

**AGENDA
MCKENZIE WATERSHED COUNCIL**

**November 10, 2016
McKenzie Fire & Rescue
42870 McKenzie Hwy.
Leaburg**

- | | |
|---|---------------------|
| 1. INTRODUCTIONS AND APPROVAL OF AGENDA | 5:00 – 5:05 |
| Diane Albino, Facilitator
<i>Action Requested:</i> Approve agenda. | |
| 2. GENERAL PUBLIC COMMENT SESSION | 5:05 – 5:15 |
| <i>The Council invites public comment on any watershed issue related to its mission. The time limit for comments is three minutes. If you wish to make a comment, please complete a public comment card and provide it to staff before the session. The Council's adopted public comment procedures are on the reverse side of this agenda.</i> | |
| 3. APPROVAL OF OCTOBER 13 MINUTES | 5:15 – 5:25 |
| <i>Action Requested:</i> Approve minutes. (<u>Attachment</u>) | |
| 4. PARTNER ANNOUNCEMENTS | 5:25 – 5:45 |
| 5. STAFF REPORTS | 5:45 – 6:05 |
| BREAK | |
| 6. PHARMACEUTICAL SAMPLING IN THE MCKENZIE | 6:10 – 7:10 |
| Nancy Toth (EWEB), Michele Miranda (City of Eugene Wastewater), DEQ | |
| 7. ALTERNATES FOR RESIDENT PARTNERS | 7:10 – 7:20 |
| <i>Action Requested:</i> Consider amending charter to add provision. | |
| 8. CRAIG PATTERSON E-MAIL | 7:20 – 7:40 |
| a. Explanation of request – Craig Patterson
b. Council Discussion/Action | |
| 9. EXECUTIVE COMMITTEE APPOINTMENTS | 7:40 -- 7:45 |
| (Announcement of terms expiring; appointments made in December) | |

Next Meeting: December 8, Weyerhaeuser Company, Springfield, 5:00 p.m.

Contact: Larry Six, 458-201-8150, coordinator@mckenziawc.org, www.mckenziawc.org

**PUBLIC COMMENT PROCEDURES
MCKENZIE WATERSHED COUNCIL**

Adopted February 14, 2013

A general public comment period of at least ten minutes will be placed on each agenda at the beginning of the meeting. During this session, testimony is allowed on any matter relevant to the Council's mission. The facilitator shall determine relevance. The time limit for comments is three minutes, which can be reduced at the discretion of the facilitator. The facilitator also may allow public comment or questions on specific agenda items as they are addressed, with a three-minute time limit. The facilitator has the discretion to end public testimony if needed to make sure the Council completes its business.

Before members of the public may provide comments, first they must be recognized by the facilitator. Individuals should raise their hands to be recognized and provide their names and the organizations they represent, if any. The Council will require speakers to fill out a public comment card identifying themselves and the topic they wish to address.

Each agenda should include a statement describing these public comment procedures.

COUNCIL MISSION STATEMENT

To foster better stewardship of McKenzie River watershed resources, deal with issues in advance of resource degradation, and ensure sustainable watershed health, functions and uses. The Council will accomplish its mission through fostering voluntary partnerships, collaboration and public awareness.

MINUTES – DRAFT
McKenzie Watershed Council
Eugene Water & Electric Board (EWEB)
Eugene, Oregon

PRESENT: Council Partners: Carol Ach (Resident Partner),), Diane Albino (Mohawk Watershed Partnership), Terry Baker (McKenzie River Ranger District), Brian Brazil (International Paper), George Brown (Eugene City Council),) Bob Bumstead (McKenzie Flyfishers), Kurt Cox (Resident Partner), Arlene Dietz (Rice Family Farms), Daniel Dietz (McKenzie River Trust), Mike McDowell (Resident Partner), Andy McWilliams (Resident Partner), Keir Miller (Lane County), Karl Morgenstern (EWEB), Ralph Perkins (Upper Willamette Soil and Water Conservation District), Dave Ralston (City of Springfield), Maryanne Reiter (Weyerhaeuser), Mark Stephen (Bureau of Land Management- alternate for Bill O’Sullivan), Jeff Ziller (Oregon Department of Fish and Wildlife) **Staff:** Justin Demeter, Melanie Giangreco, Amanda Gilbert, Larry Six, Jennifer Weber, Jared Weybright, **Community:** Nancy Toth (EWEB), Mike McCann (EWEB), Jeannine Parissi (EWEB)

