

**Snohomish (WRIA 7)
Watershed Restoration and Enhancement Committee
April Meeting Summary**

Please send corrections to Ingrid Jones (ingria.jones@ecy.wa.gov) by May 3, 2019.

[Committee webpage:](https://www.ezview.wa.gov/site/alias__1962/37310/watershed_restoration_and_enhancement_-_wria_7.aspx)

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Next Meeting:

May 9, 12:30-3:30 pm, Brightwater Environmental Education and Community Center, Community Room, 22505 State Route 9 SE

Meeting Information

Thursday, April 11th, 12:30-4:00 pm

Willis Tucker Community Park, Gary Weikel Room, 6705 Puget Park Drive, Snohomish

Agenda

	Topic	Time	Action	Handouts*	Lead
1.	Welcome and Introductions	12:30 PM	None	Agenda	Chair
2.	Approval of agenda and March meeting summary	12:40 PM	Decision	Agenda; March summary (available electronically)	Facilitator
3.	Updates and Announcements	12:50 PM			Chair and All
4.	Technical Workgroup Report	1:00 PM		March notes (available electronically)	Cynthia Krass
5.	King County Water Availability Study	1:15 PM	Presentation & Discussion	King County Water Availability Presentation	Eric Ferguson, King County, and Facilitator
6.	City Planning	1:40 PM	Discussion		Chair and All
7.	Break	2:00 PM			
8.	Lessons Learned-WRIA 1 Technical Support	2:10 PM	Presentation & Discussion		Andy Dunn, RH2, and Facilitator
9.	Reflection and Discussion-Sub-basin Delineations and Population Projections	2:45 PM	Discussion		Facilitator and All

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	Topic	Time	Action	Handouts*	Lead
10.	Action Items and Next Steps	3:15 PM			Facilitator and Chair
11.	Public comment- <i>limit to 3 minutes per person</i>	3:20 PM			Facilitator
12.	End	3:30 PM			Chair

*All handouts are available on the Committee website

Scheduled 2019 Meetings

- Thursday, May 9, 2019: Brightwater Center
- Thursday, June 13, 2019: Brightwater Center
- Thursday August 8, 2019: short meeting followed by field trips

Committee Representatives in Attendance*

Representative	Entity Representing	Representative	Entity Representing
Josh Grandlienard (alternate)	City of Arlington	Dylan Sluder	MBA of King & Snohomish Counties
Mike Wolanek	City of Arlington	Bobbi Lindemulder	Snohomish Conservation District
Mike Remington	City of Duvall	Ann Bylin (alternate)	Snohomish County
Jim Miller	City of Everett	Brant Wood	Snohomish PUD
Richard Norris	City of Gold Bar	Matt Baerwalde	Snoqualmie Tribe
Karen Latimer (alternate)	City of Marysville	Cynthia Krass	Snoqualmie Valley WID
Jordan Ottow	City of Monroe	Elissa Ostergaard (alternate)	Snoqualmie Watershed Forum (<i>Ex Officio</i>)
Elizabeth Ablow	City of Seattle (<i>Ex Officio</i>)	Daryl Williams	Tulalip Tribes
Paul Faulds	City of Seattle (SPU) (<i>Ex Officio</i>)	Kirk Lakey	WA Department of Fish & Wildlife
Brooke Eidem	City of Snohomish	Lyndsey Desmul (alternate)	WA Department of Fish & Wildlife
Andy Dunn (alternate)	City of Snoqualmie	Ingria Jones	WA Department of Ecology
Janne Kaje	King County	Stephanie Potts	WA Department of Ecology
William Stelle (alternate)	Washington Water Trust		

Committee Representatives Not in Attendance*

Entity Representing	Entity Representing
City of North Bend	City of Lake Stevens
Town of Index	City of Carnation

Other Attendees*

Name	Affiliation
Ruth Bell (facilitator)	Cascadia Consulting Group
Angela Pietschmann (note-taker)	Cascadia Consulting Group
Eric Ferguson (presenter)	King County
Yorik Stevens-Wajda	Snohomish County Council
Tadd Schwager	Hart & Crowser
Alexa Ramos	Snohomish County

*based on sign in sheet

Approval of Agenda and Meeting Summary

Ruth requested changes to the agenda. No changes were proposed by Committee members. Ingria made requested revisions to the March meeting summary. Ruth requested any additional changes to this summary.

