holzhauser, Environmental Solutions; Phil Raab, United States Forest Service; Michael Morales, Division of State Lands; Phyliss Highfill, resident; Jack Deitweiler, Kennedy Jenks; Karl Morgenstern, Eugene Water & Electric Board; Alan Babb, George Staples, Delta Sand & Gravel.

ABSENT: Pat Gripp (McKenzie Residents Association), Michael Kerrick (At-Large Stakeholder), Mike McDowell (Weyerhaeuser), Charlene Phipps (McKenzie Residents Association), Ralph Perkins (East Lane Soil Conservation District), Council Partners.

1. REVIEW AGENDA AND INTRODUCTIONS

Ms. Rice called the meeting of the McKenzie Watershed Council to order and reviewed the agenda. She called for changes to the agenda. There were none.

Those present introduced themselves.

2. DISCUSSION AND APPROVAL OF JULY MINUTES

Council Partners considered the minutes of July 14, 2005.

Council Partners indicated support for approving the minutes of the July 14, 2005, meeting, as submitted, showing Consensus Level 3.

3. SHORT ANNOUNCEMENTS/PUBLIC COMMENT

Mr. Moll announced that the McKenzie River Trust was still in the process of hiring a director of administration and hoped to hire someone soon. He noted that the trust would be moving to new offices shortly after October 1. He reported that the draft management restoration plan for Green Island had been completed. The Trust's newsletter had been mailed that week, and he called the Council's attention to several upcoming field trips mentioned therein. Mr. Moll announced the Trust was opening Green Island

to visitors on October 9, and invited interested Council Partners to contact him for details.

Mr. Simpson reported that the Leaburg Lake raise went very smoothly. It appeared no more than a six-inch raise would be required, which would increase net generation by 4,200 megawatt hours of electricity during an average water year at a present net value of \$2.6 million. He said as a result of the needed raise, which was lower than the 18 inches originally projected by the Federal Energy Regulatory Commission (FERC), the Eugene Water & Electric Board (EWEB) would need to amend its license application. In the meanwhile, EWEB was working with property owners adjacent to the lake to mitigate the impact of the raise.

Mr. Simpson reported that EWEB was attempting to locate a new boat landing on the McKenzie River in association with the lake raise and was working to identify a site that would satisfy both area residents and river users.

Mr. Simpson referred to the installation of addition of three new chevrons proposed to be located near the entrance of the Walterville Canal and indicated the work would not occur this year because of the impact of construction on spawning activities.

Mr. Simpson called the Council's attention to the goats EWEB was employing to maintain vegetation on the banks of the Leaburg Canal.

Mr. Simpson said EWEB continued to address issues related to the Walterville tail race, and it was likely there could be some property owners filing litigation against the utility.

Mr. Simpson reported that FERC approved EWEB's Leaburg/Walterville Relicensing Recreation Plan.

Mr. Rivera provided several updates on Forest Service projects being done in conjunction with the Council, EWEB, and/or OWEB, noting that progress on the fish passage at Simmonds Creek was being made; large woody debris had been placed in the river upstream of Trail Bridge; brush bundles had been placed in Trail Bridge Reservoir; and the agency was working with Oregon State University on fish monitoring.

Mr. Pishioneri reported that he recently viewed the PeaceHealth construction site on the McKenzie River and was happy with what he saw.

Mr. Cox reported that he participated in the confluence boat trip and found it a great way to mentally bring together the different concepts the Council had discussed. He noted that school was again in session, and a district in-service training had been held at H. J. Andrews Experimental Forest. Salmon Watch training was occurring the next day for seventh grade students. A group of high school students was working on native plant restoration.

Mr. Petersen reported that the Army Corps of Engineers (ACOE) was on schedule for the completion of repairs to Fern Ridge Reservoir, and he was cautiously optimistic that work would be done by November 1.

Mr. Petersen said ACOE staff continued to become familiar with the new temperature control device at Cougar Reservoir. He believed the device would be very worth while in the long-term.

Mr. Petersen noted ongoing fish monitoring occurring in the McKenzie and Long Tom rivers as well as Fern Ridge Reservoir. Things were going well.