PROXIES: Kurt Cox for Nate Day, Maryanne Reiter for Sue Zeni, Karl Morgenstern for Steve Mealey, Larry Six for Mark Schulze

ABSENT: Rod Fosback (NW Steelheaders Association), Chad Helms (US Army Corps of Engineers), Randy Hledik (Wildish), Dave Kretzing (Resident Partner), Craig Patterson (Resident Partner), Wade Stampe (Resident Partner), Steve Raymen (Resident Partner)

BUSINESS MEETING

1) Introductions and Approval of Agenda

Larry Six, Facilitator

Action Requested: Approved agenda

Mr. Six proposed to move budget approval to before the lunch break.

Mr. McDowell recommends consensus, all showing consensus level 3.

2) Public Comments

None

3) Approval of September Meeting Minutes

Ms. Dietz recommends consensus, all showing consensus level 3, except a 7 from Ms. Albino as she was not at the previous meeting.

4) Partner Announcements

Mr. Dietz reported that the McKenzie River Trust has been focusing on Finn Rock and bringing donors there.

Ms. Dietz said they are half way through hazelnut harvest.

Ms. Albino brought photos of her grandson who passed, as he had been at Council events.

Mr. McDowell commented that he had noticed small houses and thought it was homeless camp, but it is offices for a bridge building project that will restore a National Historic Bridge from the Transcontinental Railroad.

Mr. Morgenstern responded with information about the easement for the bridge and the park that will be created.

Mr. Brazil reported that International Paper is in the middle of their annual month long shut down, which is the culmination of a \$100 million project to optimize and improve the mill for longevity in this community.

Mr. Cox announced that the charter school proposal was accepted, so they are now in the process of applying for 501(c)(3) status. MWC comes up frequently in conversations for partnerships with the school. He showed calendars with historic bridges that will be sold for \$10 as a fundraiser. Thank you to Mr. Demeter for the days upriver at Salmon Watch. Always leave with more awe for the salmon.

Mr. McWilliams said McKenzie Masters was proud to sponsor Salmon Celebration, and is hoping to start planning earlier and getting more people there next year. Portico Group is currently at the Wayfarer for a 3 day planning session for the McKenzie River Interpretive Center. Exciting project.

Mr. Ziller said that the final count for wild salmon over Leaburg Dam was 1,700 this year, which is not bad considering how poor the hatchery run was this year. The bad news is that the hatchery was shut down early in year due to repiping of the creek near the hatchery. The project was not done in time, so the run started prior to getting juveniles back in hatchery. If juvenile salmon are not in hatchery, adult salmon will not go back to hatchery. Next year should be better. Did have concurrence between multiple organizations about hatchery plans for the Willamette Valley. HGMP was finalized and turned into National Marine Fisheries Service and will be open to public review. Wild fish tend to go higher up in system than hatchery fish, more hatchery fish closer to dams, but some wild fish coming back to base of Cougar. Some fish going into Gate Creek, Horse Creek, Mohawk, and hopefully Deer Creek in future.

Ms. Reiter said there will be a meeting on Gate Creek coming up. Also starting a project on the Siletz (Mill Creek), regarding life cycle monitoring with large wood placement. The project is focused on Coho, but is looking at overall productivity of tributaries. Pre and post monitoring data will be collected for fish measurement, macroinvertebrates, water quality, etc.

Ms. Dietz added that there will be a webinar on Oct. 26th, through American Water Resources Association on Oregon's Integrative Water Resources Plan. Changes to the plan have been made to address drought.

Ms. Ach said that their farm stand will be closed at the end of the month.

5. Carmen-Smith Relicensing Measures- Mike McCann, EWEB Engineering Manager

Mr. McCann is the Electric Operations Manager at EWEB. Carmen-Smith is at the upper end of the McKenzie, and is the largest hydroelectric (and only peaking) resource owned by EWEB. Turbines are turned on around 6:00 a.m., demand goes down around 10:00. Back up in later afternoon, down again at night. Originally licensed in 1958, the FERC operating license expired in 2008. Relicensing project started in 2002, and EWEB reached out to different agencies and other stakeholders.

