



**NRC Citizens Advisory Committee
Meeting Minutes
April 12, 6:00 – 8:00 PM
Nisqually Tribe Natural Resource Office**

Present:

Phyllis Farrell, chair
Howard Glastetter
Fred Michelson
Carl Rotter
Robert Smith
Marjorie Smith

Jeaniel Thomas
Glen Thomas
Lois Ward
Emily McCartan, Staff
Justin Hall, Staff

1. Call to Order and Introductions

Phyllis called the meeting to order at 6:07.

2. CAC Organization, Recruitment, Purpose, and Elections

Members discussed CAC history. Phyllis asked everyone for their perspective on what brought them to the CAC and kept them coming, and particularly for thoughts from long-term members about changes over time. Phyllis noted that we are interested in addressing things like updating the contact list to reflect current active members, as well as possible recruitment and whether we should make changes to make the CAC more appealing.

Carl recalled previous years of the CAC with substantial business representation and broader membership. Justin's understanding is that the CAC formed after the Nisqually River Task Force to give non-government entities (citizens and businesses) a way to participate in the NRC. Businesses have drifted away over time. Members discussed several past issues that drew greater involvement in the CAC. Bob recalled a proposed trail from the Sound to Mount Rainier suggested by Gov. Evans, which drew objections from property owners. Carl recalled the proposal for Nisqually State Park, a very early NRC project, which was supposed to have significant campgrounds, boat launches, and recreation facilities completed by 2012, but has since fallen apart. Carl noted that the NRC and CAC developed around the time of this proposal to reduce friction between private and public sectors, but an ongoing challenge for the CAC is that members bring their own agenda, and not everyone gets excited about the same topics – for example, Carl has proposed advocacy for fishing policies that were not widely supported by other CAC members. Bob and Fred were both observers to the 2514 process on Water Quality and Quantity. Bob and Marjorie both noted that they see their role on the CAC as that of observers, learning about what's going on as interested residents, rather than as contributors.

Phyllis said she has valued the long-term perspective from ongoing members of the CAC, as a relative newcomer. Are we still fulfilling the original purpose? What direction should we take?

Fred spoke to his experience as a long-term member. He joined the CAC when he was new to Thurston County and was interested in the environment and the unique opportunity it gave citizens to get to talk directly to agency representatives from state and local governments on the NRC. The NRC likewise needs the CAC to be able to say that citizen voices are represented in its structure. Most of the time, the NRC has been very supportive and understands the reason why an organization run by government elected officials and staff needs citizen representation. Fred has seen low membership as a consistent problem throughout his involvement with the CAC. When Fred was CAC chair, he tried to set goals every year, including membership, but it wasn't easy to get people to take ownership and action on them. He did not feel that they were ever successful in increasing membership as he hoped, after advertising campaigns with support from the Tribe to create a display for community events, online publicity, and newspaper advertising. Even when 15 members were on the rolls, fewer than 8 showed up regularly.

Phyllis noted that most of the more recent current members heard about it through word of mouth, and got involved because they live in the watershed and care about it. Recruiting through friends is the most reliable. Phyllis got involved because she was interested in salmon recovery and environmental issues. The NRC has influence with legislators and agencies, and her impression is that they do listen to the CAC, so it's a place where citizens can really make a difference. Maybe we should focus on personal relationships. Phyllis would also like to get some young people involved as well, although Fred noted that younger people, especially those with families, may not have the time to dedicate.

Fred stated that he always felt the CAC should agree on agenda for the year and have members take on responsibility to track, take action, and report to the rest of the group on the issues they feel are important. He noted it can be difficult to motivate people to do this and that not everyone agrees with this view. Phyllis concurred, but also stated that it would be helpful to have direction from the NRC on how to channel interest and momentum on issues important to the Council – as well as assurance that if the CAC brings up an issue, the NRC will receive and act upon it. Fred stated that was how the NRC was originally set up in 1987. In the 2005 plan, it was changed to be more of a 2-way street.

