

WEST BRANCH LITTLE SPOKANE RIVER WATERSHED COMMITTEE

Meeting Summary

July 2, 2007

Riverside Fire Station, 3818 E. Deer Park – Milan Rd., Riverside, WA

FINAL

Bryony Stasney (facilitator) opened the meeting at 6:00 p.m.

Attendees Present: Bill Harmon, Burt Covert, Dolores Storms, Dan Peterson, Lynne Anderson (alternate for Dick Anderson), Gil McGee, Greg Sweeney, Howard Rowley, Bev Rowley, Jeff Storms, Sally Storms, Jill Short, Luke Short, Jim Peterson, Karen Averitt (alternate for Linda Cannon), Kathleen Werr, Diane Wear (alternate for Russ Fletcher), Darrell Johnson, Mary Sterling, Mike Carney, Mike Lithgow, Pam Zarko, Tammera Kirk (alternate for Kitty Russell and Carolyn Russell), Sandra Roath, Josh Roath, Brian Farmer (alternate for Jaime Short), Jim Wood, Pat Wood.

Introductions: Everyone introduced themselves. Bryony asked everyone to sign-in to the meeting and to check and edit the information on the sign-in sheet. Bryony introduced herself as the Committee's facilitator. Bryony's contact information is: Bryony Stasney, bstasney@golder.com, 208-676-9933 (office) and 208-755-1010 (cell).

Meeting Summary: Meeting summaries were not discussed.

Agenda Review: There are no WRIA 55/57 updates since the June 25 meeting, so this topic will not be discussed by the Committee.

Public Comment:

- Karen Averitt passed around announcements that have a link to a website (<http://www.gopetition.com/online/12835.html>) that allows interested citizens to sign a petition to urge the planning commissioners and county commissioners for Pend Oreille County to protect the waterways and quality of rural life in their final go-over of the development regulations. Next meeting is July 19th in Cusick at 7pm and is the last time for public comment on the Pend Oreille County Draft Development Regulations.
- Brian Farmer let the group know that Jaime now has a baby girl.
- Jeff Storms asked if the Sacheen Lake wetland delineation is complete. Diane said that the delineation report is complete. The POCD has limited paper copies but will burn CD copies for those who list their names on the sign up sheet. The report will also be available on the POCD website. The CD copy is free. A paper report will have a fee. The title of delineation report is "Revised Wetland Delineation Report, West Branch of the Little Spokane River between Fertile Valley Road and Harworth Road, Pend Oreille County, WA." The report was completed by Shannon and Wilson and includes response to comments received on the draft report. The study covers the area between the outlet of Sacheen

Lake and Harworth Road. To the best of the Committee's knowledge, no wetland delineations have been completed at inlets to Sacheen Lake.

- Mike noted that Pend Oreille County has received a \$350,000 grant to update their Shoreline Master Program. The County will start work on this in August. Shoreline master programs fall under the Shoreline Management Act. The Act requires shoreline mapping, inventory and analysis, and setting buffers and setbacks for shorelines for any lake of 20 acres or greater and any stream that is on average 20 cfs or greater. The new shoreline regulations will be inserted into Pend Oreille County Development Regulations. The project will take a total of about 2 years.

Updates (Project Funding, Rustler's Gulch, Field Trip):

Diane gave update on project funding. Diane spoke to Mike Candle at the CTED office and learned that the monies will be awarded in about 2 weeks. Guidelines have not been approved by the legislature yet. When approved, the Pend Oreille Conservation District (POCD) will be notified. POCD will be the lead. Total amount is \$75,000. CTED will receive 1.25% of the money, leaving about \$74,062.50 for the POCD to administer.

There is nothing new to add on the sale of the Rustler's Gulch property.

Jeff Storms gave update on the Sacheen Lake field trip. Two boats were used on the trip. The trip took three hours. The tour went down as far as Beaver Dam 2 and then to Harworth Road. Jeff noted the trip went well and thanked everyone for coming. Bill thanked Jeff for organizing this and inspiring others to organize field trips on their lakes. Diane asked Jeff if the Sacheen Lake Sewer and Water District sponsored the trip. Jeff said that the Sacheen Lake Sewer District was aware of the trip and that they used the District's boat and that the District was aware of this.

Bryony asked for a report from people that went on the field trip. Mike said that he learned a lot. He said that the problem is the reverse of Eloika Lake's problem, noting that Sacheen tends to have too much water. Bill noted that there are competing concerns and problems with how water flows out of the lake. The water in the lake appears to be elevated for a significant distance downstream of the lake and, based on water levels, it is hard to say where the lake ends. Karen noted that protection of the wetlands around Sacheen Lake is important. Bill said that work needs to be done to understand this system so that good decisions can be made on how to address these competing needs. Gill asked what the difference is in elevation the gage at Harworth road and the normal level of Sacheen Lake. Jeff said that he did not know.