Context was provided for the project site. Management of the site involves trying to balance water coming into and flowing out of the project.

Relicensing process is laid out in CFRs. 2003-2006 studies on fish and wildlife, water quality, geomorphology, etc. were conducted. EWEB identified what needed to be done to address the impacts of the project. A settlement agreement was reached in 2008, with 16 agencies plus EWEB involved, and this was submitted to FERC. The NEPA process occurred in 2009, with a Biological Opinion issued in 2011. Around 2012 or 2013, EWEB heard there was an issue with the permit, as McKenzie is a wild and scenic river with a recreation designation. Up until this, FERC has issued licenses when there are protection measures, if hydroelectric projects are near/adjacent to wild and scenic. In this case, something changed, not sure what that change was, but it resulted in the project not being relicensed. This stopped the process for 2-3 years. In the meantime, power prices decreased.

About a year ago, the settlement parties got back together to announce that the project would lose \$50 million based on current electrical prices. Over the past year, they have been renegotiating. Upstream and downstream fish passage have been some of biggest ticket items. Upstream fish passages would cost \$20 million, and downstream fish screen and passage would cost about \$50 million. Proposal was introduced instead for water to water transfer instead of volitional passage. For downstream, would turn off generator and put all water and fish over spillway. There are also plans to add gravel and wood, and new gauges to monitor water flow. On recreation side, campgrounds and cultural resource protections stay the same. Forest Service enforcement officer has already been hired and is in place for this area.

EWEB is looking into replacing the turbine and generator to have one primary and one back up system. Rebuilding the power house has also been proposed. Will be using soy based oil rather than standard mineral oil for transformers. Still would cause a lot of issues for fish in the event of a spill, but soy oil degrades more quickly than standard mineral oil. EWEB has started on projects now in advance of relicensing, instead of waiting for FERC to move forward with relicensing. They have also started on cutthroat trout habitat improvements, and have plans to eradicate brook trout.

Mr. McCann showed images of the project and areas for proposed conservation/restoration for habitat improvement. With climate change, the expectation is that flows from Blue Pool would decrease, so EWEB has a commitment to release more water from Carmen. Gauge shows flow, but also temperature and indicators of connectivity. Showed picture of culvert under Hwy 126, and the new culvert better for fish passage. EWEB will keep water higher during spawning so bull trout can access Sweetwater Creek.

Will be releasing water year round from Smith Bypass. Looking for ways to bypass large amounts of water, possibly using bypass valve.

Showed slide of fish transport (trap and haul) system. Spillway has a kink in it that causes a standing wave, so this will be corrected and the surface will be smoothed out to make it safer for fish.

Changes will also be made to the spawning channel, so fish can move all the way up to the trap and haul system, but will also maintain spawning channel if fish choose to spawn there. Invasive management and replanting is taking place in the transmission corridor. Crew are going through every section of the line every year and pulling Scotch Broom in order to create early seral habitat. They have found that breaking instead of pulling the plant tends to be more effective. Once the license is approved, EWEB has plans to work with the Forest Service to lay the corridor back and create more of an open break, and additional habitat for animals. It has been cheaper than mowing because the shrub layer makes constant maintenance (mowing) unnecessary. There are plans to add more campgrounds, day use areas, and boat access. The power house work is underway already. Butterfly valves will be replaced next March. The road past the powerhouse will be closed March-September or October of next year.

Renegotiation is underway with settlement parties, and will conclude by the end of November, as resubmission to FERC is required by Nov. 30th. The newer plan would basically be a breakeven (net 0) in terms of cost over the span of the 50 year license. New proposal has solved the Wild and Scenic McKenzie issue by working with the Forest Service on a Special Use Permit. Gave overview of Renewable Energy Credits (RECs). Cannot currently be used for hydro, but possibly this could become an option in the future.

Will continue with habitat enhancement. License is expected in the next few years (may take that long for FERC to issue license). Lost Cascadia Wildlands and Oregon Wild as signers to the settlement agreement with the change in the fish passage proposal. However, EWEB will continue meeting with them to maintain the relationship.