Lois noted that she is a relative newcomer. There was a whole process to become a member: she had to fill out an application, be approved by the Council, had coffee with Fred to get his approval. She felt that there were 15 or more people attending regularly, and that they were bringing forward issues and following up on them. She stated that it seems like over the last year or so, maybe more, issues that the CAC sees as important haven't been seriously addressed by the NRC (RAP, net pens, nicotinoids). Fred noted that on a lot of environmental issues at our level, companies can wait you out on

complaints and have billions of dollars to broadcast to the world that these issues aren't significant, as well as now having an EPA that does not take problems seriously. He noted that successes come slowly and if citizens can raise awareness at state or county level, that in itself is a victory.

Lois asked Justin for his thoughts on what function the CAC offers to the NRC. Phyllis added that they would like guidance on how the CAC can be helpful and how willing the NRC is to respond to issues raised by the CAC.

Justin shared the most recent official address rosters for the CAC and NRC (from 2007 – numerous NRC reps have changed over, and at least 5 CAC members have passed away). He noted that the CAC and NRC were intentionally not formed with bylaws. There are pluses and minuses to that informal structure. Justin recalled that he has been with the NRC for 15 years and has wrestled with this question the whole time. The CAC is an incredible and committed group of people, but don't know if it has One Defining Purpose. Justin also noted that he and Fred approached the membership challenge differently when Fred was the CAC chair. Fred felt if we got enough people there, it would generate the issues to work on. Justin felt the CAC needed an issue to work on to get people to come. Fred noted that he now feels Justin was correct about that approach.

Phyllis suggested that the monthly CAC report to the NRC could be more focused on action items. At the close of CAC meetings, we could be more specific and come out with a clear, direct statement or issue to bring to the NRC asking for their guidance/action/recommendation. Conversely, we should hear from the NRC if they have a topic or action that they want the CAC to undertake.

Justin pointed out that the CAC has consistently been a siren for NRC about issues important to the community that lives in the watershed, since most NRC member representatives work in the watershed, but don't live here. The CAC helps red-flag important items that the NRC could otherwise miss until later. The conversation about the dam would not be happening without Howard, and forestry issues have come up at Fred's request in the past. The true value of the NRC is the education it provides to the members, and the forum it provides so that the agencies know each other, and have baseline non-antagonistic relationships, and the CAC is an important part of community voice on both fronts.

Carl suggested listing some of the CAC's successes as a "siren" bringing NRC attention to issues.

- Carl: pointed out a garbage dump on Weyerhaeuser land that was being considered for the Nisqually State Park, and because of his public warning, the state did not purchase the dump.
- Justin: the Miles Sand and Gravel stuff was a similar case, when CAC members brought forward awareness of permit violations.
- Fred: similar case with Fort Lewis wanting to take over a sewage project that was out of permit. He felt that the NRC and CAC didn't lead the charge as much as they could have, although did lend support.

- Fred: David Troutt covers a lot of ground and is involved with the Legislature and state agencies to represent Nisqually interests and brings a lot of successes. As a citizen, you can supply information that policymakers don't have. If you're part of an organization, that's even better. We need to advertise our successes to gain membership. The NRC needs to market itself as well.
- Phyllis: NRC letters on Conservation Futures and RAP are recent examples of success. She has also personally contacted legislators about issues she heard about through the NRC or CAC.

Phyllis asked that members write down successes to be noted in the minutes. Collected notes are transcribed here:

- Pointed out dump site in proposed Nisqually State Park. Disclaimer – I am pretty sure those involved knew it was there.
- Extra sets of eyes from those affected by or are interested in Valley issues. Better understanding of Alder Dam management issues that have flood issues.
- Efforts for County ban on neonicotinoids; Yelm wastewater improvements; Sierra Club funding for Green Congress; Conservation Futures Funding; discussion highlighting issues re: net pens; discussion and letters re: Alder Lake dam levels; lobbying efforts with legislators re: watershed funding
- Why is there no member of the Nisqually Tribe on the CAC?
- RAP and net pens issues; Why do we exist? Are we needed? Why and for what? Value added - ?

