



## **Entiat Community Meeting Notes**

### **March 22, 2012**

**Speakers:** Bob Whitehall, Entiat Landowner Steering Committee Member, Steve Kolk, US Bureau of Reclamation, Roy Beaty, Bonneville Power Administration, Mike Rickel, Cascadia Conservation District, Mike Kaputa, Chelan County Natural Resources Department, Susan Dretke, Cascadia Conservation District

**List of Attendees:** Attachment - A

Susan Dretke called the meeting to order and opened by welcoming those attending and introducing Bob Whitehall.

#### **Bob Whitehall: Welcome**

Bob thanked everyone for attending and proceeded to discuss his personal involvement with fish habitat restoration work. He described work he has allowed on his property, and his interest in promoting the Entiat Valley and sport fishing. He described stocking efforts of cutthroat trout within the north fork and the upper Entiat River, and the continuation of these efforts for the next three years. He then talked about the recent introduction of a steelhead fishing season within the lower Entiat over the past three years. He expressed his hope that this opportunity will occur again next fall. He also noted that this season was cut short due to a lack of numbers and the concern of disrupting spawning activity to an already smaller than expected run. Bob closed by again thanking those for coming.

#### **Susan Dretke: Introduction, Concern Recap and Agenda Review**

Susan then began a community concerns recap and review of the meeting agenda. She continued with the purpose of the meeting which was to describe efforts made by agencies involved in fish habitat restoration to satisfy the concerns expressed last July and to verify that these actions address those concerns. She described the primary concerns as: 1) what are the requirements for design and construction of large wood projects, 2) who does what and how, 3) what monitoring and maintenance efforts will be required, and 4) what is the potential for property damage and personal safety. She asked if anyone had any questions regarding the agenda items and/or the concerns and then began presenter introductions.

#### **Steve Kolk, PE: Design and Monitoring**

Steve outlined what has been done through project management and the design process to address public concern regarding large wood projects. He described the process of formalizing design guidelines with a consistent approach to public safety and awareness. He noted that these guidelines represent minimum requirements only and that most projects will exceed these minimums in many aspects of their design. He then identified Susan Dretke, who is able, as the designated contact for Entiat River projects to get community members in touch with or answer your questions through the interdisciplinary design team involved in the specific project in question. It was also noted that a licensed professional engineer will be responsible for final plans and specifications.

The process in which projects develop was then discussed. This involves the evaluation of the geomorphic/physical setting, property infrastructure, recreational uses, and the development of objectives and project requirements. This also involves an assessment of risk to health, safety and property within the individual project area as well as a potential system-wide effect. An example of a system-wide assessment is through the survey of 11 of 15 private bridges on the Entait River to determine how much clearance is available below the bridge deck at different flood intervals. Access to 11 of the 15 bridges was granted which allowed us to complete these surveys and the results will be available to bridge owners once the analysis is complete. If a project or project element is deemed to be too risky the implementation of that project or project element will not occur.

The monitoring of existing projects was then discussed. There will be scheduled monitoring times, extreme event triggers, and inspections in response to landowner or public concern. Projects also have triggers which initiate repair or maintenance. Such triggers may include unwanted change to a project or caused by a project element. Any of these conditions will require a review by a professional engineer who is ultimately responsible for the maintenance plan. Examples of this were provided which included repair to bank erosion at an installed engineered logjam, and clearing of wood debris which was captured at a diversion structure at the Keystone Ranch project.

Following the presentation Steve Kolk took questions;

- 1) Did the wood that collected at the Keystone project which spanned the right split channel cause flooding or property damage?

*It did not cause property damage but did begin to direct water over the mid-channel island which is part of the reason why the wood was removed. It was also removed to prevent the threat of property damage which included a head gate to an existing irrigation diversion.*

- 2) Where does the money come from for monitoring of existing projects?

*This question was saved for the open question and answer period after the presentations.*

- 3) What about bridges that are at risk, what will be done to protect these structures.

*A bridge survey has been completed to evaluate the height of the bridge above the channel, the overall width, deck thickness, and type and size of the abutments and/or piers. These surveys were only conducted on private bridges in which the land owner allowed access. The dimensions of the bridges will be put into the flood model to determine how much clearance is available below the bridge deck at different flood intervals. This evaluation can also model what might occur if a portion of the opening below the bridge is to become clogged with woody debris and how that might affect flow. For example, whether the bridge could be inundated when a portion of the open space below the bridge is blocked at flood interval X. It was also noted that the change in condition and results from the modeling with or without the introduction of engineered wood projects is not measurable. In other words the effect from installed engineered logjams to existing structures will have no measurable effect during large scale flood events.*

- 4) What are the specialties of the design Engineers and proof of their qualifications?