EWEB generates about 25% of the power in Eugene, and about half of that comes from the Carmen Smith power house. Remaining 75% comes from Bonneville.

6. Review of Previous Year

a) 2015-2017 Work Plan Progress- Staff

b) 2015-2016 Council Self Evaluation- Council Partners/Staff

Mr. Weybright led an overview of the 2 year work plan.

Ms. Gilbert provided an overview of organizational development and management. Last year, there were nine meetings with the Council, five with the Alliance/Council board. The only ad hoc group that consistently meets is the 412 technical committee.

Mr. Six gave an update on the McKenzie Collaborative, and said that it will continue in some form. VIP (now PWP) came out of that proposal, and EWEB will review at the December

meeting. A pilot project with 14 or 15 landowners is close to completion. The McKenzie Watershed Stewardship group is also meeting and deciding on restoration work during stewardship sales.

Mr. Weybright says the Council continues with the 412 technical team. Council helped McKenzie River Trust with the acquisition near Camp Creek Road near the Berggren property. There is continued interest in areas where natural processes can be maintained. Fish passage inventory and assessment continues to be a no action item, currently more focused on regional approach. Currently, Horse Creek fish passage in collaboration with Forest Service is priority in the next few years. Many other key areas have been addressed. South Fork, nothing happening on the ground, but a lot of planning is taking place. The Forest Service created an instream design and revegetation plan that focuses on almost 400 acres downstream of Cougar Dam. Planning meetings will take place this fall. NEPA will start in 2017 and a big part of that will be incorporating wood sourced on site (as was done at Deer Creek).

For Mohawk Watershed facilitation, the Council is stepping away from direct management. Landowners will carry the group forward. It is difficult to have a more formal presence with the group at this time.

The Action Plan was successfully adopted earlier this year.

The Council is continuing to work with EWEB, SUB, and school districts for water quality monitoring with students. Looking at program development with McKenzie High School. The Cedar Creek Partnership is somewhat on hold, but a lot was learned about fish habitat in this area. Headgate issue is still ongoing. SUB has stepped up and done maintenance and debris has been cleared from the headgates.

PWP still working with EWEB and other partners, about 15 pilot project landowners. Now at the point of seeking outside funding for restoration work. Looking at integrating more with federal programs.

On the ground work- Berggren planting and large wood placement (close to 8 acres) was completed in 2013-2014, so now in the maintenance period. Learned a lot from the permitting process. About two more years of funded maintenance remain and the Council will continue to work with MRT, the demonstration Farm, and students. Phase 2 involved planting 15 acres this winter, so this is the first year of maintenance and lots of lessons have been learned from this floodplain site.

At Gate Creek there has been some initial planning and site tours. In November, will look at more potential fish habitat enhancement projects.

Dehne project- MRT easement and PWP have contributed. OWEB proposal was unsuccessful due to eligibility issues (CREP) as well as design issues. Looking at resubmitting Nov. 1st (fall). This is one of the main sites for the middle school programs.

Mohawk-McKenzie confluence site is under new ownership as of 2012 or 2013. Farm has been expanded and now covers close to a mile stretch of river. Owners are conservation minded, but not actively working together with the Council. This is an important area for conservation. McKenzie Oxbow is an older project that was conducted in partnership with MRT and is in the maintenance phase at this point.

Mohawk River floodplain is a larger stretch downstream from Marcola, and could be key area for restoration, but funding is not available currently and more time is needed for development. Cedar Creek- Riparian Shade Credit project, partnership with Freshwater Trust through MWP. Pilots are underway to see how these programs will work. DEQ has passed rules that may allow for shade credits. Good feedback so far from various partners. A lot of time spent in this sub-basin. About 5-6 landowners that could be open to riparian area enhancement in this area. 2014 unsuccessful OWEB grant, but once PWP program is in place, this could be good option for these landowners.

Deer Creek Phase 1 was successfully implemented earlier this year. Had to shift money to complete instream work. More work this fall pulling in more instream wood. Seeking additional funding to complete the project next spring.