DECISION: No additional changes received. The Committee approved the summary (City of Everett and Gold Bar abstained from voting). The final version of the meeting summary is posted to the Committee webpage.

Updates and Announcements

Workgroup Formation

Workgroup met March 18. Will report out under the next agenda item.

Snohomish Basin Salmon Recovery Forum

A subset of technical committee and forum leadership met last Thursday to discuss the Forum’s engagement in our Committee. The Forum will discuss ex officio membership on the WRIA 7 Committee at their May 2nd meeting. Depending on the Forum’s discussion, Committee may have a decision on adding the Forum as an ex officio member at our May 9th meeting. Ingria will share letter of interest from the Forum in advance of any decision.

Facilitation support

[Cascadia](#) and [ESA](#) contracts have been fully signed and executed. Susan O’Neill will be filling Abby Hook’s role at ESA and will take over as the facilitator for the WRIA 7 Committee beginning May 9th.

Technical support

Ecology is finalizing contracts between [GeoEngineers](#) with [NW Hydraulic Consultants](#) as a sub to provide technical support to WRIAs 7, 8, and 9. They will assist with sub-basin delineation and population growth estimates initially. They will also assist with consumptive use estimates and project identification and evaluation and the technical components of the final plan.

Committee Binders

Committee members should manage and bring the binders to meetings for reference. Binders include agendas, meeting summaries, operating principles, Committee roster, calendar, and policy reference materials. All materials will be posted to website as soon as possible before/after Committee meetings. One binder was provided to each entity to share among representatives. Ingria will provide hardcopies of agenda and any handouts for the meetings.

WRIA 11 webinar

Ecology recommends watching [Allison Osterberg's presentation to the Chehalis Basin Partnership](#) and the [WRIA 11 lessons learned webinar](#).

WRIA 1 Rulemaking

Ecology has developed preliminary draft language for the rule amendment and rule supporting document for Chapter 173-501 WAC. The preliminary draft documents are available on the [WRIA 1 rulemaking webpage](#). Information on how you can share feedback is also posted on the rulemaking webpage.

NEB Guidance

Draft NEB guidance is anticipated for release right before the May 9th Committee meeting. Upon release, the public comment period will open for 30 days. Ingria will share information as it becomes available. Final guidance is expected by July 31st and John Covert (Ecology Hydrogeologist and member of the Streamflow Restoration technical team) will give an in-depth presentation to the Committee after its release.

Meeting Schedule

The Committee took a straw poll vote on whether to hold a meeting on July 11th or August 8th. The Committee voted to hold the meeting on August 8th. The August 8th meeting will be a short meeting followed by a project site tour. Technical workgroup will plan to meet both months.

Committee Member Updates

No updates from Committee members.

Technical Workgroup Report

Cynthia Krass reported out on the first Technical Workgroup conference call on March 18th. The Workgroup's primary purpose is to brainstorm and provide feedback on draft products. The Workgroup does not have decision-making authority.

Technical consultants will develop work products; the Workgroup will help to fill data gaps and use their local knowledge to make sure consultants are using the best data.

Planned workflow:

1. Overview presentation by Ecology or consultants.
2. Initial Committee discussions and recommendations.
3. Workgroup discusses recommended approach and provides feedback to consultants.
4. Consultants develop draft product and provide to Ecology before Committee meeting or Workgroup meeting.
 - a. In some cases, the draft product will be provided to the Workgroup for review prior to Committee meeting.
 - b. There may be more than one round of feedback from the Workgroup and/or Committee for certain elements of the plan, such as consumptive use and project list development.
5. Draft consultant products presented to the Committee.
6. Committee discussions and recommendations.
7. Workgroup meets and provides feedback to consultants.
8. Consultants make revisions, deliver final product to Ecology, and present revised products to Committee.
 - a. The Committee is the decision-making body, which will approve final decisions on sub-basin delineations, growth projections, consumptive use estimates, and project list.

