



# APRIL 2020 MEETING SUMMARY

## Duwamish-Green (WRIA 9) Watershed Restoration and Enhancement Committee

Tuesday, April 28, 2020 | 12:30 p.m. – 3:30 p.m. | [Committee website](#)

### Location

WebEx

### Committee Chair

Stephanie Potts  
Stephanie.Potts@ecy.wa.gov  
425-649-7138

### Next Meeting

Tuesday, June 23  
12:30 – 3:30 pm  
WebEx

## Attendance

### Committee Representatives and Alternates

Lisa Tobin, *Auburn*

Trish Rolfe, *Center for Environmental Law and Policy*

Steve Lee, *Covington Water District*

Scott Woodbury, *Enumclaw*

Evan Swanson, *Kent*

Joe Hovenkotter, *King County*

Rick Reinlasoder, *King County Agriculture Program*

Jennifer Anderson, *Master Builders Association of King and Snohomish Counties*

Kathy Minsch, *Seattle*

Stewart Reinbold, *Washington Department of Fish and Wildlife*

Stephanie Potts (chair), *Washington State Department of Ecology*

Matt Goehring (cities caucus rep), *WRIA 9 Watershed Ecosystem Forum, ex officio*

Cities caucus members: Black Diamond, Normandy Park, and Tukwila

### Committee Members Not in Attendance

Muckleshoot Indian Tribe

Tacoma Water, ex officio

### Other Attendees

Gretchen Muller (facilitator), *Cascadia Consulting Group*

Caroline Burney (information manager), *Cascadia Consulting Group*

Paulina Levy, *Ecology*

Bridget August (technical consultant), *GeoEngineers*

John Covert, *Ecology*

Stacy Vynne McKinstry, *Ecology*

William Stelle, *Washington Water Trust*

Jason Hatch, *Washington Water Trust*

Emily Dick, *Washington Water Trust*

Jason McCormick, *McCormick Water Strategies*

Tristan Weiss, *Washington Department of Fish and Wildlife*

\*Attendees list is based on roll call and participants signed into WebEx.

## Standing Business

Facilitator reviewed the agenda. *No revisions to the agenda.*

Chair received one comment about the meeting summary:

- City of Seattle provided a correction on their local approval process.

The Committee voted to approve the February WRIA 9 WREC meeting summary, with the cities caucus rep abstaining. The final version will be posted on the Committee website.

## Updates and Announcements

Chair provided updates from Ecology.

- **COVID 19:** At this time, Ecology does not anticipate any extension to our plan adoption deadline. Planning deadlines were set by the legislature and Ecology is not planning to put forward agency request legislation to request an extension. Chairs and program managers are tracking Committee member participation. **Committee members should let Stephanie know of any changes to your capacity to participate.**
- The Muckleshoot Tribe is currently not able to send a representative to WREC or technical workgroup meetings due to staff furloughs.
- **Meeting schedule:** Tentatively planning to go back to monthly meetings starting in June.
- **New resources:** As a follow-up from the February meeting and other requests from WREC members, Ecology staff developed the following resources:
  - [Foster pilot program overview](#)
  - [Overview of existing PE well metering programs](#)
  - [Well decommissioning FAQ](#)
  - [Summary of climate resources for WRIAs 8 & 9](#)
- At the February meeting, a Committee member asked whether we can put water rights into temporary trust and use adaptive management to track implementation of projects and extend the trust donation. Stephanie consulted with Ecology water resources staff and water right changes must be permanent to count as a water offset.
- **Technical memos:** Stephanie distributed final drafts of subbasin, growth projections, and consumptive use technical memos in February and requested final comments by 3/21. Did not receive any comments by the 3/21 deadline.
- **WRE plan development:** Ecology is starting to draft sections of the plan and will distribute them to Committee for review as they are completed. The Committee will review comments on draft sections before Stephanie distributes the draft plan in mid-August.
  - The facilitation team is developing a timeline for plan review and approval, based on the local approval processes that Committee members shared at the February meeting. Will share the timeline for Committee review.

## Public Comment

*No public comment.*

## Policy and Regulatory Actions

Objectives:

- Identify priority policy and regulatory recommendations to develop for inclusion in the WRE Plan.
- Determine path forward for developing recommendations.