Questions about Berggren- what were the lessons learned? Main lessons learned had to do with species misplacement, more direct management of tree planters, and more careful planting plans. Utilizing larger and more experienced planting crews for anything over 3-5 acres would be preferable in the future, even if it involved hiring a crew from a little further away (e.g. Salem). With design aspects, for site preparation, thought it would be possible to not do mechanical mowing, but now having to hand mow. Looking at using something that can handle more difficult terrain in the future. Mr. McDowell asked what documentation is done on key lessons learned. Mr. Weybright responded that this information is captured in publicly available grants reports for OWEB, and Mr. Weybright accesses other organizations' reports to inform his decisions when working on projects.

Mr. Baker asked about lessons learned from Deer Creek. Mr. Weybright responded that technique used there of involving outside experts was helpful. At that scale of restoration, active project engagement can have striking results. It was a huge jumpstart to larger scale restoration. Another lesson was to ask for larger scale funding requests to be appropriate to what the restoration work will entail, and to have more consultation with funding organizations ahead of time to find out more about what is reasonable. Mr. Morgenstern brought up more about early collaboration and the partnership approach for future projects. Mr. Weybright was in agreement and said it would be helpful to have multiple stakeholders on board to be able to show partnership when submitting grants.

Mr. Demeter shared that last year over 1,200 students were engaged in Salmon Watch, and with the Salmon Celebration added in, the number was more than 1,300 people. The Steering Committee and staff were helpful in putting this event on. A big lesson learned was that it was difficult to compete with Oregon football when it came to attendance. Mr. Demeter is looking at how things can be modified for next year, and creating additional partnerships. Carmen Smith trips have finished with Salmon Watch for this year.

For the Education Program, last year the Council worked with 4 districts at Dehne, Berggren, and Green Island. Similar participation is anticipated this year, plus additional work at Mohawk and McKenzie. There is a school garden and native plant garden being grown at Mohawk that students are helping to design. There is continued partnership with the Coast Fork Watershed Council to implement their education program. This year 7 districts have been involved, 23 schools not including home schools, UO, and LCC, and an estimated 1,700 people have already been reached this year.

Ms. Gilbert reported that there were a few fundraising events, and that the Council met its funding goal and is happy with that. The project tour this year was at McKenzie Camp with MRT and Rivers to Ridges. Education tours with Justin have also been held. Some web updates have been made and the Council has also increased its presence on Facebook. Tabling events have taken place as staff has had time. No newsletter is going out this year.

Ms. Weber reported on the Watershed Assistance Program. There was an application submitted to the EPA for a regional/scaled approach. The Council was approved for the EPA application and is currently in the contracting phase. The plan is to take the program with Springfield Public schools and expand to about 13 teams over next three years, in addition to what is already being done.

Oct. 27th is the Salmon Watch Training at River House.

Self-Evaluation- Please give filled out copies to Ms. Gilbert or Ms. Giangreco. Mr. Six proposed either a quick discussion as group on each line item, or to go through particular pieces and offer comments.

Mr. Ralston said he gave 5s almost everywhere, except for 3s regarding orientation for newly elected members. He cited issues with a specific board member as the reason for his lower score on the evaluation.

Ms. Dietz also had given a #3 on orientation for Council Partners. Mr. Six asked if Ms. Dietz believed this was the responsibility of staff or others on Council as well. Ms. Dietz responded that it was the responsibility of the whole Council, not just staff to be clear regarding expectations for Council Partners.

General comments were made about what the Council can and cannot deal with.

Ms. Ach responded that there still needs to be room for a diversity of opinions, and sometimes feels that her opinions are not respected because they are different from those of others in the room.

Ms. Albino said logging has been the elephant in the room at meetings, and she believes there has been some backwards progress on this issue. It needs to be addressed and people can't put their heads in the sand on these difficult issues.

Mr. Bumstead agreed with Ms. Ach that all voices need to be heard. He suggested that it may be worth having a trained facilitator at meetings. It is not that Council members do not want voices to be heard, it is that people do not want to have the same discussion over and over, especially on tangential topics. If funding permits, it may be worth having trained facilitator.

Ms. Dietz said it can be difficult for a member of the council to rebuke another member of council.

Will move this suggestion to the Executive Committee to address further.

Mr. Cox brought up the idea of sharing information and how this is added. Have talked in Executive Committee meetings about doing a facilitator training in the future. Sometimes when people run on, sometimes important things come out of it, sometimes not. The whole group can do the training, so everyone is on board.