*A design Engineer is a licensed Engineer with the State of Washington. To receive a license they must meet State requirements. In addition, a dated Engineers Stamp which includes their license number is required on final plan sets.*

- 5) Do all the projects use the same Engineers?

*No, the design teams for each project typically involve a mix of consultants both private and agency.*

## **Roy Beaty: Maintenance Funding**

BPA is pleased that BPA's efforts to restore ESA-listed anadromous salmonids in the UC apparently mesh well with local needs and values in the Entiat, like job creation, maintaining property values and livability in a working landscape, and opportunities for Bob Whitehall and others to catch fish.

Located in Portland, we depend on partnerships with local partners to implement fish habitat restoration projects in the Entiat. We are impressed with how those partners – like Cascadia Conservation District, Chelan County NRD, the UCSRB, the YN, and the Bureau – are very competent, are sensitive to the local stakeholders, and work together so well. BPA supports the partners' work through contracts and funding.

We intend to maintain these large wood structures to ensure that they function as intended. We will do this through usual contracts with the local partners and programs, which we expect will continue through the foreseeable future.

Following the presentation Roy Beaty took questions;

- 1) Where are you heading, when is enough wood enough?

*This question was saved for the open question and answer period after the presentations.*

- 2) Does BPA fund these projects and what percent of the projects do they fund? Is there somewhere I can go to see the overall accounting for these projects?

*One of BPA's main rolls is to support these projects through funding. There is not an overall accounting record which includes all projects funded, however this information is available for individual projects and is public record.*

## **Mike Rickel: General Maintenance**

In addition to the project specific monitoring and onsite maintenance just mentioned, we recognize the need for long term off site maintenance and monitoring. In order to address this need, project sponsors are developing an agreement with Chelan County (a presence with equipment in the valley) and/or local contractors to respond to situations that are not life threatening but are threatening to infrastructure. In situations where it is not an emergency or threatening to life or property we would ask that you contact Cascadia Conservation District so that District staff can evaluate the situation and work with the affected landowner(s) to resolve the issue. If there is imminent danger to a person's life or safety created by a log getting loose from one of these structures follow emergency response procedures by calling 911.

The Conservation District was formed in Chelan County in 1949 and will remain involved in all efforts to address natural resources in the County. The Conservation District is not going anywhere, we are committed to efforts to restore fish habitat in the Entiat and to maintain the investments.

Since 1993, 47 separate natural resource projects have been constructed in the Entiat valley. 14 of these have been instream projects. We have and will continue to monitor and, where appropriate and needed, provide maintenance on the projects that have been constructed. This monitoring allows us to continue to stay in touch with the landowners where these projects are located.

In order to most effectively create a monitoring plan and schedule, one of the steps we have taken is performing an evaluation of private bridges spanning the Entiat River to identify the capacity of each bridge (of those that we are allowed to survey). This information will allow us to identify potential areas of concerns at each site.

Following the presentation Mike Rickel took questions;

- 1) Q: Why was there landowner opposition to these habitat restoration projects including opposition indicated in the news paper and from recreationalists?

*We believe there were these concerns because we did not do a good enough job at addressing concerns and informing the public about these projects. We hope that the concern level has been reduced in that people who have concerns understand that we are working to resolve them, and people who have questions know where they can get them answered.*

- 2) What is the safety record for these types of existing projects?

*At this time we are not aware of any personal injuries resulting from our projects.*

- 3) If the goal is to promote fisheries and if LWM has the most public concern, are there other types of structures that could be utilized other than wood that help fish?

*Engineered wood structures are placed in appropriate places and are not the only type of structure utilized in habitat restoration actions.*

- 4) What success has wood had over other structure types?

*This answer is still being discovered through the implementation and monitoring of these types of projects. Boulders placed in appropriate locations within the stream reach/channel are also used, and their benefits to growing fish are also being monitored.*

- 5) Have there been any examples of logs that have broken loose from project areas that have been found downstream?

*At this time logs from existing projects that have come loose have not been found or caused issues downstream.*

- 6) What is the percent of natural wood compared to engineered log structures?

