

MINUTES

McKenzie Watershed Council
Eugene and Water Electric Board– 500 East 4th Avenue

November 14, 2002
5:30 p.m.

PRESENT: Wade Stampe, Facilitator, John Allen, Dorothy Anderson, Bob Bumstead, Dana Burwell, Pat Gripp, John Lilly, Ryland Moore, Leroy Petersen, Fred Simmons, Pat Thompson, Jeff Ziller, partners; Jim Thraikill, Council Coordinator; Kate Ferschweiler, Council staff; Carol Ach, Douglass Moser, Chuck Gottfried, Sally Nunn, Craig Patterson, Gary Gripp, John Runyon, guests.

ABSENT: Mike McDowell, Brent Hefty, Gary Rayor, Jim Redmond, Emily Rice, Cindy Weeldreyer, partners.

1. REVIEW THE AGENDA

Mr. Stampe called the meeting of the McKenzie Watershed Council (MWC) to order, reviewed the agenda and called for deletions or additions. There were none.

2. INTRODUCTIONS

Those present introduced themselves.

3. OPENING REMARKS

Mr. Thraikill reported that he had enjoyed this morning's excursion on the McKenzie River with Mr. Ziller. He shared an article relating to the success of the household hazardous round-up day from *River Reflections*. More than 100 households visited with thousands of pounds of hazardous wastes collected. Also in the October 23, 2002, *Register Guard* (page 2D) was an article about Mary Lou and Leroy

Peterson which reflected positively on the watershed council. Mr. Thraikill shared a book, "*Riverwater*," by Andy Whipple. The book is at the publisher and the MWC will have some responsibility for editing.

Finally, Mr. Thraikill showed a six minute video relating to the use of goats as a natural way to combat noxious weeds. Mr. Thraikill said that there was a pilot project along the McKenzie River with 300 goats over 14 days.

Mr. Peterson and Mr. Moore arrived.

4. FURTHER DISCUSSION OF DECISIONS MADE AT LAST MEETING

There was no further discussion.

5. MINUTES

MR. BUMSTEAD MOVED TO APPROVE THE MINUTES OF OCTOBER 10, 2002, AS PRESENTED. THE COUNCIL INDICATED CONSENSUS LEVEL 3.

6. PUBLIC COMMENT

Carol Ach, McKenzie River resident, read a prepared statement opposing the Forest Service Policy on the application of herbicide treatments on Bureau of Land Management properties.

Mr. Allen responded that in Oregon and Washington, the effort was focused on the East side of the Cascade where noxious plants were taking over the vegetation. On the west side of the Cascade, there has only been spotted treatment of knapweed along the highway. He said that he did not anticipate any increased use of herbicides in the McKenzie Watershed beyond that.

7. STAFF AND COUNCIL PARTNER ANNOUNCEMENT

Mr. Ziller reported that a new fish biologist had been hired.

Mr. Thompson shared that the Mohawk Watershed Partnership was beginning to look at partnership opportunities for the next year.

Ms. Gripp reported that the resident association held its annual meeting last weekend. One of the priorities noted was the need for increased law enforcement.

Mr. Moore said that the McKenzie River Trust is distributing its fall newsletter.

Mr. Bumstead reported that fall trips have been good, with fish galore. When on Lake Creek, he said he had never seen such a fish frenzy in his life. He also requested a report on today's confluence meeting he was unable to attend. He also said he had heard a report that the Walterville Canal would be "re-watered" very soon and asked Ms. Anderson to comment. Mr. Thrailkill said that the goal was to have water in the canal by mid-month.

Mr. Bumstead said that the outflow by the screen was near an old unimproved boat ramp and asked if anything would be done with that at Partridge Lane. Mr. Ziller said that the ramp was suppose to be left in place, but he did not know about other improvements. The screens were set yesterday.

John Runyon reported on today's meeting on the confluence. There are two projects currently and the permits are almost in place, but the machinery cannot get on the site because of the rain. He said there have been some frustrations with the permitting process that can be used as lessons for future larger projects. The funding is in place but the projects will be on hold until spring. Mr. Runyon also reported on a presentation on projects in the Rogue River confluence.

Mr. Ziller said that the meetings on the confluence feel like a "gripe" session against the agencies that hold the permits. He asked that Mr. Runyon try to temper some of the frustration. Mr. Runyon said he could do a better job of tempering the discussion. Mr. Thompson added that permitting always takes longer than one thinks.