Refreshment Recruitment

Mary would like to pass the torch to another Committee member to be responsible for meeting refreshments. Dolores and Lynn volunteered to take over the responsibility. The Committee thanked Mary for providing refreshments for 14 Committee meetings.

Receive Comments on HPA for Sacheen Lake Sewer and Water District Beaver Tube Replacement Project

Mike said that comments on the hydraulic permit approval (HPA) can be made via letter or email (mlithgow@pendoreille.org) or by attending the August 2nd Pend Oreille County Planning Commission meeting in Cusick at 7pm. Bryony confirmed with the Committee that individuals wishing to do so will submit their comments on the beaver tube replacement project to Pend Oreille County within the required timeline.

Diane noted that the HPA does not include any maintenance on the new tubes and asked if this HPA and the District's HPA for beaver dam maintenance can be combined into one HPA. The group needs to be careful when applying for different things so that there is not unnecessary duplication of efforts and funds.

Mike noted that maintenance could be incorporated into the current beaver tube replacement shoreline permit. Jeff noted that the new shoreline permit (issued by Pend Oreille County) costs money, but there is no fee for renewal of an HPA (issued by Washington State Department of Fish and Wildlife). The Sacheen Lake Sewer and Water District's current HPA for beaver dam maintenance is expiring and needs to be renewed. Jeff Storms said that he has worked with Jeff Lawlor (WDFW) on this and that Jeff Lawlor has been good to work with and that he has provided objective technical support. Jeff said that that he did not realize that maintenance could be included in the current HPA and application for a shoreline permit from Pend Oreille County.

Mary said that she attended the recent Sacheen Lake Sewer and Water District meeting and noted that there was discussion amongst the Commissioners about the proposed beaver tube replacement project. The Commissioners expressed concern that the HPA for the replacement of the existing tubes with the 4 foot tubes would not be granted. The Commissioners therefore decided to renew the current HPA (that allows for beaver tube maintenance and expires on September 30, 2007). Jeff Storms concurred with this.

Discussion occurred about the \$15,000 that the group has to fund the beaver tube replacement project. Jeff Storms said that the estimated costs for materials (e.g., tubes and elbows) are \$12,400. If additional funds cannot be secured to cover installation etc., this project may not occur. Brian Farmer (Ecology) said that he is not sure if funds can be rolled over to next fiscal year. Brian said that he will work on this with the Pend Oreille Conservation District. The Pend Oreille Conservation District will provide an update on the extension of this grant at an upcoming meeting.

Mary asked where maintenance funding for the new tubes will come from if the project is implemented. Jeff noted that the Sacheen Lake Sewer and Water District could probably cover the service and maintenance of the beaver tubes under their current annual maintenance and operation budget.

Jeff Storms noted that he would still like to have an objective hydrologic study completed to support recommendations to address Sacheen Lake levels and downstream concerns. Daryl Johnson agreed with this and noted that the following information has been recently collected and is not being considered in support of this project: 1) Pend Oreille conducted an elevation survey in 2006 to determine how far downstream it would be necessary to lower Sacheen Lake; 2) a wetland delineation has been completed that is relevant to these concerns; and, 3) the Spokane County Conservation District has been collecting flow data in the watershed.

Brian noted that Ecology would like to see the recent wetlands delineation considered and would like to see a quality assurance plan and monitoring program in place as a condition to the shoreline permit to assess the ongoing impacts of the tube replacement to the surrounding wetlands.

Greg noted that there are a number of projects within the watershed that have been completed but not integrated considering the watershed as a whole. The WRIA 55/57 Implementation Team has applied for funding to conduct a comprehensive assessment for the West Branch of the Little Spokane River watershed. If funded, this project would include a task to compile and assess existing information and would support future activities. However, in the absence of data compilation and review for the watershed, even if a specific action does not benefit the entire watershed, if it substantially benefits a significant number of people, it is better to implement the project than not to do anything.

Daryl noted that Dam #3 did not exist before beaver tubes were installed. Prior to the requirement of HPA's (about 15 years ago), "beavering" occurred. "Beavering" involved taking out the dams along the river, which in turn created a big rush of water down through the watershed. The high water flow deposited sediment into downstream wetlands. The build up of sediment creates an environment for plants to grow in, which in turn becomes solid and permanent. The beavers started building Dam #3 about 10 years ago. There may be up to 10 feet of sediment deposited in this area as a result of "beavering".

