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1 Part of the Salmon Recovery Plan is integration of salmon and flood work.  
2 It's a new area the SRF Board is wrestling with. It's been a struggle. This project  
3 is a good example of that struggle, where the community wants a flood project and  
4 the SRF Board wants a salmon project. This project has met in the middle ground.  
5

6 Roy asked if the SRF Board mission is salmon recovery. Roll stated it is.  
7

8 Roy asked if the SRF Board has done any projects that are integrated with  
9 flood control in the past.  
10

11 John Thompson, Senior Planner, stated it has. The SRF Board funded  
12 projects in Yakima that provided instream cover and also have bank erosion  
13 protection benefits.  
14

15 Roll stated this is the first year when all the Puget Sound water resource  
16 inventory areas (WRIA's) have salmon recovery plans in place. They must align  
17 those plans with this process. The local group and the SRF Board will work through  
18 that question. For this process locally, the local board tried to make sure all the  
19 SRF Board projects ranked as a high priority of the Salmon Recovery Plan.  
20

21 From this point forward, there will be a draft from the review panel  
22 tomorrow. That draft will maintain or lift the project of concern status. The County  
23 will have one week to respond. There will be a public comment period. The SRF  
24 Board funding decision will be in early January.  
25

26 One of the issues to consider is whether the County feels this project  
27 represents a significant benefit to the fishery. Unfortunately, certain individuals in  
28 the ranking process feel it doesn't benefit fish enough.  
29

30 A number of sites, one through five, were discussed with the community as  
31 they worked through what the community wants in order to support a SRF Board  
32 application. Some were added and some were deleted. This application focused on  
33 areas three and four, but the community is still interested in area one. A final  
34 design will have to be worked through the community and the Sub-Zone Advisory  
35 Board. The concepts may be tweaked still.  
36

37 Brenner stated the letter from the SRF Board was clearer than staff's letter.  
38 The SRF Board said that stabilizing a section of the right bank, which does not  
39 significantly impact salmon habitat, is at odds with the general goal. She asked if  
40 the County would do the stabilization. She asked why that site was chosen. She  
41 asked if the County was able to provide input into the decision of that site for the  
42 Lummi project. Thompson stated that site was initiated through the Lummi and  
43 Nooksack tribes. The County was consulted, but they selected the site to meet the  
44 project objectives. The concern about the site from the review panel is that bank.  
45 It is an eroding bank. When their review panelist looked at it, he felt it wasn't  
46 enough of an issue to put money into it to protect it. The five sub-zone district  
47 lines indicated in the aerial photo are old channel locations through a pasture.

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1 Those locations are now potential evulsion paths, which creates a flood hazard for  
2 folks downstream. The review panel didn't feel the bank was a big enough issue to  
3 deal with, but the staff feels that dealing with it can reduce the sediment from  
4 going into spawning grounds and also reduce flood risk.  
5

6 Brenner stated the SRF Board okayed the Lummi project. Now the SRF  
7 Board is suspending it. She asked if they take all those things into consideration  
8 before giving a grant. Thompson stated the original grant approval for the Lummi  
9 project, which includes other funding, was for a substantially different project. As  
10 the community became concerned, the Lummi's realized the current project wasn't  
11 realistic, and they would need to design more reliable structures. There was a  
12 substantial redesign of the project, based on feedback from the community.  
13

14 Roy stated the SRF Board doesn't like the redesign.  
15

16 McShane asked the location of the Lummi project on the photo on page three  
17 of the handout. Thompson stated the location is adjacent to areas three and four.  
18 He indicated the location on the Herrera map on page four of the handout. The  
19 engineered logjams (ELJ's) indicated on the map are the Lummi project. They  
20 would remove the red dashed section on the map that represents the lower  
21 Hutchison Creek levee. That is the proposal as modified due to the citizen  
22 concerns.  
23

24 McShane asked if the original Lummi project was to take out the revetment,  
25 put in a log jam that will allow water through into the lower end of Hutchison Creek.  
26 Thompson stated the original proposal was also to build log jams over a greater  
27 distance along the stream and to take out more of the bank armoring upstream.  
28