Mr. Allen updated members that US Fish and Wildlife is about to release the recovery plan for bull trout, which will include a 60 day comment period. Mr. Allen also reported that he saw a bald eagle feeding off a dead salmon, which he characterized as a significant step and hoped that efforts would result in a higher survival rate of the bald eagles. There are 18 inches of snow at the top of Santiam Pass. On December 4, there will a dedication of the 70 year-old camp created by the Civilian Conservation Corps.

Mr. Simmons reported that on December 18 would be a work session on PeaceHealth and on December 2, there would be a public hearing on the Gateway Refinement Plan relating to PeaceHealth. He encouraged members to respond if they felt so inclined.

Mr. Lilly said that there was a new Chairman of the Board to report in January (Governor-elect Ted Kulongoski).

Mr. Stampe said that toward the end of September, flows out of the reservoir were backed off to maintain waterflows. He said that the rains have eased this situation. Relating to the "American Heritage River," Mark ??? has been appointed as the new navigator.

As a result of last meetings discussions of employment contracts with staff, Ms. Ferschweiler shared her “thank you” file, which included notes from kids, staff, and community members. Mr. Bumstead said that the thrust of the conversation at the last meeting was to design a standardized questionnaire. Mr. Thrailkill said that the new contract will have that language included.

8. COUGAR WTC SUPPLEMENTAL INFORMATION REPORT

Mr. Thrailkill provided a briefing with a handout relating to the Cougar WTC Supplemental Information Report, a multi-page document. He asked if partners had an interest to be involved in the process. There is an in-house review process in progress. Once the review is complete, there will be a 30 day public comment period. He said that as a result of the initial work, the Corps has decided to hold the current level at 1,400 foot pool level and get all of the reservoir water out as early as possible to maintain the 1,400 foot pool level.

The following decision was put before council partners:

- MWC retain engineering hydraulic firm to conduct independent review of Cougar WTC SIR.
- Being asked of firm:
 - Review SIR assumptions
 - Review SIR logic path
 - Review SIR interpretation
- Product from Firm:
 - Profession opinion on Cougar Operational Path
- Cost Estimate: \$500
- Why do this?
 - ACE Independent Review is in-house
 - Timing of review and BMP implementation may preclude a council opinion

- park of public discourse
- public expectation

The Executive Committee asked that the full MWC be involved in the discussion.

Mr. Bumstead asked if the watershed council would pay for the report? Mr. Thraikill said that this was discussed, with the hope that the public would look at the review as an independent analysis. It was also one way for council to provide input.

Mr. Ziller asked what kind of review could be done for \$500. Mr. Thraikill said that the review included the outlined three bullets of what was being asked of the firm.

Ms. Ach said she would review the assumptions and logic path for free.

Craig Patterson said that the issue was not appropriately identified– that the issue was not the flow, but that the drain was at the bottom.

Mr. Simmons asked if work was on hold. Mr. Simmons said that the option of holding the pools at minimum levels seemed the best option at this time, rather than having the level flux up and down. Mr. Stampe said that there was on-going work, but that there will be some work that could not be done during the winter, including the delay for metal fabrication.

Mr. Lilly said that another approach would be to take Mr. Simmons' hypothesis and ask the firm to apply the hypothesis to the Corps data and report if it made sense.

Mr. Allen said that with a project as complex as this, he would anticipate that the limited time that a consultant could spend might raise more questions. Mr. Bumstead said that this might be useful. He did not want to see this as a public relations move, but that he wanted information.

Mr. Lilly said that he thought that for useful information, he believed that the \$500 should be \$5,000, but that the direction should be focused.

Ms. Ach asked if there was anything that the MWC might do that would impact the project. She commented that during the public comment period, there was no commitment to do anything with the comments. She expressed concern that the Corps was able to do an independent review of its own project.

Mr. Ziller said that he did not feel that there would be a substantive product for \$500. He asked how much money the Corps spent on the review. Mr. Stampe said that he did not know. Mr. Thraikill said that with an inquiry, he asked a firm that expressed an interest because the study would be of interest to them.

Chuck Gottfried said that given the independence of the watershed council, it was important to have an identified set of questions that some firm might weigh-in on. Mr. Thraikill said that he could craft one to three questions that targeted the best management practices and then send the questions to the firm in Seattle and ask how much they believe a review would cost.