Ms. Dietz mentioned that Joe Moll had offered to do a training session for facilitation. It would be valuable to have a consistent practice for facilitation. It is important to let there be enough time for words and thoughts to be expressed, which sometimes means cutting people off who are monopolizing time.

Ms. Ach mentioned that resident partners cannot have alternates. Why is there a difference between member privileges? Mr. Six responded that this is an artifact of the charter. Council can raise this as an issue to change the charter.

Mr. Ziller mentioned that having been with Council since beginning, it tends to be exclusive with elected members. Other places, anyone who shows up can be a member.

Mr. Six asked for suggestions.

Mr. Ralston asked where it is in charter that this is brought up.

Ms. Ach says she thinks this came up because she sent an alternate in the past and this was not acceptable.

Ms. Dietz believes having more active subcommittees could be valuable.

Mr. McDowell says sometimes he has seen discussions drifting from the Council's mission. It may be helpful to have a training to address what the Council can and cannot do. For example, we are not regulatory.

Mr. Ralston found the section in the Charter that includes information about alternates (pg. 4 of the Charter).

Ms. Albino had questions about subcommittees. Mr. Six responded that currently, just the Executive Committee is active. The Water Quality Committee is inactive. Having sufficient staff is funding dependent, so the Council has been working to restructure.

Ms. Dietz responded to Mr. Ralston's comments about the charter and thinks it may be worth revisiting and communicating about how we fulfil the Council's mission.

Will follow through on facilitation training and conversation with the Executive Committee on Oct. 26th.

Will put the issue of resident partner alternates on the agenda. Keep in mind that the current charter has a limit of 28 partners, and the Council is currently at that limit.

10. Budget- October 2016 through September 2017

a) Proposed Budget

b) Executive Committee Recommendation

Ms. Gilbert shared a budget with the best estimate for Fiscal Year 2017 which started Oct. 1st. Funding sources on the top of the budget are mostly secured, a few (including PWP) are not fully decided. EPA Waters Program is \$89,000, with \$38,000 being received this year, matched by EWEB, and the rest from EPA being received the following fiscal year. An update was provided on OWEB funding.

Mr. Ralston had a question about FY 16, and why income was down \$90,000, and expenses down \$100,000. Ms. Gilbert responded that this discrepancy had to do with projects, especially OWEB.

There is a good chance of OCF funding coming through, especially with the funding OCF recently received from the Oracle Settlement.

The IP grant will not have a huge effect on budget, all would be added expense.

Budget is ending on a negative because only fully secured funding has been included.

There was a question about Payco and it was explained that this is Forest Service RAC funding.

Mr. Baker explained a little more about this funding process.

Mr. McDowell said \$1,750 secured from McKenzie Masters can be added to the budget.

Mr. Bumstead said \$1,500 from the Federation of Fly Fishers can be committed for Salmon Watch.

Mr. Morgenstern had a question about staffing to do the work if these resources are secured.

Ms. Gilbert explained that some of the money is for contracting, and additional funding could allow for an increase in staff capacity. Mr. Weybright explained that more of Jen's skills could be utilized if funding allowed. Mr. Demeter and Ms. Weber are both available to shift to full time if funding becomes available.

Ms. Dietz says it should be considered where funding goes to for staff. For example, Executive and Administrative (Mr. Six and Ms. Gilbert) both took cuts recently.

Mr. Six responded that most project grant money goes to technical staff time, so it likely could not be used for administrative purposes.

Mr. Cox gave update from Executive Committee. The Executive Committee has recommended that the budget be adopted as presented, with amendments for secured funding from the McKenzie Masters.

Mr. Ralston calls for consensus. All showing consensus level 3, with the exception of consensus level 2 from Mr. Morgenstern and Mr. McWilliams, and consensus level 7 from Mr. Stephen and Mr. Baker.

7. Strategies to Implement Diversity and Equity Policies

Mr. Six announced that Chris Orsinger with Mt. Pisgah, Friends of Buford Park has applied for a MMT grant for a workshop on diversity in local area non-profits.