Fred pointed out that most watersheds don't have a CAC. He would like the NRC to tell us how common that is, why it's important to our organization.

Howard stated he thought the value of the CAC was extra sets of eyes from those affected by valley issues. As has been said, NRC members are paid to be there. People are more passionate about issues where they live, as they are truly affected. Another thing that draws people to the CAC is the recognition that the Tribe and the NRC are listened to. Howard was on the Thurston Storm and Surface Water Advisory Board and was frustrated that they were only interested in floods coming from land into the river, didn't want to talk about river flooding. The NRC has influence if they want to use it, which is very valuable, as is the fact that they accept in put from private citizens. Howard emailed Lois about a National Oyster Farm neighbor concerned about RAP, who will be attending a CAC meeting soon. Phyllis concurred and has talked up the CAC because she feels that the NRC does listen and CAC members do have influence, not just a rubber stamp for the Council.

Carl stated that part of the problem is people see it as a waste of time. The NRC has taken credit for helping start the NLT, which has a unique setup that doesn't mention recreation or public access anywhere. People think the NLT is part of the Tribe (maybe 1/3 of the people Carl has talked to are confused about the affiliation.) In most other places with wildlife reserves, the recreation is not really restricted. In Utah, you can hunt, ride horses, etc., fully open to public access. If the NLT buys with Conservation Funds, they're supposed to have public access, but that is defined as two public tours a year. 50% of the

Nisqually State Park site is off limits because it was bought by the NLT without public funds. If people think the deck is stacked, they're not going to want to be part of the CAC.

Jeaniel asked where money comes from to buy NLT land. There are various sources, including county Conservation Futures funds, grants from federal and state sources, donations. Jeaniel asked if that meant taxpayers are contributing to this without any opportunity to use it? Justin noted that some of the confusion with Tribe/NLT is that George Walter works for the Tribe and was the President of the Land Trust, and tribal staff perform a lot of the work on NLT properties (NLT doesn't have a work crew). Many NLT purchases have come from Tribal funds. There have been some transfers, but not a lot (and also transfers to the town of Eatonville etc.) Some of the tax dollars in those grants are specifically for wildlife, and not for people. Annual Auction is for operating dollars, doesn't come close to buying any land. Fred stated he would guess they are ill-equipped for public recreation on those properties. Justin suggested inviting someone from the NLT to come talk with the CAC about their land purchases and funding sources. NLT is a private company with a conservation mission.

CAC Election Schedule: normally, nominations in May, elections in June, announce officers to the NRC at retreat in July. Phyllis said it's been at least two, maybe 3 years since we had regular elections. The CAC officers are a chair and a vice chair, and three designated voters on the NRC (the chair and two others – can include the vice chair but doesn't necessarily). The NRC executive committee has also not met since JW stepped down as NRC vice chair. Elections for NRC officers will also be in June.

Lois reminded the group that we were moving the next CAC meeting to May 15. Lois and Phyllis volunteered to call to let people know if the meetings have changed (Marjorie, Fred, Thomases).

3. Questions for Tacoma Power

Emily recapped the approach decided on at the March NRC meeting. TPU is a voting member of the NRC, and rather than escalating to an exchange of letters with a Council member, David suggested and the CAC agreed that we could begin with posing a formal list of questions and asking TPU to answer them in a briefing to the NRC. David and other NRC members noted that it would be more helpful for their information-gathering to pose questions that are more open-ended in terms of asking TPU how they could achieve desired outcomes (i.e. no flooding in the lower valley, no spilling, whatever people would hope to see) and the trade-offs those would indicate, rather than asking about specific management options for reservoir level etc. Emily distilled these questions (distributed) from the letter and previous CAC conversations and got Howard's input on a few additional questions. She will incorporate any changes or additions from the CAC tonight, and pass the final approved list along to David, Justin, and Florian to request their response. The current questions are:

1. What is the target level for Alder Lake that TPU tries to maintain during winter months? What are the reasons for selecting this level?

