



Meeting Summary

Snohomish (WRIA 7)

Watershed Restoration and Enhancement Committee meeting

Thursday, April 15, 2021 | 12:30 p.m. - 3:00 p.m. | [Committee website](#)

Location

Committee Chair

Ingria Jones
Ingria.Jones@ecy.wa.gov
425-466-6005

Handouts

Plan adoption pathways
Final plan
Operating Principles and revisions

Attendance

Committee representatives and alternates

Ann House (Snoqualmie Indian Tribe, alternate)
Brant Wood (Snohomish PUD)
Bobbi Lindemulder (Snohomish CD)
Cynthia Krass (Snoqualmie Valley WID)
Daryl Williams (Tulalip Tribes)
David Levitan (City of Lake Stevens)
Denise Di Santo (King County)
Dylan Sluder (MBAKS)
Elissa Ostergaard (Snoqualmie Watershed Forum, ex-officio)
Emily Dick (WWT)
Glen Pickus (City of Snohomish)
Ingria Jones (Ecology)
Keith Binkley (Snohomish PUD, alternate)
Kelsey Taylor (Snoqualmie Indian Tribe, alternate)

Kim Peterson (Town of Index)
Kirk Lakey (WDFW)
Lindsey Desmul (WDFW, alternate)
Liz Ablow (City of Seattle, ex officio)
Matthew Eyer (City of Marysville)
Megan Darrow (City of Monroe)
Mike Remington (City of Duvall)
Mike Wolanek (City of Arlington)
Rebecca Deming (City of North Bend, alternate)
Rich Norris (City of Gold Bar)
Souheil Nasr (City of Everett)
Stacy Vynne McKinstry (Ecology, alternate)
Stephanie Potts (Ecology, alternate)
Steve Nelson (City of Snoqualmie)
Terri Strandberg (Snohomish County)

Not in attendance

Snohomish Basin Salmon Recovery Forum, ex officio

Other attendees

Angela Pietschmann (Cascadia – Info Manager)
Bridget August (GeoEngineers)
Joe Hovenkotter (King County)
John Covert (Ecology)
Kevin Lee (WDFW)
Paulina Levy (Ecology)
Susan O’Neil (ESA – Facilitator)

Introductions & Standing Business

Susan O’Neil (Facilitator) welcomed the group, began introductions, and reviewed the January 14 meeting summary. *The January meeting summary was approved without further changes.*

Ecology updates

- Ecology adopted the remaining 3 plans under section 020 of the streamflow restoration law by the February 1, 2021 deadline (WRIA 22/23: Chehalis; WRIA 49: Okanagan; WRIA 55: Little Spokane). The plan addendums are available on Ecology's [streamflow restoration planning webpage](#).
- The WRIA 9 Committee submitted their locally approved watershed restoration and enhancement plan. Ecology is currently reviewing the plan and will determine by June 30th whether to adopt the plan. The locally approved plan is available on the [WRIA 9 Committee webpage](#).
- Other committees chaired by Ecology have not yet submitted locally approved plans to Ecology. Several committees have votes scheduled for later this month.
- Ecology requested \$40 million for the 2021-2023 biennium and \$40 million was included in the Governor's Capital budget proposal. Ecology will determine the timing for the next Streamflow Restoration Grant Program round after the Washington State Legislature approves a budget for the 2021-2023 biennium.
- **Committee Membership:** City of Carnation has withdrawn from the WRIA 7 Committee.
- Updated appendix A of Operating Principles: Added list of committee members and entities that declined to participate. Will review proposed changes to the main body of the document later in the meeting.

Steps to Plan Adoption

Ingria Jones (Ecology, Chair) outlined pathways to plan adoption:

If plan is approved and submitted to Ecology with time for review by June 30:

- **State Environmental Policy Act (SEPA) review:** The SEPA review includes the Environmental Checklist and Threshold Determination for a non-project programmatic plan review. After Ecology makes a SEPA determination, we will have a public comment period for the SEPA review and comments will be collected online (minimum of 14 days).
- **Ecology's technical staff** evaluate whether the plan achieves a **Net Ecological Benefit** as described in the Streamflow Restoration law (RCW 90.94.030), the Final NEB Guidance (GUID-2094), and the Streamflow Restoration Policy and Interpretative Statement (POL-2094).
- **Ecology Water Resources Program Management review:** The Water Resources Program reviews the plan and prepares a recommendation to the Director.
- **Ecology Director review and determination:** The Director reviews all materials and makes a determination by June 30, 2021 on whether to adopt the plan.
- **Plan adoption:** The Director of Ecology will issue the results of the plan review and the NEB determination in the form of an order. The Streamflow Restoration law has a June 30, 2021 deadline for adoption by the Director of Ecology. If the Director signs adoption orders by June 30, 2021, the planning process is completed.
- **Adaptive Management:** After plan adoption, the Water Resources Program will review policy, adaptive management, and implementation recommendations across all of the Watershed Plans and make a programmatic decision on where and how to invest resources on recommendation implementation.

