

ICICLE STRATEGY
Icicle Work Group Meeting
Confluence Technology Center, Wenatchee
Thursday, September 27, 2018, 10:00 AM – 3:00 PM

Meeting Summary

Attendees

Mary Jo Sanborn, CCNRD; Dan Haller, Aspect Consulting; Keith Goehner, Chelan County; Greg McLaughlin, WWT; Erick Walker, USFS; Anthony Jantzer, IPID; Mike Cushman, CCD; Jeff Dengel, WDFW; Jim Brown, WDFW; Steve Parker, Yakama Nation; Lisa Pelly, TU; Kitty Craig, The Wilderness Society; Dave Irving, USFWS; Dick Rieman, ICWC; Mike Kaputa, CCNRD; Bill Gale, USFWS; Dawn Wiedmeier, Reclamation; Tom Tebb, Ecology-OCR; Tyler Roberts, Ecology-OCR; Melissa Downes, Ecology-OCR; Bob Bugert, Citizen; Sharon Lunz, ICWC; Chris Rietz (on the phone), Ecology

Welcome, Review Agenda

The IWG approved the Meeting Summary from June 27, 2018

Public Comment

None

Programmatic EIS update (Dan Haller, Melissa, Downes, Mike Kaputa)

This discussion is informative for the IWG, no decision is being discussed now. Dan, Melissa and Mike showed a presentation to help with this discussion (available online at <https://www.co.chelan.wa.us/natural-resources/iwgminutes?parent=Planning>). Dan briefly reviewed the process to date and reminded IWG members what we are trying to achieve with this programmatic EIS (compared to a project level EIS). Project level environmental review is not required under this programmatic EIS. Environmental review will be completed for each project if it moves forward. If a fatal flaw shows up for any project, then a new project must be identified that would meet those guiding principles. At the project level environmental review, if enough detail exists in the programmatic EIS then that might be enough. If not, then additional information and review will be needed.

A question was asked about when cumulative impacts are addressed in more detail?

Response: A final PEIS will have additional detail on cumulative impacts in response to comments. There are additional opportunities to consider cumulative impacts at the project level.

The decision making process for a preferred alternative was discussed. The IWG has operating procedures that describe decision making. The co-leads (County and Ecology) have an independent responsibility through SEPA to select a preferred alternative.

Jim asked what is the role of the IWG in adoption of the Final EIS?

Response: Dan sees two roles: one is under the operating procedures, we are stronger together, and the second is advisory to the co-leads under SEPA. Ideally, these are the same.

Steve pointed out the potential tension between the role of the IWG and co-leads. What happens if there is no consensus within the IWG on a preferred alternative?

There was discussion on the process that was used to agree to move the Base Package forward into environmental review. The conditions to move forward now will be critical. It's important that all projects will go through some project-level environmental review. What does it mean to endorse a preferred alternative?

The co-leads will develop draft language on what it means to endorse a preferred alternative and what conditions go with that for IWG members. This will be reviewed and edited by the IWG over the next couple of months. If IWG have suggestions, please provide them to Mary Jo and Melissa.

Comments Received

Dan gave an overview of the comments received during the public comment period. The presentation summarizes the demographics and types of comments. Dan reviewed several examples of the types of comments including topics such as relinquishment, expressions of support or dislike for particular alternatives or projects, SEPA process, recreational impacts, wilderness values, climate change, etc.

Relinquishment was used as one example to discuss in more detail. Comments made on this topic stated that Ecology should perform an extent and validity determination for water rights before a draft PEIS is complete to determine project feasibility. Dan explained that environmental review does not trigger an extent and validity determination of a water right. This comes at the project level permitting stage.

Kitty asked if there is precedence to do it otherwise, at an earlier point in the process?

Tom responded that Ecology would not want to touch a water right without going through due process. Dan and Melissa added that they were not aware of any time it was done at the environmental review stage. All projects must go through project permitting which would include extent and validity of water rights. There are triggers for this in place so it will be done once projects are narrowed down with a selected preferred alternative.

The presentation, available at <https://www.co.chelan.wa.us/natural-resources/iwgminutes?parent=Planning>, shows other common topics of comments received.

Working Lunch – continue PEIS discussion. The IWG took a break from the PEIS discussion for the Boulder Field/Screen update.

Project Updates

Boulder Field and Screens

TU noted that they are working on permitting for the boulder field project.

Jeff (WDFW) updated the group that they are at 95% design for screens. There is discussion on the bridge construction with the USFS needed for the IPID screen. A portion of the bridge footings are on USFS land. USFS does not have the capacity to do NEPA in 2019. Jeff noted that they are working with the USFS and will coordinate with TU and the funding committees to see if the funding will be available longer.

Erick, USFS, described the USFS schedule of work process and that they build that out a year in advance. There are a lot of priorities, so if something gets added to the list something else falls off. The nexus for the screen project is USFS property at the bridge location. They are looking at the appropriate scale to meet their legal obligations. There was discussion about property ownership at the bridge location and access to it. Jeff, Tony and Erick will continue discussions of property ownership to determine next steps. Erick will participate at the Steering Committee to help with project details.

Tom reminded the group that several years ago, we asked the federal agencies to participate in the environmental review process. Now we need to know how to work with the USFS to get on their schedule of work. Erick responded that engaging with him and at the District level in the process.

Tom suggested that the IWG could formalize the process with a letter with projects and timeline once we're through the environmental review process.