Mr. Thompson asked if the review would be on the operational report or the whole report. Mr. Thraikill said that it would likely be on the operational portion of the report. Mr. Thompson said that one approach might be to spend \$100 to have an engineer read the report and ask for an estimate of what a more detailed report might include and the estimated costs.

Mr. Allen said that there may be other avenues for getting technical advice, like working with members of the Water Quality Committee. Mr. Thraikill said that there may be, but they may also be drafting a

response for their own agency. Mr. Allen said that he did not feel that the council's comments should be limited to a \$500-\$1,000 report, but that there could be an integrated effort.

Mr. Thrailkill said that he could work with the Water Quality Committee or he could send the report to the independent agency with a request to review the report and provide a thumbnail of what else could be done. Mr. Allen and Mr. Thompson suggested that both could be done. Partners appeared to be in concurrence.

Mr. Allen said that one of the greatest values of the integrated review was coming up with the core list of key questions that the SIR should adequately address.

Mr. Ziller said that before further action is taken, he would like to see the independent report from the Corps. Mr. Thrailkill said that it will be the independent report that the team will look at and make comment on.

Mr. Bumstead asked how the reservoir was being managed until the report was done. Mr. Thrailkill said that based on the draft report, the pool level will be targeted to be maintained at the 1,400 feet pool.

Mr. Patterson suggested that if some of the people from the Corps, as well as the hired firm, have a discussion in front of the team.

**MR. ALLEN MOVED TO HAVE THE WATER QUALITY WORK GROUP
LOOK AT THE SIR REPORT, AKS IF THE REPORT IS SUFFICIENT AND
INDICATE IF THERE ARE ADDITIONAL QUESTIONS THEY WOULD
WANT TO ASK. THEN HAVE THAT INFORMATION BROUGHT BACK
BEFORE THE EXECUTIVE COMMITTEE TO DETERMINE IF AN
INDEPENDENT REVIEW WOULD BE BENEFICIAL. HE ALSO
ENCOURAGED THE COLLABORATIVE APPROACH SUGGESTED BY MR.**

PATTERSON, WITH A DIALOG WITH MEMBERS FROM THE CORPS, THE WATER QUALITY GROUP AND OTHER KEY PARTIES, LIKE THE INDEPENDENT FIRM. MEMBERS INDICATED CONSENSUS LEVEL 3. MR. STAMPED RECUSED HIMSELF.

The Council took a brief recess at 6:50 p.m.

Mr. Bumstead and Mr. Thompson left.

The Council reconvened at 7:05 p.m.

9. MWC NON-PROFIT STEERING COMMITTEE

Mr. Thraikill asked partners to consider laying the groundwork for proceeding on non-profit status. A retreat is anticipated for December, during which partners will be asked to adopt the 2003 work plan and complete a self-assessment of the council. Between now and the retreat, he asked partners to review the work plan and to make final comments so that a working document is available for consideration.

In the work plan is the goal to have the “Council recognized as legal entity having non-profit status.” As a result, staff was recommending that a Non-Profit Steering Committee be established to work with non-profit attorney David Adkins. The role of the committee would be to 1) draft and develop organizational structure of the non-profit, 2) draft bylaws of the non-profit and 3) revise/amend MWC Charter. Mr. Thraikill reviewed the composition of the Executive Committee, which he suggested be focused on this exercise. He anticipated monthly meetings for the next four months. By Spring 2003, the committee could

bring draft products to MWC for review and comment. After MWC review, begin a formal adoption process by MWC during the summer.

Mr. Thrailkill suggested that the Committee could consist of the following;

- 1 representative from Mohawk Watershed Partnership
- 1 representative from either City of Eugene or Springfield
- 1 representative from federal agencies
- 1 representative from citizens
- 1 representative from utilities
- 1 representative from at-large

Mr. Thrailkill asked if there was consensus to move forward with this approach.

**COUNCIL PARTNERS INDICATED CONSENSUS LEVEL 3 TO
PROCEED.**

10. EXECUTIVE COMMITTEE REPORT

Mr. Thrailkill said that tomorrow morning, he will be making a presentation for a delegation from Borneo, at the EWEB Board Room at 9:30 a.m. This is a sister-government program between Borneo and Oregon.

Mr. Thrailkill also noted that the retreat would be scheduled. He also said that he would be asking for help with identifying presentations for future agenda items. Mr. Ziller suggested a presentation on the movement on salmon above the dam.

The meeting was adjourned at 7:20 p.m.

(Recorded by Kris Aanderud)

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