Reference Materials

- [WREC Top Policy and Regulatory Ideas List](#)

Gretchen provided a recap of policy discussions at previous meetings:

- The Committee can decide to include policy and regulatory recommendations in the plan, including recommending changes to state laws, agency regulations and local codes, and education and outreach programs.

- Anything we include is a recommendation and does not create an obligation for Ecology or local governments.
- Committee members are expected to take the lead on developing policy recommendations to bring forward for consideration. This is outside the technical consultant scope of work. Ecology can provide technical assistance, as needed.
- At the February meeting, Committee members each identified their top 5 policy and regulatory ideas. Stephanie organized the [list](#) and circulated it for input by 3/23.
- The plan must be approved by all Committee members. Therefore, policies also need support from all members of the Committee.

The Committee discussed the policy recommendations and asked if there was a committee member(s) that wanted to further develop policies. The following policy recommendations will be further developed:

Policy Idea	Policy Lead
<b>Education/outreach/incentives for water conservation:</b> native/drought-tolerant plants, rainwater storage for irrigation, etc.	no lead; Trish Rolfe, CELP can help (trolfe@Celp.org); Kathy Minsch, Seattle can help (Kathy.Minsch@seattle.gov)
<b>Increase water service connection:</b> strengthen requirements for new homes to connect to water service (timely & reasonable language), require/incentives for homes that connect to decommission wells, incentives for homes to connect. Example: CWD's code language	Tom Keown and Steve Lee, CWD (thomas.keown@covingtonwater.com) (steve.lee@covingtonwater.com)
<b>Increase enforcement of existing state regs:</b> Funding for Ecology to increase enforcement of existing water use requirements. Includes enforcement of reduced water use during drought.	Joe Hovenkotter, King County (jhovenkotter@kingcounty.gov); Trish Rolfe, CELP (trolfe@Celp.org)
<b>Plan implementation:</b> Funding/legislative authority for Ecology to implement the WRE plan	Trish Rolfe, CELP (trolfe@Celp.org)
<b>Improve Ecology well tracking:</b> Improve the Ecology well log database to include GPS coordinates, link records for new and decommissioned wells, identify permit-exempt wells.	Joe Hovenkotter, King County (jhovenkotter@kingcounty.gov)
<b>State Trust Water Rights Program:</b> Expand and fully fund the Trust Water Rights Program to secure and augment instream flows	Joe Hovenkotter, King County (jhovenkotter@kingcounty.gov)
<b>State Water Code:</b> Expand and fully fund the Department of Ecology's capability to accurately, timely, and comprehensively compile, correct, update, store, and share information, data, and records regarding water rights	Joe Hovenkotter, King County (jhovenkotter@kingcounty.gov)

Discussion:

- Master Builders Association of King and Snohomish Counties (MBAKS) shared concerns with some of the policy ideas, including metering PE wells and fees for PE well users. Additionally, MBAKS has some concerns with the increased water service connection policy idea. MBAKS would be supportive of incentive programs to offset the cost burden to residential home builders, but is not supportive of a policy that would increase costs of development by requiring connection within a certain distance from water lines.
- Some committee members expressed concern that policy discussions will slow down the required plan components, such as the water offset project development, and recommended moving forward without policy recommendations since it is an optional component of the plan.
- Other committee members shared that they feel it is important to include policies in the plan to indicate importance of these policies to the legislature.

Next steps:

- Gretchen will contact the policy leads about next steps and share the draft template that includes important elements for policy recommendations.
- Policy leads will draft proposed language associated with a policy recommendation. When language is ready, will come forward to the committee for further discussion.
- The facilitation team will help coordinate common policy recommendations across WRIAs.

## Identifying Water Offset Projects

Objectives:

- Report out from April 7 Technical Workgroup meeting and discuss recommendations made.
- Discuss water offset work plan and project template.
- Identify water offset project ideas and determine next steps.

Reference materials:

- [Project Description Template](#)
- [Non-acquisition Water Offset Project Identification Workplan](#)
- [Water offset project example slides](#)
- [Washington Water Trust draft due diligence memo](#)

### Technical Workgroup Recap

- Stephanie provided a recap of the April technical workgroup meeting. The [meeting notes](#) are posted on box.
- The workgroup recommended using a steady-state assumption for consumptive use impacts and including data in the plan to show how consumptive use compares to low flow periods.
- Workgroup recommends not assigning a water offset quantity to habitat projects. Workgroup members agreed that projects like floodplain restoration and levee setbacks are good projects and have important streamflow and habitat benefits, and we should include qualitative descriptions of those benefits in the plan.