Ms. Weber reviewed the statement that the Council had approved and looked at strategies from other organizations, then picked ones that looked like they were applicable to the Council.

Mr. McDowell made a suggestion regarding adding age diversity, in particular more people from the millennial generation.

Mr. Morgenstern sees the education program as a key point for increasing diversity.

Ms. Weber explained that Council has been able to show disproportionate positive impact on underserved communities because of the focus on Thurston and Springfield Schools, which have a high percentage of Latino students. Ms. Giangreco is translating education materials into Spanish.

Any suggestions from the Council?

Ms. Dietz suggested that it may be of interest to obtain some of demographics information for this area in order to get a baseline of who is here. Ms. Weber responded that she has Census and school demographic information.

Mr. Cox brought up that diversity on the board is also important.

8. National Flood Insurance Program Requirements for Local Floodplain Ordinances- Status Report- Keir Miller, Lane County

Mr. Miller provided an update on the status of the county's floodplain ordinances in the context of federal changes as the result of an Endangered Species Act (ESA) lawsuit.

An overview of the National Flood Insurance Program and the ESA and how they interrelate was provided.

The National Flood Insurance Program provides low cost insurance if certain aspects are implemented. If a county does not participate, it loses disaster relief eligibility. The Program sets minimum standards for development in the floodplain and federal requirements per the 100 year flood level.

ESA Section 7 requires that federal agencies not have programs that create jeopardy of protected/endangered species, ESA Section 9 is a take prohibition.

The Flood Insurance Program does allow for certain development in floodplain, and in allowing this, cases have been brought against FEMA saying development in key areas have negatively impacted ESA listed species.

In Washington (Puget Sound), a case was brought against FEMA for impacts on salmon and orcas. FEMA was required to enter into consultation with the National Marine Fisheries Service. A Biological Opinion was issued, and FEMA has to implement a plan to avoid jeopardy. Similarly in Oregon, guidance was issued in April which outlines how the floodplain program needs to be changed in Oregon.

An overview was provided of the six elements for reasonable alternatives.

Right now process is in the interim measures. Federal rules needing to change, but interim measures are being implemented now (ahead of the federal rules being finalized).

Mapping of floodplains is taking place to include channel migration zones. A compliance component is already part of the national program.

Reasonable and Prudent Alternatives are quite comprehensive.

Elements that will effect Lane County: Data collection is currently taking place. Options are either to suspend all development in a floodplain, or ensure that if there are fish in that watershed that there is mitigation for impacts from development in that area. The latter is what will happen, as development in the floodplain is not going to stop due to political reasons. A workgroup has been set up with various stakeholders, cities and counties across state to go over the interim measures.

Mr. Morgenstern asked about mitigation fees/offsite mitigation.

Mr. Miller responded that under the current measures, mitigation needs to occur on site.

Ms. Toth asked about mitigation measures for residential development.

Mr. Miller responded that the development site would be where mitigation would take place, so certain types of residential development may not be feasible.

Fill is a huge issue as additional flood storage would need to be created to offset the fill. Other strategies include limiting impervious services, and mitigating the loss of vegetation in the riparian zone. Only water dependent uses or full mitigation is allowed in the 175 foot buffer area in the riparian zone. “Hyper Mitigation” is the higher standard, but is not full prohibition. (Has to not create any kind of loss to habitat.)

This particular ruling is specific to Western Oregon (175 ft. buffer area), only within the regulated floodplain.

Mr. Baker shared that this is similar to numbers used by the Forest Service, based on tree heights in the riparian area.

This will be a slow process, in which the Department of Land Conservation and Development and FEMA will be working with local jurisdictions. Local jurisdictions are now being asked for input. The process is being opposed by most governments in Oregon in part because while there will be some funding for implementation, funding for compliance has not yet been addressed. Mr. Miller suggested that the first county that is sued for a take under ESA might spur funding to be allocated for implementation.

Final changes in the CFRs will not take place until 2021, and then it will take longer for the implementation phase.

Ms. Toth asked about Lane County’s plans between now and 2018 when the interim measures go into effect.

Mr. Miller said that Lane County has already started to keep these interim measures in mind. Local jurisdictions still need to avoid take under the ESA. For example, when the golf course development on the McKenzie was proposed, it was originally turned down because of these interim measures. The decision was overturned, but it still shows that interim measures are already being considered and there have already been impacts on developments where fill is being put in.