29 McShane asked if the project is to include the rock islands. Thompson stated  
30 that is part of the County's proposal. Between the Lummi project and the County  
31 project, the levee would be set back to the historic meander belt.  
32

33 McShane asked if there would be a back up levee there. Thompson stated  
34 that is correct. The intent of the Lummi project is to retain the river in the same  
35 position, but to create a side channel at the location of lower Hutchison Creek.  
36 They wanted to create a side channel in an area where there is cool groundwater  
37 from upstream gravel bars and also down Hutchison Creek. They want to create  
38 deep pools with log jams and side channels to provide thermal refuge for the fish.  
39 The site was chosen because it lacks holding habitat and because there is a  
40 temperature problem.  
41

42 McShane asked if the County's proposal is to install the rock islands, the  
43 backup levee on the curve, the extension of the pile jams along the curve in front of  
44 the pasture, and forested boundaries for trees. Thompson stated that is correct.  
45 The Lummi project includes wooden wing walls and a wood plug in the old  
46 Hutchison channel. It was specifically designed in response to the community's  
47 concern about the Hutchison Creek taking too much of the Nooksack River's flow.

1  
2           McShane asked if Ms. Cooper is comfortable with the improvements proposed  
3 by Herrera and the Lummi's to armor that area by Hutchison Creek and build a  
4 bigger log jam.  
5

6           Paula Cooper, River and Flood Division Manager, stated the first proposed  
7 structure was not big enough. They beefed up the structure, but she was still  
8 concerned the river would do an end run around it. That's why the County and  
9 Sub-Zone District project called for an eastward extension.  
10

11           McShane stated the County's proposal is the rock islands, back up levee on  
12 either side of Hutchison Creek, and the wing walls and slash dams in front of the  
13 pasture. The Sub-Zone District had other ideas that are not part of the grant  
14 application. They are just talking about areas three and four. Roll stated that is  
15 correct. There is also community interest in area one.  
16

17           Roy asked if they are talking about two SRF Board grants. One is for the  
18 Lummi's, which is on hold, and the second is from the County. She asked if the  
19 SRF Board says the County project looks more like flood control than salmon  
20 enhancement. To get all the pieces together, both projects need funding. The  
21 Tribe can't move forward with its funding until this County project is funded. Roll  
22 stated the community felt its needs must be met concurrently. The County went  
23 into this to create an integrated project with the Lummi project, not a standalone  
24 project. The SRF Board looks at individual projects, but the two projects together  
25 provide salmon enhancement and make the area better. Engaging the community  
26 goes beyond the technical view. It considers what the community is willing to  
27 support.  
28

29           Brenner asked how the Lummi project got approved if there was obvious  
30 potential impacts to peoples' lives and safety. She asked how the SRF Board can  
31 compartmentalize and why they suspended the project if it doesn't care about life  
32 and safety. Roll stated the funding was suspended in response to reaction from  
33 community members. The Lummi project wasn't designed completely at the  
34 beginning of the SRF Board process.  
35

36           Brenner asked if the SRF Board doesn't necessarily consider the community  
37 process or community concerns. Roll stated it considers community concerns, but  
38 looks at the project before the final design. The grant was funded, but not fully  
39 supported by the community, so the County has to intervene.  
40

41           Thompson stated the SRF Board project has a public process, but it's not  
42 very formalized. When the Lummi project was submitted as a grant application,  
43 the project was conceptual. It hadn't done any community outreach yet. When the  
44 realities of dealing with the community happened, the Lummi project reduced the  
45 scope of the project. The SRF Board has two concerns. One is whether the  
46 community concerns have been addressed. The other is that the smaller project is  
47 requesting the same amount of money.

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1  
2 Fleetwood asked on what the Lummi's have spent the \$625,000. Thompson  
3 stated he doesn't know. It's probably engineering design, analysis, and purchase of  
4 wood materials.