Dan asked what would likely have happened if there had been no human intervention. Daryl answered that all lakes eventually become eutrophic. Sacheen would eventually fill in (not in our lifetime) and the wetlands and lake would over time convert to meadow with a stream meandering through the meadow. Whenever a beaver dam is taken out, a new one is built somewhere else along the river. It is a continual cycle.

Sally noted that it is important to be sensitive to the whole watershed and asked if it is more important to maintain wetlands than it is to maintain property at Sacheen Lake. Jeff commented that there are two sides to the issue; damage to lake property as a result of flooding and damage to downstream property as a result of beaver dam projects.

Howard asked if there are other solutions / projects, other than beaver deceivers and tubes? Bryony noted that the group may need a technical presentation that could educate the group on this. Kathleen noted that she would like the group to be educated on wetlands and wetland functions.

Kathleen asked why 4 foot tubes were selected and how the tubes will be transported to the site? Jeff answered that one 4-foot tube hydraulically is equivalent to three and a half 2-foot tubes. Jeff stated that he wanted to conduct a hydrologic study to support tube replacement. However, the funding could not be applied to a hydrologic study. The tubes will be transported to the site by boat and will be anchored in place. Jeff noted that this is not expected to be a permanent fix for the Sacheen Lake flooding problem. Kathleen said that she would like to see a feasibility study completed for a project like this, to address potential sedimentation and summer low flow concerns. Brian said that Ecology may help with monitoring of potential impacts. Mitigation would be determine once impacts, if any, are established.

Daryl noted that the Kennedy report recommended a number of other potential solutions (e.g., building a dam with a fish ladder at the outlet of Sacheen Lake and pumping water out of the lake) but that these solutions were all more expensive than using tubes. Tubes do require continual maintenance to keep them clear of debris and to allow water to pass through. Jeff noted that the positive aspects of the 4-foot tubes are that the tubes do not clog as easily which will help flooding in the winter and allow for easier tube maintenance.

Gill asked how Fish and Wildlife feel about moving the beavers? Jeff said that trapping occurred in 2004. When the beavers are trapped, they are killed, and have to be disposed of without taking the pelt and/or head. A beaver dam assessment was completed, in hopes of getting a handle on the beaver population so that the size of the population can be maintained.

Burt asked Jeff to clarify how the tubes will be maintained considering that there is only \$15,000 available for this project. Jeff said that this depends on whether or not the permit will require a bonded contractor to complete the tube installation. If volunteers can install the tubes, this will save a lot of funds. Burt suggested the Committee support the project so long as there is enough manpower available to install and maintain the tubes. Jeff said that the maintenance of the tubes will be covered by the Sacheen Lake Water and Sewer District.

Mary noted that liability is involved in this project because the tubes will be installed on other people's property. Daryl noted that the Sacheen wetland complex is a Class II wetland and is protected by state law.

Greg noted that we still do not know how far up the Little Spokane River private ownership of the streambed extends. Bryony noted Rob Lindsay informed her that this Committee could ask WRIA 55/57 to include a recommendation to have the Attorney General review the Griffin v. Holmon case, if it is a priority by consensus and if there is a

very clear objective about why this case should be reviewed. It will take a significant amount of public funds to review this case and the WRIA 55/57 implementation team will have to feel sure that it will be a worthwhile expenditure of the funds.

Mike suggested that the group develop mitigating conditions for the substantial shoreline development permit. The following conditions were discussed:

- The Sacheen Lake Water and Sewer District consider warning signs and obtaining liability coverage for those installing and maintaining the tubes and for those recreating on the river who might encounter the tubes.
- Flow monitoring to understand the impacts of the project on streamflow.
- Monitoring of potential changes to the existing wetlands complex (applicant could request technical assistance from Ecology and WDFW staff for this).
- Tube installation should be observed by qualified agency staff.
- Removal of old tubes and past debris (e.g., previous tubes, screens and wires) should be observed by qualified agency staff.

Jeff asked the Committee if they would be willing to submit a letter of support for this project to Pend Oreille County. After discussion, the Committee agreed to send a letter of support for the project to Pend Oreille County. Jill will prepare a draft letter on behalf of the group and will email it to Bryony. Bryony will email the letter to Mike and cc everyone in the group.

Jeff Storms noted that Jeff Lawlor will attend the 9 am July 11 meeting of the WRIA 55/57 group to discuss this project.