Questions and Discussion

- The location/geographic spread of anticipated future domestic permit-exempt wells is a factor in the delineation of sub-basins. While scoping and sub-basin delineation conversations can happen in tandem, deciding on the sub-basin delineations can help guide the rest of the plan. The Committee can use the sub-basin delineations to determine consumptive use by sub-basin, identify offset projects by sub-basin, and understand whether offset projects are in time and in place (high priority). The Committee and Technical Workgroup will discuss data needs and identify what data can support delineation.
- The Committee should do its best to get close to final delineations this June to have something to build on but revisit when developing project list, if necessary as information is synthesized. The Committee will determine sub-basin delineations up front and adjust after looking at projects. Ecology has incorporated an opportunity for GeoEngineers to adjust sub-basin lines into their work order.
- Comment that where population growth has occurred in the last 10-20 years does not necessarily indicate where growth will be in the future; populations are expanding further east. Committee will continue discussions on growth projections at the next meeting.
- Recommendation from Committee member to consider using legal limit for well water use (950 gpd annual average) as a benchmark.

Ingria asked Committee whether it would be beneficial to have a shared technical workgroup meeting specifically for population projections, given the county overlap across WRIAs 8 and 9 and shared technical consultants.

- Some county representatives in WRIAs 8 and 9 expressed an interest in using the same methods across watersheds/committees for consistency.

- King County would like to use the same approach and suite of assumptions about growth across all the committees on which it participates. King County would support a joint technical workgroup meeting focused solely on population growth.
- Snohomish County would like to regroup internally before making a decision.

King County Water Availability Study – Presentation and Discussion

Eric Ferguson, King County Water Quality Planner, presented on the model King County used as part of their [Water Availability and Permitting Study](#). See [presentation](#) on Committee webpage.

Questions and Discussion

- King County estimated the number of permit-exempt wells that were drilled in the County over the past 10-15 years. 50% of the 1,200 permit-exempt wells identified in the King County study plotted with a utility service area. Not all of these wells are actively used. Some areas within a service area but do not yet have water lines, so exempt wells are still being drilled in those areas. An extension of water service lines would reduce the estimated number of potential permit-exempt wells.
- King County estimated the number of parcels with the potential for permit exempt wells.
- The [Ecology well log database](#) includes wells for resource protection, dewatering, and abandoned wells. Thousands of wells were identified within urban areas. King County analyzed the data and found that 90% of these wells are for dewatering (a boring is put in to lower the water table for development; often used in areas with high water tables).
- King County created a [Water Service Requirements Flow Chart](#) as part of the Water Availability Study to describe the hierarchy of options to consider before approving an exempt well. The County requires applicants to go through the utility's dispute resolution process before they bring "timely and reasonable" grievances before the Utilities and Transportation Committee. King County's website provides information on their [appeal process as it relates to water service](#) and the [Utilities Technical Review Committee \(UTRC\)](#).
- Committee will need to make a range of assumptions about connections to water to model the number of permit-exempt wells.

City Planning Discussion

Ruth invited cities on the Committee to provide input on these questions:

- Under what circumstances do you allow permit-exempt wells within your city limits/water service area? Where do you expect these wells to occur?
- Are there areas within your city limits/water service area where new wells have been drilled in the last few years?

Questions and Discussion

- City of Duvall and City of Arlington provided responses: City of Duvall does not allow new exempt wells. City of Arlington recently allowed the first exempt well inside (or immediately outside) city limits. The city requires owners to connect to the water system when it becomes available and decommission their wells.

- Committee discussed the fate of permit exempt wells when a homeowner hooks up to a water system. Depending on the jurisdiction, the well may be decommissioned, used for outdoor irrigation, or not used and not decommissioned. When a well is decommissioned, a licensed driller must submit a notice of intent to Ecology. After the well is decommissioned, the licensed driller submits a well log to Ecology to document that the well was decommissioned. Ecology's well log database can sort by decommissioned wells, but the original well logs associated with those wells remain in the database.
- Water utilities do not have jurisdiction over building permits, but there is typically a service review. Utilities are responsible for defining timely and reasonable service.
- King County's study shows new potential wells within closed basins. The following surface water sources and any groundwater connected to them are closed year-round to further appropriations (unless mitigated): Griffin Creek; Harris Creek; Little Pilchuck Creek; May Creek; Patterson Creek; Quilceda Creek; Raging River; Bodell Creek (a tributary of the Pilchuck River). The *Hirst* decision and ESSB 6091, as well as other court decisions, have resulted in different rules in different watersheds. In WRIA 7, ESSB 6091 authorized impairment to instream flows by domestic wells. The groundwater permit exemption allows domestic permit-exempt uses of up to 5,000 gpd without obtaining a water right permit from Ecology with ESSB 6091 adding additional restrictions of an average annual withdrawal limit of 950 gpd and 350 gpd during a drought declaration. The Committee's Plan must offset potential impacts to instream flows associated with permit-exempt domestic water use and result in a net ecological benefit to instream resources in the watershed.
- All new water withdrawals in the Snohomish River watershed are subject to the instream flows established in the instream flow rule (WAC 173-507). Any new water rights (surface water or groundwater) will be interrupted when instream flows in the Pilchuck, Skykomish, Snohomish, Snoqualmie, Sultan and Tolt Rivers are not met. Obtaining a new non-interruptible (year-round) water right for groundwater or surface water in this area is likely a very difficult, and expensive process due to potential adverse impacts on these protected streams and rivers. It is likely that applicants need to mitigate to secure a non-interruptible supply.