If plan is not approved and submitted to Ecology with time for review by June 30:

- **Ecology prepares the plan:** Ecology must prepare a final draft plan and submit it to the Salmon Recovery Funding Board (SRFB) for technical review. Ecology will then consider the SRFB review, prior to finalizing and adopting the plan. Ecology may amend the plan without Committee approval prior to adoption.

- **Plan adoption.** After plan adoption, the Director shall initiate rulemaking within six months to incorporate recommendations into rules adopted under chapter 90.94 or under Chapter 90.22 or 90.54 RCW and shall adopt amended rules within two years of initiation of rulemaking. Ecology’s rulemaking is a public process guided by the Administrative Procedure Act (APA), ch. 34.05 RCW, and will be undertaken consistent with the requirements of RCW 90.94.030.
- **There is no timeline identified in the legislation for Ecology to finalize the plan.** Ecology will determine the timeline for plan completion after evaluating the workload based on the number of plans adopted by June 30 and recommendation in plans for rulemaking.
- **There is no role identified in the law for the Committee after June 30, 2021.**

If the plan is not approved today, that doesn’t preclude the Committee from continuing to work on the plan or voting again. Best chance of getting a plan reviewed and adopted by June 30th deadline if Committee can submit an approved plan by end of April. There is no “final” deadline, but that would put us on the same review pathway as a number of other plans. Ecology will do everything we can to adopt the plan if the Committee is able to approve it before June 30.

Resources:

- [Plan adoption pathways handout](#)

Discussion:

- Mike Wolanek (City of Arlington) asked what the benefits are of approving this plan as a Committee versus allowing Ecology to codify through rulemaking. Would allowing the plan to go through rulemaking offer more authority?
- Ingria Jones (Ecology, Chair) noted that rulemaking is uncertain, includes a statewide public process, and Ecology cannot guarantee any outcomes. If Ecology finalizes the plan, projects will still not have guaranteed funding or guaranteed implementation.
- Daryl Williams (Tulalip Tribes) noted that if the Committee does not approve this plan that was developed over the past two years, this may not be the plan that Ecology moves forward. Ecology has leeway on what goes in a plan without committee approval if we don’t approve this plan.
- Mike Wolanek (City of Arlington) noted there is a lot of value in each entity on the Committee supporting the plan, but down the road priorities may not stay the same.

Proposed Revisions to Operating Principles

Ingria Jones (Ecology, Chair) proposed an amendment to the Committee’s Operating Principles, Section 6. Current Operating Principles require a quorum (2/3 of Committee present) to vote. Ingria reviewed the proposed revisions, which would allow for a re-vote on plan approval without a quorum.

Resources:

- [Proposed Revision to Operating Principles](#)

Discussion:

- The Committee requested that the Chair invite the full Committee in the event that an entity requests a re-vote and Ingria adjusted the proposed text revision accordingly.

Susan O’Neil (ESA – Facilitator) reviewed the process for revising the operating principles:

“The Committee may review the operating principles periodically. Any member of the Committee may bring forward a recommendation for an amendment to the operating principles. Amendments will be brought for discussion when a quorum (2/3 of the membership) is present and take effect only if approved unanimously by the full Committee for inclusion in the operating principles.”

Amendment to Operating Principles:

The Committee voted on the following language to “Voting on the final approval of the plan” under Section 6. Decision Making:

“The Committee can vote as many times as needed to attempt to approve the plan. If no changes are made to the plan, a quorum is not required for subsequent votes on final approval of the plan. All Committee members will be invited, however only the Chair and the Committee members that change their vote need to be present for the subsequent votes. The Chair will notify the Committee of the result of subsequent votes.”

Decision: Approved. All Committee members agreed to adopt this change to the Operating Principles.

Committee Member Comments

Susan O’Neil (ESA – Facilitator) invited Committee members to provide any statements about the planning process or the final plan to be captured in the meeting summary:

Department of Ecology: No comment.

Snoqualmie Indian Tribe: The Tribe is not approving the plan as of now. The Tribe’s state lobbyist is actively working with Ecology through government-to-government meetings. The Tribe is requesting assurances needed in order to sign off on the plan.

Tulalip Tribes: Daryl thanked everyone for their time and effort that went into developing this plan. It’s a good plan, and Daryl looks forward to moving it forward; Tulalip plans to approve plan. Tulalip Tribes share some of the same concerns as the Snoqualmie Indian Tribe; however, it is Tulalip’s position that not approving this plan will make a bad situation worse.