Mike noted that the County has received permit applications for boulder field and the City screen and city pipe replacement. He asked about the status of the IPID screen permit application? County Planning staff have asked if they should wait for IPID or wait for the final PEIS? Jeff said that the IPID permit application is being worked on but they need to finalize design and figure out the USFS NEPA question.

PEIS Discussion Continued

Other comment examples discussed include:

- Scale of projects and that some options were not evaluated that should have been, or that specific details were not evaluated. Dan discussed that if a project moves forward that has a smaller footprint (i.e. a lesser project or smaller scale) than what is described in the PEIS, you may not need to do a Supplemental EIS. If a project footprint is bigger than what was evaluated, then a Supplemental EIS could be needed.
- Are costs accurate? The answer is that it varies by alternative and the level of detail available for any given project. All of the projects include contingency and the appropriate level of contingency is being evaluated in the Final PEIS.
- Comments that focused on conservation actions described are not enough – the PEIS tried to explain that a conservation only alternative physically cannot meet all of the guiding principles. Conservation is included in every alternative and more detail on projects will be developed. There was discussion of the need to discuss this beyond just “it’s not enough”.

Project Updates Continued

LNFH Updates

The Snow Lake Valve FONSI was signed and released. A contract was awarded and notice to proceed given for fall 2019 construction.

A contractor is in place to conduct a phosphorus study which will include data collection and take a look at past data. The intent is to meet the requirements of the NPDES and focus on source identification. A draft report is expected in May with a final in June. A presentation can be made to the IWG.

Eightmile Lake

Tony gave an update on Eightmile Lake. Work is completed to reconfigure the spillway and replace the outlet pipe. They were unable to make the trench safe to work in, the rocks were too big. Work was completed from outside of the trench which was more difficult. The logs pulled out were 90 + years old so they will be saving some for historical purposes. The excavator is still there and IPID is in discussions with the USFS on what to do with it. Options include walking it out, flying it out or possibly taking it apart to fly out. It will cost \$100,000 to fly it out and the excavator is worth \$24,000. The plan now is to replace the dam, they are hoping to have design completed by the end of the year. Tony expects that the IPID Board will end the state of emergency at the upcoming Board meeting.

Kitty asked if IPID rebuilds Eightmile Lake dam, will an extent and validity of their water right happen with the permitting stage?

Dan said that if IPID restores the lake for IPID purposes, then there is no change in the water right so there would be no extent and validity determination needed. If IPID enters into an agreement with Ecology to transfer some water to instream flow purposes then an extent and validity is needed.

IPID Comprehensive Water Conservation Plan

Tony noted that the plan is finished and ready for distribution. Dan said that the estimate of potential water savings described in the PEIS is approximately 10 cfs and that still seems like a good target based on this report. The report is available online at, <https://www.co.chelan.wa.us/natural-resources/pages/icicle-creek-current-project-development>

COIC

Greg said that they are in the middle of 30% design. The COIC shareholder advisory group has been really engaged and very helpful. Cultural resources review was done. They are moving forward with their alternative pump station location. Current implementation timeline is to construct the laterals in 2019, construct the pump station in 2020 and construct the mainline in 2021. Tom noted that this is not easy work and he appreciates WWT's work on this and their focus on educating the shareholders, it's very important.

Data Collection

The last week of data collection in French and Leland Creeks is happening now. Temperature data loggers in Square and Klonaqua Lakes will be pulled out the first week of October.

A summary of the data collected for both efforts will be presented to the Instream Flow Subcommittee. The ISF Subcommittee will discuss next steps and make a recommendation to the IWG. A subcommittee meeting will be scheduled for November or December. Tony noted that the current plan is to release at Klonaqua Lake next year and Square Lake is uncertain at this time.

Dryden IPID Pump Exchange

Looking at alternatives for landowner access for design options. Other potential locations are much more expensive.

Funding Coordination

This discussion focused on allocating the remaining OCR funds available for this current biennium, which is approximately \$1.2 Million. The range of options were discussed and the importance of having a timeline to make decisions. There was a discussion focused on screens, the status of current funding and the 25% match needed to access the PUD Committee funds (PRCC and Tributary Funds). Follow up action items for the screen funding were identified as:

1. All parties should discuss current cost estimates, increases, and the implications to matching funds needed.
2. The permitting issues need to be figured out in order to determine the timeline and a decision as to whether these OCR funds will be used.
3. Jeff will coordinate this information for a discussion in the next month.
4. Also need to know the details of the Boulder Field funding and the timeline associated with it – this will help determine timeline for screen funding needs.

IWG agreed that the Steering Committee should direct future 2017-2019 funding allocations within the priority list.

Several clarifying updates were made to the table along with suggestions to add Outreach Coordination and IPID Water Conservation to the list of potential projects.

Upcoming and Ongoing Subcommittee Discussions

- Co-Managers continue to have discussions regarding the Boulder Field project and what type of agreement is needed.
- The instream flow subcommittee will meet in late November or early December to review data from French and Leland and lake temperature. They'll discuss next steps and future data needs.

Meeting Schedule

The Steering Committee will meet on October 25th.

The next IWG meeting will be on Thursday, November 29th (4th Thursday is Thanksgiving)

A regular meeting conflict now exists for Chuck Brushwood on 4th Thursdays. The IWG will re-visit their meeting schedule at the November 29th meeting and will ***establish a 2019 schedule***.