### Water Offset Project Development

- Bridget August provided an overview of the [Water Offset Project Description Template](#)
- Bridget August reviewed the GeoEngineers [Non-Acquisition Water Offset Project Identification Work Plan](#)
  - Project development will occur through a phased approach:
    - Phase 1: Initial identification
      - Identify contacts with key knowledge of a project type or area.

- Conduct a desktop screening for candidate project sites/areas.
- Work with key contacts to develop a list of preliminary concepts for water offset projects, including the following project types:
  - Water storage and retiming
  - Stormwater projects
  - Modification of reservoir operations
  - Conservation and efficiency projects
  - Streamflow augmentation projects
  - Source switches
- Track project development.
- Phase 2: Prioritization and further analysis
  - Work with Technical Workgroup and Committee to identify priority projects.
  - Conduct further analysis.
  - Start developing the project summary sheet.
- Phase 3: Selection of projects for inclusion in the plan
  - Finish developing the project summary for each project or action the Committee selects for inclusion in the Plan.
- Stephanie reviewed the water offset and habitat projects that Committee members submitted for consideration for the plan (see “project short list” tab on [project inventory](#)).
- Stephanie shared an update from Tacoma Water on the status of the Eagle Lake siphon project:
  - Tacoma Water is putting the project on hold due to concerns around guaranteeing additional water at the Auburn gauge on the Green River and funding for long term O&M.
  - Stephanie will talk with Ecology Technical Staff about solutions to address their concerns.

### Project Brainstorm

- John Covert shared examples of projects included in other plans and funded by the first round of streamflow restoration funding (see [slides](#)) and answered questions about different project types.
- The committee discussed project types and brainstormed opportunities in WRIA 9. See [Project Brainstorm Chart](#) on the last page for more info (project ideas are also on the “conceptual ideas” tab of the on [project inventory](#)).
  - Managed Aquifer Recharge and off-channel storage
    - How is water withdrawn for MAR without impacting fish?
      - Can either build a withdrawal facility, with appropriate infrastructure to keep out fish, or can build horizontal wells right next to the riverbed so the water filters through gravel.
    - What are the opportunities for using reclaimed water for water offset projects in WRIA 9?
      - There are challenges with using reclaimed water for MAR in WRIA 9 because the South Treatment Plant is far down the watershed.
      - Are there concerns with the high nutrient count in recycled water and inputting it into an MAR system?
        - Yes. When building an MAR project, required to go through a feasibility study and look at water quality and potential impacts to the aquifer.
    - Committee members expressed support for further exploring MAR.
      - GeoEngineers to look at potential sites in priority subbasins. Please send any potential properties to Bridget at [baugust@geoengineers.com](mailto:baugust@geoengineers.com).

- Committee members discussed opportunities to use water from the Tacoma Pipeline 1 and Tacoma Second Supply pipeline for water storage or streamflow augmentation (would require removal of chlorine and fluoride).
      - Scott Woodbury and Steve Lee had ideas on locations for this project idea.
    - Joe Hovenkotter raised the concern that surface water storage projects have the potential to impact fish habitats if sited in the floodplain. King County would not support any projects like this.
    - Lisa Tobin proposed using a horizontal well to divert high flows to storage areas located out of the floodplain to solve that concern, then using that water for MAR or crop irrigation.
  - Stormwater projects
    - Committee members shared that stormwater retrofits at existing storage sites are a challenge for municipalities because there is uncertainty around how much storm capacity will be needed in the future.
    - GeoEngineers will discuss potential opportunities with King County and report back to the Technical Workgroup at the next meeting.
  - Modification of existing reservoir operations
    - Matt Goehring shared that there's a lot of interest in Howard Hanson Dam water management and potential retiming of storage and flows with relation to fish habitat. The dam serves several purposes (flood protection, drinking water storage, and fish habitat) and it may be difficult to consider another purpose for streamflow restoration.
    - GeoEngineers or Ecology will reach out to Matt to discuss more.
  - Water right source switches
    - Surface water to groundwater source switches are currently difficult to permit because of recent case law (Foster decision). The Committee can still include surface to groundwater source switches in case they are feasible projects in the future. There are also opportunities for a surface water to surface water source switch.
    - Rick Reinlasoder shared that there could be a potential surface to groundwater source switch project with King County owned farmland in the Lower Green. Rick will follow up with his supervisor. If he agrees that this project has potential, Rick will follow up with GeoEngineers.
  - Conservation & efficiency for irrigation
    - Rick shared that there are two irrigators (one in the Middle Green, one in the Lower Green) with potential for efficiencies. Between the two of them, they are irrigating between 700-1,000 acres.
    - GeoEngineers will follow up with Rick to see if this project has potential.