Lessons Learned – WRIA 1 Technical Support – Presentation and Discussion

Andy Dunn (RH2 Engineering) provided an overview of considerations based on RH2's experience providing technical assistance to the WRIA 1 Planning Unit. See [presentation](#) on Committee webpage.

Questions and Discussion

- RH2 was contracted by Ecology to support the Lead Agency in WRIA 1 (Whatcom County) and the Planning Unit. Lummi and Nooksack Tribes took the lead on NEB.
- Committee members asked about the project selection process in WRIA 1. RH2, Ecology, and the Watershed Planning Group provided input to develop a list of over 100 potential projects/actions. The Watershed Planning Group narrowed this list down to 20 projects with associated planning level costs for each. RH2 examined two main project types: (1) specific projects, which are more concrete and detailed and (2) non-geographic projects, which are more general and programmatic. Some projects may have immediate benefits to streamflow whereas other projects or actions may have delayed effects. Plan up front for areas where

heavy development is expected. Work backwards from Ecology's timeline to make sure Committee stays on track.

- The Committee discussed the consumptive use options in WRIA 1. Among the seven scenarios and five options presented to the Planning Unit, they selected Scenario 4 and Option 4. Under this scenario-option combination, there were 647.51 acre-feet of consumptive use (mostly irrigation). RH2 arrived at this number by reviewing data for each sub-basin over the last 20 years, sampling aerial photos, and determining how much lawn area surrounds each permit exempt well. They did not factor in temporal irrigation changes.
- Lessons learned from growth projections in WRIA 1 included the type of data available and timeline. If working with spatial data around population growth, sub-basin delineation is less important and more attention can be focused on smaller sub-basins where permit exempt wells are in use or anticipated.
- The Committee discussed the policy considerations in the development of the Plan. Given that reaching consensus may become an issue, the group should start laying their cards on the table sooner rather than later to understand each other's values and priorities. Examples include considering how the Committee might construct a robust adaptable implementation program for identification and implementation of water for water projects; considering the amount of water required to offset consumptive use versus the opportunity created by the planning process to achieve real and meaningful streamflow benefit and ecological benefit to the watershed.
- Snohomish Conservation District and Water Conservation District are collaborating on a project that assesses streamflow for storage. They are meeting next week and welcome feedback from Committee.

Next Steps

- Next meeting is May 9th at the Brightwater Environmental Education and Community Center.
- Next meeting topics: Report from technical workgroup; discussion on sub-basin delineations; presentation and discussion on growth projections; Committee will have time for reflection.
- Updated committee calendar will be posted to the Committee webpage as soon as possible.

Committee Member Action Items

- Send Ingria recommendations for projects site visits in August.
- Read Ecology's [Recommendations for Water Use Estimates](#) before May 9th meeting.
- Review internal decision-making processes at your entity in advance of upcoming Committee decisions.
- Bring binders back to next meeting.

Public Comment

- Proposal to agree to "lumping" basins that are already identified in instream flow rule for consistency. Committee can delineate within these basins as needed.

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- Ecology's rulemaking process lowered the consumptive use estimate from 647 to 390 acre-feet and reduced the number of projects identified during the WRIA 1 planning work from 45 to 13. Ecology's rule supporting document is much shorter than the draft plan documents. .