5  
6 Fleetwood asked if they spent that money in expectation that additional  
7 money would be spent on the project. Thompson stated they have the money lined  
8 up, just no access to it yet.

9  
10 Fleetwood asked if that is the \$70,000 that is mentioned. Thompson stated  
11 the \$70,000 is something they already paid to someone to provide materials, for  
12 which they are not able to get reimbursed.

13  
14 Fleetwood stated the SRF Board makes reference that they fundamentally  
15 got the project wrong. He asked how the SRF Board decides at this late date that  
16 everything should have been done on the other side of the river. Thompson stated  
17 the SRF Board is talking about site five, which the Sub-Zone District identified for  
18 side channel enhancement. The review panel took a look at the project area. They  
19 saw the preliminary concepts and had a site visit. Now, the project is farther along.  
20 It would have been good to get the panel's input in March, not August.

21  
22 Roll stated that now there is a Salmon Recovery Plan and eight early actions  
23 identified over ten years, including integration of salmon recovery and flood  
24 projects. They are beginning integrated projects that will be controversial projects.  
25 These are the issues they will have to deal with to implement the Salmon Recovery  
26 Plan. Now they've done the science and determined there must be more woody  
27 debris and engineered log jams in the river. That comes at a cost. They must work  
28 with the community to make it a win-win situation. The SRF Board has not  
29 wrestled with what the plans say and what are the community interests. The SRF  
30 Board looks strictly at technical fish recovery. The SRF Board must wrestle with  
31 these policy issues.

32  
33 Nelson stated he is not confident the science was done completely. Roll  
34 stated the Salmon Recovery Plan includes an action to do some of these engineered  
35 log jams. That doesn't mean analysis was done in detail for every reach in the  
36 area. They responded to the fact that the project was held up and engaged the  
37 community to allow the Lummi project to move forward.

38  
39 Fleetwood asked what the Council would need to approve. Roll stated the  
40 community question is what happens if the community project isn't funded. The  
41 community doesn't want the Lummi project to move forward without the  
42 community project. If the Council would like to take another approach, it must  
43 consider those other approaches. The County Executive is being very aggressive on  
44 this issue with the SRF Board. It is a good project that should be funded.

45  
46 Brenner stated she's disappointed in the letter from Merle Jefferson. The  
47 Lummi's made decisions in which the County was not included. It's not fair for the

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1 Lummi Nation to expect the County to pay a bunch of taxpayer money on this  
2 project or else be the bad guy. She's very upset. It's not about relations. The  
3 County does want to work with the Tribe and community. The question is when the  
4 County gets to work with them.

5  
6 McShane stated the Lummi Tribe must have worked with the County some,  
7 because County parkland is involved. Roll stated the County expressed support of  
8 the general concept of the plan. However, the County didn't give authority or  
9 approval to do whatever the Lummi wanted.

10  
11 Fleetwood asked if Dr. Roll agreed with Merle Jefferson's characterization of  
12 what is needed from the County to go forward. Roll stated the first thing listed in  
13 Merle Jefferson's letter can happen if the community project is funded. Until they  
14 have the projects designed and ready to be permitted, they can't tell the Parks  
15 Department or landowners to jump on board. The third thing listed in Merle  
16 Jefferson's letter is something they've been doing for countless years.

17  
18 Nelson asked if they have to do this project this year. Roll stated the Lummi  
19 project was planned for this year. If the community project is funded, they would  
20 have to sequence both projects.

21  
22 Nelson asked if there is a reason they can't do it next year or the year after  
23 that. Roll stated he doesn't know. The SRF Board is only one granting agency for  
24 the Lummi project.

25  
26 Nelson stated he has no problem with the Lummi's working with the  
27 community to do a project. He asked why the County is held accountable if the  
28 project falls apart.