2. What are the procedures/reasons for determining if evasive action should be taken in response to forecasted storms?
3. How often has TPU have to spill during winter high-water events in the last [10? 15?] years?
4. Did TPU make any changes to its procedures after major floods in 1996 or 2006?
5. If Alder Lake was kept at no more than 1197 feet during the winter months, what would the consequences be for power generation, recreation, and downstream flows year-round?
6. What changes to dam management practices would reduce flood risk for the lower Nisqually valley during [100? Other number?]-year flood events?
7. Why is Alder Dam currently (April 9, 2018) raising the reservoir level without generating electricity at full capacity?
8. With an inflow of 10,000 cfs, how many hours does it take to raise the reservoir level 1 foot when the level is at 1205 feet? 1203 feet? 1197 feet? 1170 feet?
9. What are the optimum circumstances (e.g. reservoir level, inflow, etc.) for selling excess electricity to the grid?

Lois asked Howard, as the CAC expert, for his opinion on the questions. Howard drafted answers to the questions, but that will be helpful to compare what he knows/thinks he knows to TPU's answers, and if he feels the answers give the brush-off, he would still like to ask that the NRC send the letter.

Bob mentioned that his youngest brother was the Tacoma Power manager for maintenance during the 1996 flood. He's retired now. He may have some information.

Lois said she felt that there was only one central question we have asked, about changing the lake level to 1197 feet. The power company says they're not obligated to do that. Her question is, if there is a moral obligation to do that, why not even if there is no legal requirement?

Howard is frustrated about dealing with governments because at an individual level, they can blow you off. Thurston County Emergency Manager Andrew Kinney emailed to say that FEMA is modeling flood plans for the lower valley as though the dam did not exist. He stated that it really bothers him that they are allowed to blow off the people who live in the valley.

Fred said looking at the graphs, since the 1996 flood, they have let the reservoir rise to unsafe levels at least 5 times. He believes this is a reasonable request.

Andrew Kinney also told Howard that TPU aims at 1203 feet, 1205 if they feel it's safe. Howard has seen this happen several times from the NOAA graphs.

Phyllis asked if it would be more appropriate or effective for the NRC to approach the question as preventing the environmental impact of floods, rather than on the public safety/private property?

Fred believed that George Walter would say the dam has already prevented many floods since it has been put in. The FERC License has many provisions cooperating with the Tribe's need for fish. The Tribe has a very close partnership relationship with TPU. TPU does not seem to see any reason to come to NRC meetings. That's for the Council and chair to do something about, but it's a concern.

Howard stated that George was on the flood hazard mitigation plan committee. He wants to see the Nisqually meander for fish habitat. Flooding does pose environmental concerns related to gravel mining and RAP. Holroyd's pit was flooded in 1996, and they now want to dig down below the water table. Lakeside wants to bring in RAP piles. Neighbors commented in the 1996 flood that their lawn smelled like a gas station. Howard noted that he feels there is less pressure on TPU if they know there will not be a letter cc'd to the counties.

Justin asked why Howard chose 1197 feet as his desired height for the reservoir. Howard would prefer 1192, because 15 feet from the top seems safer, but felt that 1197 was a big improvement.

Members generally agreed with the questions and it was decided by consensus that they should go forward, highlighting current #5 and #6 as the biggest overarching questions. Emily will work on a few revisions/reorganization and will circulate back to the CAC and then send to Florian at TPU and David as NRC chair. We will target the May NRC meeting for a response from TPU.

Carl moved that the CAC send these forward to TPU. Lois seconded. The motion carried.

4. For the Good of the Order

Phyllis noted that the South Sound Climate Convention will be this Saturday at the Lacey branch of SPSCC. Featured speaker is 17-year-old Aji, one of the plaintiffs on the children's suit for climate. There will be many other good presenters. The Nisqually River Foundation will be there tabling about the NRC, NREP and Stream Stewards programs.

Have officer nominations ready for the May meeting on 5/15!

5. The meeting was adjourned at 8:10pm.