Kelly Reis noted that staff of the Oregon Department of Fish and Wildlife (ODFW) were also involved with the Salmon Watch training mentioned by Mr. Cox. She reported that Mark Wade of the ODFW had indicated there were at least four bull trout redds in the south fork of the McKenzie and the agency would continue to monitor them.

Ms. Albino noted that Mr. Welsh would provide a slide show at the next Mohawk Watershed Partnership meeting. She said that Marcola High School students had been doing water quality monitoring at Cartwright Creek.

Mr. Pryor thanked Ms. Allison and Mr. Rivera for a recent tour of the H. J. Andrews Experimental Forest and various Forest Service project sites, which he found very informative. He reported that the Water Quality Committee, of which he was a member, was discussing how to improve coordination for monitoring activities given recent budget cuts.

Mr. Lilly introduced Michael Morales of the Western Region of the Division of State Lands (DSL), who was his new assistant in his new role as the Assistant Director of Wetlands and Waterways Conservation Division. Mr. Morales would be his alternative to Council meetings.

Ms. Rice called the Council's attention to a flier entitled Western Oregon Plan Revisions (WOPR), reporting that the Bureau of Land Management (BLM) had begun to revise its land use plans due to its recent settlement with the American Forest Resources Council. She said the BLM had been unable to meet its timber commitments and would be considering alternatives on how to meet the commitments. The focus of the planning effort was the O&C lands managed by the BLM in the northwest. An open house on the topic was scheduled for September 21 from 1 p.m. to 4 p.m. and 6 p.m. to 8 p.m. She encouraged Council Partners' attendance and said there would be other opportunities to get involved.

Ms. Rice reported that the BLM was in the process of improving the Taylor Boat Landing on Deerhorn Road with both its own funds and a generous donation from the Wessinger Foundation.

Mr. Welsh noted that Council Coordinator Megan Finnessy was absent because she was getting married. Ms. Ferschweiler was also unable to present but asked that he mention the upcoming Macroinvertebrate Collection Day on September 24. Training for the event was on September 22. He distributed fliers and asked Partners to sign up with Ms. Ferschweiler.

Mr. Welsh provided a brief project update, reporting that he anticipated the Simmonds Creek project would be completed soon due to the efforts of Mr. Rivera and the Forest Service. He said that the Parsons and Toms creek projects had been postponed until the following year, the Parson Creek project because of a design delay and the Toms Creek project because of a conflict with another BLM project located upstream.

Mr. Welsh said that he was in the process of completing funding grants and ordering plant materials for the upcoming planting season.

Mr. Rubin announced that the Oregon Department of Environmental Quality (DEQ) received funding to implement the Willamette River TMDL (Total Maximum Daily Load) package and was hiring a team to do so.

4. DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES OREGON PLAN FOR SALMON AND WATERSHEDS AWARD PRESENTATION—MCKENZIE WATERSHED

COUNCIL AND DELTA SAND & GRAVEL

Ben Mundie of the Department of Geology and Mineral Industries (DOGAMI) presented the Oregon Plan Award to Delta Sand & Gravel and the McKenzie Watershed Council. The award presented to Delta Sand & Gravel was an award presented by DOGAMI in recognition of operators who improved riparian salmon habitat. Alan Babb and George Staples of Delta Sand & Gravel were present to accept the award.

Mr. Babb complimented the McKenzie Watershed Council for its positive attitude toward Delta's mining efforts, and said it was refreshing to see. He said companies such as his did not often get credit for the environmental work they did, and he was happy to see the work get notice.

Mr. Staples credited Mr. Babb for creating the opportunity by encouraging him to pursue a salmon habitat restoration project, and he commended John Runyon of the Confluence Steering Committee for his assistance and patience in working through the regulatory hurdles and for keeping the project on track.

Mr. Mundie noted that the committee deciding on the awards agreed that the McKenzie Watershed Council should be a co-recipient of the award as well. Ms. Rice accepted the award on behalf of the Council and Mr. Runyon.