29  
30 *(Clerk's Note: End of tape one, side A.)*

31  
32 Nelson continued to ask if it's Executive Kremen's idea to move forward, or if  
33 Dr. Roll is pushing it forward. Roll stated this is a project that has to be done. This  
34 project was not done perfect from start to finish. The County had to intervene. If  
35 they wanted to salvage the Lummi project, they had to intervene. The reason the  
36 County had to intervene was because the SRF Board suspended the project pending  
37 County approval. The County should be praised for attempting to make this a win-  
38 win situation.

39  
40 Roy stated she agreed. The County Council began to hear from the  
41 community ten months ago. The County could have chosen to not get involved.  
42 The County has stepped in and tried to work out something. Now, the County is  
43 sucked into this project. She asked if this project would normally be at the top of  
44 the project list, given the amount of money for which they are asking. Roll stated it  
45 wouldn't, from a flood standpoint. The County is there to salvage a good project.

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1 Larry Jacoby, Mosquito Lake Road, stated this is a mismanaged project. The  
2 Lummi's are putting in logjams now because the Lummi's took them out ten or  
3 fifteen years ago. Now they want to take out the rock levees and make people  
4 believe something will be better. The logjams now are made up of building site  
5 trash. They are contaminated trees. Use trees that came naturally down out of the  
6 watershed. There are truckloads of little limbs and branches.

7  
8 Hutchison Creek goes dry in the summer. It won't cool the river. This has  
9 been mismanaged. They can't afford another one. This project won't bring back  
10 the fish. The levees have worked out there. The fish have been there for years.  
11 The Lummi's want this one spot because the County owns that property. The  
12 salmon recovery people finally saw the light. The game department said they  
13 would wash the trees before putting them in the river.

14  
15 Roy stated the community members have put a lot of effort into coming up  
16 with a solution. The Council will continue to be involved in this issue.

17  
18 McShane asked if the administration is looking for a particular policy direction  
19 from the Council. Roll stated this is an update. Any number of people will talk to  
20 the Council, depending on the outcome of the decision. He will push very hard for  
21 funding. If they don't receive it, they will have to reevaluate. At this point, he  
22 can't believe the community would allow the Lummi project to go forward without  
23 the County piece, given the number of months they've spent trying to fix the  
24 community's concerns.

25  
26 McShane stated the review panel was negative about filling in swales and  
27 extending the revetment in front of the pasture. He didn't see any negative  
28 comments about the backup levee or the rock islands. He asked how important  
29 that pasture revetment is to this particular project. Consider splitting up the  
30 project if necessary to get the elements that the review panel approves. The SRF  
31 Board is to grant funds for salmon recovery, and he doesn't see much salmon  
32 recovery in this project. Roll stated they are hoping to deal with the community  
33 concerns.

34  
35 McShane stated erosion of the pasture happens regardless of the project.  
36 Thompson stated the fish benefit of the pasture revetment is to get side channel  
37 habitat and pools around the jams. It will allow the bank to re-vegetate. Trees  
38 were planted, but they are being washed into the river. The last photo in the  
39 packet shows that the bank slopes away toward the swales. If the bank erodes  
40 more, it progressively lowers the bank. That field would take on water during  
41 progressively smaller floods. The intent was to take the extra material and make  
42 the elevation constant all along the bank so the water spreads out rather than  
43 hitting the channels. The swales are back in the pasture, not in the wooded areas.

44  
45 Roy asked if this is for salmon recovery or flood protection or both.  
46 Thompson stated it is for a combination of the two.

47

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1           McShane stated that part seemed to bother the SRF Board the most. He's  
2 having a hard time seeing how this project is directly connected with the Lummi  
3 project, other than appeasing a separate concern. There are clearly habitat and  
4 erosion problems in front of the pasture. Erosion rates are significantly higher.  
5 There are both habitat problems and a flood risk. He wonders if the flood project is  
6 a separate project from the Hutchison Creek project. Thompson stated the projects  
7 are connected when flows are encouraged back in there with the logjams from the  
8 tribal project. There may be pressure above ELJ 7. The idea is to keep it from  
9 cutting into the bank and migrating more into the field. There are two different  
10 applications or concepts that are linked.