Department of Fish and Wildlife: Kirk thanked everyone for their time and effort on this plan, including the Ecology team for helping the Committee through this long process.

King County: Denise thanked everyone for all their work on this plan. It was a long effort with additional subcommittee work while folks were also involved in other planning processes.

Snohomish County: Terri thanked everyone for their dedication to this process. The work has been interesting, and Terri enjoyed meeting everyone. She commended the Committee’s admirable dedication and consistency for this duration of time on this project.

City of Arlington: Mike Wolanek echoes what others said in terms of gratitude for everyone’s participation and the peer relationships developed through this project. This process has been noteworthy, and it has been an honor to get to know you all. Mike believes it is a good plan and not worth disapproving. 20 years from now, if voting on this plan, Mike would not vote for it because he does not think the process is sustainable.

City of Duvall: Mike Remington expressed deep appreciation for (1) Ecology’s commitment to this process; and (2) the expertise that was brought to bear on this project. He appreciates the plan’s potential to take care of the watershed and hopefully keep it healthy for generations to come.

City of Everett: Souheil thanked everyone for participating in this process and for Ingria’s ability to “herd the cats”—it was not an easy task. Hopefully, the plan will be adopted; Everett wholeheartedly supports this plan.

City of Gold Bar: no comments.

Town of Index: Kim noted the Town has had a comment from the beginning of the process: there is language in the plan that might lead a reader to understand that someone drilling a well nearby may prefer to connect to a public water system. Town of Index's water system is at capacity; even though the preference to connect is there, it won't always be possible. Other than that, Town of Index supports the plan.

City of Lake Stevens: no comment.

City of Marysville: no comment.

City of Monroe: no comment.

City of North Bend: no comment.

City of Snohomish: no comment.

City of Snoqualmie: no comment.

Snoqualmie Valley Watershed Improvement District: Cynthia thanked Ingria for leading this complex process. She appreciated Ingria's talents and skills and that Ingria called all Committee members before every meeting. This approach was really effective/refreshing. Agriculture representatives don't often sit at these tables, as water projects are sometimes in conflict protecting farmers. SVWID is ready to roll up our sleeves and do the work to find as much common ground as possible. Significant resource investments/funds were put into this process because it is a core value of SVWID's board leadership. Cynthia thanked everyone for their efforts.

Snohomish Public Utilities District: Brant thanked everyone. It has been an interesting process, and he is impressed with how such a diverse group of interesting folks can come to consensus on this complex plan. SPUD plans to approve the plan.

Master Builders Association of King and Snohomish Counties: Dylan echoed what everyone else has already said. He thanked everyone for their time and effort. It's been great to get to know everyone; while the Committee members don't always agree, the plan is a good result of everyone's opinions. He thanked Ingria and team for all their work and plans to support the plan.

Washington Water Trust: Emily expressed that it has been a huge honor to meet everyone and the Committee has been through an evolution together. WWT believes the WRIA 7 Streamflow Restoration Plan is largely filled with intelligent and collaborative projects and initiatives that we strongly support. Insufficient funding to support the underlying projects seriously jeopardizes the strength of this plan and its ability to meet its imperative of offsetting exempt wells and net ecological benefit. The Department of Ecology has been allocated inadequate funds to enable the success of projects which these plans are founded on. As evidence of the scarcity, in 2021, no such grant funding was available to these projects. We advise strong action to fully fund these plans. Inaction to do so will be detrimental to the water resources we aim to protect and the people who rely on them.

Snohomish Conservation District: Bobbi thanked everyone for allowing the CD to participate in the process and be at the table. As Cynthia noted, it's not always an easy place to fit in, but the CD strives to be collaborative and do its best to come to agreement, while keeping working lands in operation. This group is extremely knowledgeable, and Bobbi has been blown away by what she's learned (big learning curve!). Bobbi appreciates the level of engagement and is grateful for the technical sub committees as lots of their work went into this effort outside of Committee meetings and in the trenches.

City of Seattle, ex officio: Liz appreciated being allowed to participate in this process as an ex-officio member and feel accepted into the group. It has been a great opportunity to work with many entities the City doesn't typically work with. She's appreciated hearing new voices and learning. Seattle Public Utilities sent a letter to Ecology about this process. The City participates on WRIA 8 and 9 Committees as a member (not ex officio) and

the letter speaks more specifically to those WRIAs, but it is also relevant to WRIA 7. Concerns outlined included lack of funding, tracking plan effectiveness, working to create statewide policies, including a broader group of stakeholders / tech experts, and the Streamflow Grant review process. Liz hopes this effort stays present and in the forefront, and that the plan is implemented to make this effort successful and bigger than what we hope it is.