5. FACES OF RESTORATION VIDEO PRESENTATION—COUGAR TEMPERATURE CONTROL PROJECT

The Council Partners viewed a video regarding the Cougar Temperature Control Project entitled *Faces of Restoration: The Cougar Tower*.

6. EWEB NONPOINT SOURCE POLLUTION PROGRAM

Mr. Morgenstern provided a PowerPoint presentation on EWEB's Nonpoint Source Pollution Program, which was developed as a result of the EWEB commissioners' adoption of EWEB's Drinking Water Source Protection Plan in 2000. He provided the Council with details regarding EWEB's efforts to improve watershed health and quality over time by reducing nonpoint sources of pollution from urban runoff, agricultural activities, forestry, septic systems, and construction/development activities. He noted EWEB's baseline assessments and described some of EWEB's approaches in each area.

Ms. Albino determined from Mr. Morgenstern that EWEB used zoning to define forested lands. Ms. Albino asked what percentage of the land in the watershed was actually forested. Mr. Morgenstern estimated 65 percent. Mr. Moll asked if EWEB employed incentive programs to reduce nonsource point pollution. Mr. Morgenstern indicated that EWEB had limited incentives, such as information about markets for sustainable forest products it provided to farmers. He noted he was the only staff working on the program, and the program's focus was largely on impacts from agricultural activities.

Responding to a question from Mr. Highfill about what EWEB did when it discovered faulty septic systems, Mr. Morgenstern indicated there were regulatory agencies that EWEB could turn to, but he hoped to avoid that. He noted that there were grant funds available that helped property owners replace such systems. Ms. Holzhauser noted in her experience, it was generally best to take a hands-off approach with property owners given their fear about regulatory agencies. She pointed out that there was a certification regarding septic systems available to property owners that helped add value to a home.

Mr. Cox asked if EWEB looked at the historical applications of pesticides and herbicides. Mr. Morgenstern indicated that EWEB intended to do so, taking advantage of information available through

water and well sampling to determine degradation.

Mr. Pryor asked if Mr. Morgenstern had any information about the setbacks necessary to mitigate the potential impact from a dog park on an adjacent waterway, such as that being proposed by Willamalane Parks and Recreation District adjacent to Cedar Creek. Mr. Morgenstern indicated the setback and impact depended on the location in question, and the impact involved generally was from surface runoff.

Ms. Rice called for a brief break. Mr. Pryor left during the break; Mr. Bumstead arrived.

7. CITY OF COBURG—WASTEWATER TREATMENT SYSTEM PROJECT

Ms. Rice noted the Council's receipt of an Environmental Assessment (EA) entitled "City of Coburg Wastewater Treatment System—Environmental Assessment," and called Partners' attention to a letter to Mona Ellison of the DEQ drafted on behalf of the Council in regard to the EA.

Milo Mecham of the Lane Council of Governments was present for the item. He said that the City of Coburg was wrestling with a groundwater pollution problem that it proposed to address through a wastewater treatment system, which was the subject of the EA. Mr. Mecham introduced Coburg Mayor Judy Volta and Project Engineer Jack Deitweiler.

Ms. Volta reported that Coburg was the last city of any size in Oregon served by septic systems. Coburg had been declared a groundwater management area by the DEQ and now was considering ways to address the problem. She said that she personally preferred that, rather than construct its own treatment plant with an outfall on the McKenzie River, Coburg connect to Metropolitan Wastewater Management Commission (MWMC). Ms. Volta said that a meeting on the issue between the responsible Lane County, Springfield, and Eugene elected officials was planned in October. In the meanwhile, Coburg must proceed with the EA and was in the process of seeking federal grant funds.

Ms. Volta indicated she, Mr. Deitweiler, and Mr. Mecham were present to answer questions. She asked for the Council's support for Coburg's connection to the MWMC.

Council Partners asked questions clarifying the details of preferred alternative identified in the EA. Mr. Mecham referred Partners to the document's appendices for more information.

Mr. Moll asked what impediments existed to Coburg's connecting to the MWMC. Mr. Mecham said that the joint elected officials would meet on October 11 to discuss the issue, and they would welcome comments on the topic. Responding to a question from Mr. Rivera, Mr. Mecham said that a dual process was underway because Coburg needed a solution now could not wait to find out which option was acceptable.