*There is not a lot of wood within the Entiat River; however the amount of wood varies depending on where you are within the River channel. The answer to that question is reach dependant, but generally there is not as much wood compared to what naturally was present.*

- 7) Do you have a count of the number of fish returning which indicates any improvement from the habitat restoration activities?

*Yes, these numbers are being monitored every year and information from previous monitoring is available. Some of this information can be found on the Cascadia Conservation District's website.*

### **Mike Kaputa: Emergency Response**

Mike spoke to the question of Emergency response. He began by defining who a responder might be, for example the Sheriff's department. He also described the potential for different levels of response dependent upon the severity of the situation. In situations where there is low risk a proper response might be to call Susan with CCD to have a staff member or Engineer made available to visit the site and observe conditions to report back on and develop a solution if necessary. However, if the situation is perceived as being at all a risk to health, safety, or property we should err on the side of being conservative and call 911 for an emergency responder.

Following the presentation Mike Kaputa took questions;

- 1) If during a flood event a structure is to fail and a log heads downstream, are you looking at the emergency response if the log is affecting a structure?

*Yes, we are developing a network to create a support system that contacts and informs responders of the situation and location of the incident. There is also a plan being developed to initiate extreme event monitoring of existing structures to evaluate conditions after a large flood.*

2) Is there a written plan?

*Yes, there will be a written plan as issues or pieces of the plan evolve. This will also be based on public feedback and future needs as further projects are implemented.*

3) Is the county taking the lead on Best Management Practice (BMP) requirements?

*The County is involved through the shoreline master program and has been working closely with sponsors and designers to formalize a BMP document.*

4) Is there a date for these requirements to be published?

*This question was saved for the open question and answer period after the presentations.*

5) What is the process that you go through to pick sites to install wood structures?

*This question was saved for the open question and answer period after the presentations.*

6) Will the Sherriff's department have GPS locations of the structures so that they will be able to locate them?

*Yes, we are in discussions with the responders to get them the information that they need and access to the project plans.*

7) Are there commercial rafting operations on the Entiat River?

*No, the river does not have a large amount of recreational use, especially compared to the Wenatchee River where these emergency response plans will be most involved.*

8) Does fire and rescue have GPS capabilities?

*(Karen Whitehall answered) Yes, fire and rescue has had a lot of experience and practice with emergency response coordination. They have written plans that outline procedures and the Sherriff's department does as well.*

### **Mike Kaputa: Landowner Liability Legislation**

Mike spoke to efforts to pass a new state law which would protect landowners who allow restoration projects on their property from liability. This is in an effort to support landowners and protect them from liability should a project cause damage downstream. He noted that it appears under current law that the landowner is protected from such liability; however this is in an effort to clarify the laws or to clearly take liability from the landowner. He went on to say that not many bills have survived this session due to bigger issues with state budgets so they will take another run at passing this legislation next year. He again reiterated that under current law protections already seem to be in place, but this is an effort to just make it clearer.

Following the presentation Mike Kaputa took questions;

1) So if a log breaks loose and knocks out a bridge who is liable?

*That is a complex question. A legal process would have to be pursued. Mike noted that he is not a lawyer and this should not be taken as legal advice. He then went on to say that a case would have to be made to determine whose is at fault; was it the design approach, where there unforeseen conditions at play that were not planned for, where there other human causes, etcetera. The larger point here though is that even if something goes wrong we have to plan, establish funding, and consider safety and*

*response. This legislation is from an insurance point of view to provide protection to the landowner who allowed restoration work on their property.*

*Mike went on to say that these projects are made possible through landowner cooperation. It is in the sponsor and agency interest to resolve issues. It was also noted that through community involvement they are able to control how the endangered species act is enacted locally.*

- 2) If a tree comes loose where do they place liability?

*Sponsors, funders, and designers. Through the design and implementation process the design teams try to anticipate what is happening and how we respond. This process is also improved and made possible when we incorporate interested local landowners into the process.*

### **Susan Dretke: Signage/Questions and Answers**

Susan ended the presentations with a quick update on signage to be located near project areas, their purpose, and how they might look. Different designs and messages are being considered and we are working closely with the forest service in their development.

### **Open Question and Answer Period**

Following the presentations the floor was opened to a question and answer period. Community members in attendance were invited to ask questions regarding the proposed projects or any concerns they might have related to the installation of in stream wood structures. Questions brought up during the presentations that were saved for later were discussed first.