Snoqualmie Watershed Forum, ex officio: Elissa Ostergaard appreciated everyone being interested in including the Snoqualmie Watershed Forum and salmon habitat planning into the process. The Snoqualmie Watershed Forum looks forward to seeing results as the plan is implemented.

Snohomish Basin Salmon Recovery Forum, ex officio: not present.

Letters sent from committee member entities to Ecology are posted on [box](#). This includes letters from WDFW, the City of Seattle, and Snoqualmie Tribe.

Reviewing Edits to Final Plan

Ingrid Jones (Ecology, Chair) reviewed minor edits to the final plan since last meeting:

- Figure ES 1, page 9: simplified map symbols
- Section 1.1, page 11: removed placeholder language
- Section 1.2.3, page 16 and 17: added last meeting date, removed placeholder language, added consulting firm names
- Section 2.1.3, page 21: corrected citation for Chinook habitat designation
- Section 5.2.1, page 58: Added footnote that, with the exception of Lochaven Source Switch, water right acquisition projects do not have detailed project descriptions in Appendix H.
- Table 5.1, page 59: Changed project type for Lake Shoecraft to “water storage and retiming” for consistency with Lake Stevens
- Figure 5.1, page 62: Updated for consistent formatting
- Section 5.2.1, page 68: Corrected project number for Surface Water Storage Project to match tables and detailed description; moved to after MAR summary
- Table 5.2: Added Skykomish Mainstem as subbasin location for wetland restoration project (& updated detailed project description in Appendix H accordingly)
- Figure 5.2, page 82: Updated formatting and changed symbols to more easily identify project types
- Section 7.3, page 109: added Wetland Restoration as project located in Skykomish Mainstem
- Figure 7.1, page 131: Updated formatting and changed symbols to more easily identify project types
- Appendix B (Glossary): Updated definitions for Instream Flow, Instream Flow Rule, and Streamflow
- Appendix C (Committee Roster): Added second alternates, re-ordered to match listing in RCW 90.94.030
- Throughout:
 - Corrections for term consistency: new permit-exempt domestic wells
 - Corrected typos and formatting errors

Resources:

- [Final WRE Plan-Revised-Redline](#)

Discussion:

- No concerns with above changes.

Vote on WRIA 7 WRE Plan

Susan O’Neil (ESA – Facilitator) reminded the Committee about the process for final approval of the plan:

RCW 90.94 (3) states that “... all members of a watershed restoration and enhancement committee must approve the plan prior to adoption.” This means that each committee member gets a vote (quorum is not applicable for final approval) and that all committee members must vote “yes” in support of a plan in order for it to be approved and provided to Ecology for “net ecological benefit” review and potential adoption.”

Options for the vote on final plan approval are: approve or disapprove. All voting members of the Committee were present and each entity provided their vote verbally.

Roll call (voting members):

- Department of Ecology - **approve**
- Snoqualmie Indian Tribe - **disapprove**
- Tulalip Tribes – **approve**
- Washington Department of Fish and Wildlife - **approve**
- King County – **approve**
- Snohomish County - **approve**
- City of Arlington - **approve**
- City of Duvall - **approve**
- City of Everett- **approve**
- City of Gold Bar- **approve**
- Town of Index- **approve**
- City of Lake Stevens- **approve**
- City of Marysville- **approve**
- City of Monroe- **approve**
- City of North Bend- **approve**
- City of Snohomish- **approve**
- City of Snoqualmie- **approve**
- Snoqualmie Valley Watershed Improvement District, representing the largest irrigation district - **approve**
- Snohomish Public Utility District, representing the largest publicly owned water purveyor that is not a municipality - **approve**
- Master Builders Association of King and Snohomish Counties, representing the residential construction industry - **approve**
- Washington Water Trust, representing environmental interests - **approve**
- Snohomish Conservation District, representing agricultural interests – **approve**

Decision: Not Approved. 21 Committee members voted to approve and 1 Committee member voted disapprove. Approval must be unanimous; therefore the plan is not approved.

Public Comment

No public comment.

Action Items for Chair

Ingria thanked Committee members for their expertise, patience, and commitment throughout the process and reviewed post-meeting action items:

- Ecology to post the final January 14 meeting summary to Committee webpage.
- Ecology to send revised Operating Principles and post to Committee webpage.
- Ecology send draft meeting summary and ask for approval via email.

- Ecology to submit draft plan, letters, and resolutions to management and let them know the plan is not approved at this time. Ecology will not start on the alternate pathway to plan adoption until after June 30, 2021.
- No additional Committee meetings are scheduled at this time. If a Committee member requests a re-vote, the Chair will schedule a meeting and invite Committee members.

Action Items for Committee Members

- Committee members requesting a re-vote should notify the chair as soon as possible.
- Review April 15th draft meeting summary by May 6.