11  
12           Chris Hatch, Acme Van Zandt Sub-Zone Chair, stated that if they remove the  
13 lower Hutchison dike, it will expose the bank to greater forces than would happen if  
14 the dike there. The residents felt they would have to treat the bank if they  
15 removed all or some of the lower Hutchison dike.

16  
17           McShane asked how they've determined that would happen and if there is a  
18 study. Hatch stated they have historical photos. The dike was put in during 1965  
19 for a reason. They can see how the river interacts with and without the dike.  
20 There is a huge scour behind the dike that precipitated the need for the dike. That  
21 dike is in a system of dikes put in as a response to the City's water diversion  
22 pipeline.

23  
24           McShane asked if someone technically evaluated the probability of increased  
25 erosion if they took out the rock revetment and installed the rock islands. Cooper  
26 stated they haven't done a study.

27  
28           Hatch stated the question is whether Herrera referenced any concerns about  
29 not treating the open end of the park, should the levee be removed.

30  
31           Cooper stated they gave sites three and four to Herrera. They asked Herrera  
32 to do it all since they were there. They felt that site four had good benefits for  
33 salmon. It made sense to do it all together.

34  
35           Hatch stated the integration issue is that the projects fit better together.

36  
37           Cooper stated they could probably separate the projects, but they fit better  
38 together. This whole thing has been an evolutionary process.

39  
40           McShane stated the County's project has three elements: the rock islands,  
41 the backup levee, and the whole thing around number four. He asked the cost  
42 breakdown. Cooper stated the cost is approximately \$640,000 for number four.

43  
44           Nelson asked how to avoid this from happening in the future. Roll stated  
45 staff recognizes that business needs to be done differently. Future projects need to  
46 include the community from the beginning. People from the County and tribes  
47 have learned that clearly.

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1  
2 Nelson asked if they can get the community involvement in writing. Roll  
3 stated he will push for it. He brought that issue to the SRF Board, which should  
4 add it as a guiding principal.  
5

6 Nelson stated they need a formal process for agreement. Roll stated he  
7 agrees. He will pass that on to the SRF Board. Staff has ideas, but is not ready to  
8 share them yet.  
9

10 Nelson stated he is concerned about cottonwoods in the area. They are quite  
11 large and very vulnerable to this project. He asked how much debris will come  
12 down in the next flood if this portion of the dike is removed and replaced with the  
13 rock islands. Cooper stated this is just a conceptual design at this point. The  
14 engineering calculations come next. Herrera's task is to engineer around the areas.  
15 The goal is to form side channels in the order of magnitude of Hutchison Creek so  
16 the flow is split.  
17

18 Thompson stated withstanding the trees from being impacted is part of the  
19 design of the engineered logjams (ELJ's). When the ELJ's are installed, they will  
20 grow and accumulate more wood. Part of the challenge is to make sure they are  
21 stout enough to hold up.  
22

23 Nelson asked if the trees will form large woody bands when they come out.  
24 He asked if that would push out farther to the north.  
25

26 McShane stated that is the reason for the County to build the backup levee.  
27

28 Hatch stated the community folks are concerned about those trees also, and  
29 also the supply of sediment being transported downstream. There is concern that  
30 the bridge downstream should be constructed to handle the wood. He anticipates  
31 the design will account for the concerns.  
32

33 Brenner asked if the cost is about \$1 million. They must have an interlocal  
34 agreement on this issue. She asked for a copy of the lower Hutchison Creek  
35 landowner agreement.  
36

37 Hatch stated the folks living in the South Fork area thank Councilmember  
38 Roy for her service to the County.  
39  
40

#### 41 **OTHER BUSINESS**

42  
43 There was no other business.  
44  
45

#### 46 **ADJOURN**

47

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1           The meeting adjourned at 10:48 a.m.  
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5 Jill Nixon, Minutes Transcription  
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7  
8 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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11  
12  
13 \_\_\_\_\_

14 Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Sharon Roy, Committee Chair