- 1) Where does the money come from for monitoring of existing projects?

*Funding comes mainly from both BPA and the US Bureau of Reclamation. There are also other funding sources depending on the project.*

- 2) Where are you heading, when is enough wood enough?

*(Ken Bevis, WDFW helped answer this question) Historically, in its natural condition, there was a lot of wood in stream, however now we must consider the rivers many uses and the goal would be to get as much as is acceptable to the public.*

- 3) Is there a date for the BMP requirements to be published?

*Not at this time.*

- 4) What is the process that you go through to pick sites to install wood structures?

*(Steve Kolk answered this question) Steve described the broad study Tributary assessment and a more detailed Reach Assessment which is conducted to outline physical characteristics of the River. With regard to engineered wood structures these studies help understand where wood might naturally occur. These studies take into account historical records, available aerial photos, and field reconnaissance in the development of the reports.*

- 5) Do you check with people who actually live here?

*Yes, there are a lot of people involved in the development of these reports including both local and non-local experts.*

- 6) Is Chelan County the lead permitting agency through their Development and SEPA permitting process, and their determination as to whether an Environmental Impact Study or further modeling is required?

*(Mike Kaputa answered this question) The County is not the sole agency to permits these projects. Designs must conform and are subject to both state and federal permitting requirements and project review.*

- 7) What is the County actually requiring to permit these projects?

*(Mike Kaputa answered this question) The answer to this question I believe leads to a larger questions. If developing extreme weather/flood event monitoring, funding to support maintenance, operation, and repair if structure or property damage occurs, and GPS tracking and locating of structures are issues of concern or are not being addressed in a way that is satisfactory to the community the County will address it. All sponsors and agencies have also made a commitment to respond. The County will continue to act if it appears necessary or is requested by the community if there is a need to put these requirements into regulations. Do we need a more comprehensive approach? The shoreline master program might be a vehicle to include a maintenance requirement. The question the County is trying to answer is do we need to regulate or are agreements adequate, do we need bigger more detailed agreements or do we create more regulations? Each design team creates BMP's which conform to the best available science and standards. As a collective, sponsors and agencies, are responsible for these projects and are outlining steps to take on the responsibility. This is in an effort to be at the front end of possible issues and Chelan County can develop more regulations but want the community to be involved in these decisions.*

- 8) What is the project construction window this summer?

*The construction window is July 15<sup>th</sup> through August 10<sup>th</sup>.*

- 9) What happens if a tree is in a dangerous place but can't get the appropriate permit to remove it?

*That is part of the emergency response plan which will establish a timeline or procedure to acquire the necessary permissions/permits.*

- 10) Are all the permits in place for the upper projects within the Stillwater Reach?

*The permits for the 3D and Tyee Ranch projects are in place, and the permits for the Dillwater project will be finalized soon.*

Susan Dretke closed the meeting by again thanking those who attended and offered those with further questions to stay. The Grange building will be available until 21:00 following the meeting. She also notified everyone that the Entail Valley outreach video has been completed and can be viewed here tonight. It will also be available on the internet very soon on the Cascadia Conservation District's website.

**At 19:50 the meeting was adjourned.**

## Attachment A

### Attendees:

Ray Sandidge  
Chuck Tudor  
Ted Stevens  
Martha Parker  
Lalla Perzespolewski  
Kevin Creager  
Richard Spencer  
Russell Griffith  
Ken Bevis  
Pete Hetterle  
Keith Watson  
Steve Kolk  
Roy Beaty  
Amanda Levesque  
Susan Dretke  
Mike Rickel  
Mike Cushman  
Joe Kelly  
Alan Schmidt  
Karin Whitehall  
Sarah Walker  
Chris Clemons  
Dan Miller  
Wendell Long  
Dave Hesburn  
Carl Bevis  
Martin Fisher  
Pete Lolos  
Catherine Willard  
Joe Bell  
John Craven

Conard Petersen  
Jon Small  
Keith Charrier  
Kathleen Hawley  
Kathy Spencer  
Jason Hatch  
Jennifer Goodridge  
Jim Small  
Russ Christensen  
Glen A. Hawkins  
Reggie Wight  
Mike Kane  
Robes Parrish  
Pete Jenkins  
M. Summerfield  
Barbara Small  
Jack Asher  
Phil Archibald  
Donald Olin  
Doug England  
Sharon Rose  
Wes Childers  
Oly Mingo  
James Olin  
Hal Hawley