Issue Consolidation

Bryony made sure everyone had a copy of the memo entitled, *Draft Consolidated List of West Branch Little Spokane River Issues to Consider for WRIA 55/57 DIP*. The memo contains a consolidation of the verbatim WB LSR issues and categorized the issues into flow control, land use, instream needs and adaptive management.

Bryony worked with the Committee on page two of the memo, to clarify the consolidated issues and identify potential actions to address the issues. Results of will be documented in an issue memo once all the issues are clarified by the Committee.

Points made during the discussion include:

Tributaries to Sacheen Lake

- A development called Sacheen Estates was platted in 1978. Land clearing and road building is now occurring. Thirty 5-acre plots are planned with independent septic and water. Wells may be as deep as 400 to 500 feet below ground surface. Since this development was approved by Pend Oreille County in 1978, it is too late for this group to comment. There is a concern that this development is located in the watershed to Sacheen and may have an impact on existing

water supply wells. It would be better if this group could have an opportunity to review and comment on proposed development before it is too late. As a part of the notification process for new development, Spokane, Pend Oreille and Stevens Counties could notify the Committee. Also, SEPA documents associated with new developments are posted on Ecology's website and can be sorted by County. Developments are also listed in the newspapers by the Counties. This issue will be deleted and will be reworded as a need to allow this Committee to review proposed development plans.

- The timber harvest impacts issue will remain and may be considered as a watershed-wide issue.

Sacheen Lake

- There is a need to identify and assess water storage options watershed-wide considering cooperation between lakes, river reaches and landowners.
- There is a need to reconcile Sacheen Lake levels and water levels in the associated surrounding wetlands while protecting the wetlands. Beaver dams affect water levels at Sacheen Lake.
- Human activities are resulting in interrupted / reduced flows downstream.
- There is a need to identify opportunities for cooperation between landowners and agencies watershed-wide, considering property rights and compensation for land that is protected / inundated.
- There is a need to assess keyhole development watershed-wide to minimize additional water use and water quality impacts. Keyhole development will be considered differently by each of the Counties (Spokane, Pend Oreille and Stevens).

Tributaries to Trout Lake

- Deposition of sediment in the reach below Sacheen Lake (and also above Eloika Lake) is reducing the potential for water storage. Actions to consider include: selective dredging; selective vegetation (e.g., saplings, cattails) removal.
- There is a need for water storage to support streamflows – this applies to all the lakes in the West Branch of Little Spokane River watershed.
- There is a need to protect wetlands - this applies watershed-wide.
- There is a need for watershed-wide wetlands delineations.

Public Comment:

Jill noted that \$200,000 was passed by the Sacheen Lake Sewer District to purchase land. The money cannot be used for anything else except to purchase that particular piece of land within the next 3 years if it comes up for sale. Jim noted that Sacheen Lake Sewer District agreed purchase this land if available for sale. There was never an agreement to buy or sell. After the measure passed, the goal that the District wanted to achieve by purchasing the land could not be achieved by just owning the property. So the District decided that buying the land would not solve the issue. The land was never actually for sale.

Jeff noted that comments on the SEPA/JARPA are due by July 6 to Mike at the County. Committee members can also comment by attending the Planning Commission meeting in Cusick on August 2nd, at 7pm in the library/community center.

Karen said that the newspaper stated that \$3 million was given to Pend Orielle County to protect the west branch of the lower Spokane River by purchasing 940 acres along the river for habitat. Sandra noted that this is a portion of the Rustler's Gulch property.

Bryony noted that her role is to facilitate this group to achieve their goals. Bryony said that she is concerned that this group will need additional meetings to be in a position to present actions to the WRIA 55/57 group in time for incorporation into the WRIA 55/57 Detailed Implementation Plan (DIP). Greg said that the WRIA 55/57 group has committed to accept this group's recommendations and does not see a need for two additional meetings in July. Mike suggested that the Committee meet as scheduled on July 23 and determine then if a July 30 meeting is needed.

The Committee requested that Bryony attend the July 11 WRIA 55/57 meeting.

Membership:

Jim and Pat Woods and Diane Wear have now attended two consecutive meetings. If any of these individuals or their designated alternates attend the next meeting they will be eligible to request Committee membership at the end of the next meeting.

Next Meeting:

- Next meeting will be held between **6 – 9 pm** on Monday July 23, 2007 at the Riverside Fire Station, 3818 E. Deer Park – Milan Road, Riverside, WA.

Adjourn:

- Bryony adjourned the meeting at 9:00 pm.
- Digital recording files for this meeting will be mailed to Carolyn Russell and to the POCD. Digital recording files of this meeting are:
 - WBLSR Committee 070207a.wav
 - WBLSR Committee 070207b.wav