Responding to a question from Mr. Rivera, Mr. Mecham concurred that the connection to the MWMC was not the preferred alternative identified in the EA, but Coburg was working under a federal deadline for funding assistance and had to make a choice about a preferred alternative. Because Coburg had not received approval to connect to the MWMC, the EA could not be based on that potential.

Responding to a question from Ms. Rice, Mr. Mecham confirmed that the current EA would be a moot issue if the joint elected officials agreed to allow Coburg to connect to the MWMC. If any federal money was involved in the connection to the MWMC, the EA would be refocused on the environmental consequences of building a collection system in Coburg and a pressure line between Coburg and Eugene.

Ms. Rice asked about public outreach associated with the EA. Mr. Deitweiler indicated that the outreach had been extensive, and included newspaper articles and advertisements.

Responding to a question from Mr. Bumstead, Mr. Mecham indicated that discharge to Muddy Creek had been considered as an alternative, but the flow in the creek was insufficient for dilution.

Mr. Mecham emphasized the environmental benefit from Coburg connecting to the MWMC as opposed to establishing a discharge outlet to the McKenzie River.

Ms. Rice referred to the letter to the DEQ drafted by the Council subcommittee and asked the Council if it wished to revise the letter, which needed to be sent by September 12. Mr. Moll suggested that the Council avoid “hammering” the EA in its communication and instead emphasize in the letter what it wished to see occur. He offered to help rewrite the letter. There was general agreement.

Council Partners indicated agreement with a suggestion from Ms. Rice to send two separate letters, one to the DEQ focused on the EA and one to the MWMC regarding the desired connection to the MWMC.

Partners generally indicated Consensus Level 3 to send the letter to the DEQ, with Mr. Pishioneri and Mr. Lilly recusing themselves from participating in the vote because of their roles as decision makers in regard to the issue, Mr. Moll and Mr. Bumstead showing Consensus Level 1, Mr. Petersen showing Consensus Level 2, and Mr. Oleander showing Consensus Level 4.

Mr. Bumstead asked Mr. Oleander to discuss his concerns, as evidenced by his display of Consensus Level 4. Mr. Oleander said the letter was more focused on Council issues as opposed to issues related to the EA. He thought the tone of the letter was flawed and went beyond what was called for. He perceived the letter as advertising for the Council and wanted to diminish what he considered negative editorializing in the letter. Mr. Oleander indicated he would provide input on the letter to Mr. Welsh. Mr. Bumstead and Mr. Pishioneri agreed with Mr. Oleander’s concerns and asked that staff keep them in mind.

Mr. Welsh indicated he would redraft the letter and circulate it among Executive Committee members.

Partners generally indicated Consensus Level 3 to send the letter to the DEQ with the revisions discussed, with Mr. Pishioneri and Mr. Lilly recusing themselves from participating in the vote because of their roles as decision makers in regard to the issue, Mr. Moll and Mr. Bumstead showing Consensus Level 1, and Mr. Rivera and Ms. Rice showing Consensus Level 2.

Council Partners indicated consensus that a letter would also be sent to the MWMC, with the letter to be drafted by Mr. Welsh and reviewed by the Executive Committee, and also indicated consensus that Ms. Finnessy would be charged to offer testimony to the joint elected officials on October 11. Mr. Lilly and Mr. Pishioneri abstained from the vote, Mr. Bumstead indicated Consensus Level 1, Ms. Rice indicated Consensus Level 2, and other Council Partners indicated Consensus Level 3.

8. COMMITTEE UPDATE

Mr. Rice reported that the Executive Committee was in the process of writing job descriptions and dealing with the contracts of Council staff.

9. ADMINISTRATIVE UPDATE

Mr. Welsh reminded the Council Partners that there was no regular October meeting, but a retreat was scheduled for October 22 at the Walterville Grange. He also reminded Partners of the upcoming Adopt-a-Highway clean-up, occurring on October 1.

The meeting adjourned at 8:30 p.m.

(Recorded by Kimberly Young)