Ms. Dietz brought up that Springfield has proposed to expand the Urban Growth Boundary (UGB). Will Lane County look at this?

Mr. Miller responded that this is very complex because of Springfield’s geography; the city is running out of land within the current growth and geographic boundaries.

9. Water Quality Monitoring in Tributaries

Mr. Patterson was not at the retreat to present this issue. The item was tabled.

10) Meeting Schedule and Topics for 2017

Mr. Six shared the projected 2017 meeting dates. As in previous years, meetings will be held on the 2nd Thursday of month with no meetings in July or August, and a retreat in October.

No topic is on the agenda yet for December, and the topic schedule is very open for next year.

Listed at bottom of the handout are topics that have been pending. Are there additional suggestions?

Mr. Baker: Management of Blue Pool

Mr. McDowell: Impact of the timber industry on the watershed. Have someone speak about the Oregon Plan requirements of timber companies. What has been accomplished? (Mr. McDowell and Ms. Reiter can find speakers.)

An update on the Oregon Forest Practices Act could be a separate topic.

Ms. Dietz shared that she attended a field trip with a professor from OSU that was focused on identification of riparian beetles. She suggested that the Council could have a similar field trip.

Ms. Albino has a friend who participated in the marbled murrelet surveys on the coast and works at the Cape Perpetua marine reserve. She could invite her to speak about marine reserves on the Oregon Coast.

Ms. Dietz suggested that Brenda or someone from the Oregon Water Resources Department talk about the Oregon Water Management Plan.

Ms. Reiter suggested that the Council ask Steve Mealy for an update on the interpretive center, possibly at the December meeting.

Mr. Weybright suggested a field trip to Deer Creek.

Mr. McDowell suggested a field trip back to riparian planting zones at older project sites.

Mr. Weybright suggested a field trip/presentation on EWEB's innovative management of power line areas.

Mr. Morgenstern suggested a field trip after harvest to the Leaburg forest site.

Mr. McDowell recommended to adopt meeting schedule. Mr. McDowell, Mr. Baker, Mr. Ziller, and Ms. Dietz all showed consensus level 2, with all others showing consensus level 3.

12) Closing Comments and Adjourn

Next Meeting: November 10th, McKenzie Fire and Rescue- Leaburg, 5:00 p.m.

Meeting adjourned.

From: [Craig Patterson](#)

Sent: Wednesday, October 12, 2016 9:09 AM

To: [Amanda Wilson](#)

Hello Amanda, Larry and all,

I'm afraid I have a conflict tomorrow and won't be able to attend the meeting. However I wanted to some provide some comments and feedback.

First regarding my efforts to get information from ODF and others regarding the history of logging and spraying on private lands in the McKenzie Valley has been an eye opener. It seems ignorance is bliss to many in positions of authority. I don't accept this nor have any respect for those who aren't able or willing to put all the cards on the table. I am aware that EWEB and LCOG both are getting information from ODF but it seems no one is willing to take up my concern. I had hoped for at least some dialogue about this but little has been forthcoming.

Secondly, I still contend that without a 'prioritization of threats' to our watershed that many if not most of our projects are low hanging fruit that have little impact on the overall quality of our ecosystems. If I am wrong, do inform me where, when and why. Thanks.

Lastly, I would like to propose a project that I believe could help meaningfully inform future projects. That is monitoring Quartz creek where it enters the McKenzie and above and below to measure what impacts the significant over cutting has and continues to have on the McKenzie. As I have stated before, there were over 600 designations of high risk areas, high risk sites and northern spotted owl sites that meant NOTHING. ODF enforced nothing as the denuded hillsides attest. If we don't or refuse to learn from past mistakes we will (and present management supports this non learning) repeat them over and over again. If we can't learn that it's far more costly from EVERY perspective to try to restore than maintain healthy ECOSYSTEMS, we will continue to play a losing game of catch up.

If there is no support for any of my ideas and work, I will submit my letter of resignation to the council. Time is short and wasting it is no longer an option....

Sincerely,

Craig Patterson

Amanda please share with all the partners... thanks

11/1/2016