#### Washington Water Trust: Water rights acquisition assessment

- Jason Hatch provided an update on the water rights assessment Washington Water Trust (WWT) is conducting to identify water right acquisition opportunities. See the [WRIA 9 Draft Due Diligence Memo](#) for more information.
  - Note that this memo is an initial draft and does not reflect input from Ecology yet.
- WWT started with a total of 6200 water rights in WRIA 9 and narrowed them down to a subset of 677 water rights that are located in the priority subbasins; 199 of those water rights overlapped with irrigated land.
- WWT used additional prioritization factors (discussed by the technical workgroup in March) to rank and select potential water right projects.

- This resulted in 11 recommended irrigation water right projects and 4 other water rights projects (trust water and other water rights).
- WWT will do further due diligence on a subset of those water right projects.

#### Discussion and Next Steps:

- Committee members should provide feedback to Stephanie by 5/12 on the list of 11 irrigation water rights and 4 pre-identified water rights proposed for further due diligence (pages 6-11 and tables in Attachment 3 and Attachment 5 of the [WRIA 9 Draft Due Diligence Memo](#))
- Washington Water Trust will develop project profiles and a final report to present at the June Committee meeting.

## Adaptive Management

#### Objectives:

- Review and discuss WDFW adaptive management proposal
- Share and discuss adaptive management ideas and determine initial next steps

#### Reference Materials:

- [WDFW Proposed Project Tracking Language](#)
- [WREC Adaptive Management Proposal](#)

#### WDFW Proposal

- Tristan Weiss shared a project tracking proposal from Washington Department of Fish and Wildlife (see [WDFW Proposed Project Tracking Language](#)).
- WDFW is developing outreach materials that give more information on the utility of the tool.
- Next steps:
  - Review the proposal documents and send feedback to Tristan at [Tristan.weiss@dfw.wa.gov](mailto:Tristan.weiss@dfw.wa.gov) by 5/12.

#### Adaptive Management Proposal

- The facilitation team developed a proposal to coordinate recommendations to the legislature to address plan implementation and adaptive management across WRIAs.
- The committee is generally supportive of including high-level recommendations in the Plan.
- Next Steps:
  - Review the [WREC Adaptive Management Proposal](#) and send feedback to Gretchen by 5/12.
  - Will discuss more at a future meeting.

## Action Items for Chair/Facilitator/GeoEngineers:

- Stephanie will share the timeline for plan review and approval.
- Gretchen will contact policy leads (see list below) with next steps for developing policy recommendations. The policy recommend template is attached. Gretchen will also help coordinate with other WRECs working on similar policy recommendations.
- GeoEngineers will start developing some of the water offset project ideas discussed at the meeting (see project brainstorm table for point person and next steps).
- GeoEngineers will follow up with Committee members, as needed, to get more information on project ideas.

## Action Items for Committee Members

- **Project development:** review the [Project Brainstorm Chart](#) (see last page) and (1) identify ideas you can help develop, (2) add additional notes to the existing ideas, and (3) add new project ideas. Feedback requested by 5/12.
- **Water rights:** review the WWT Due Diligence memo and provide feedback by 5/12 on the list of 11 irrigation water rights and 4 pre-identified water rights proposed for further due diligence (pages 6-11 and tables in Attachment 3 and Attachment 5).
- **Adaptive Management:**
  - Review the WDFW proposal and contact Tristan (Tristan.Weiss@dfw.wa.gov) if you have questions or comments. Feedback requested by 5/12.
  - Review the “Adaptive management: Proposal for discussion” handout and send Gretchen (gretchen@cascadiaconsulting.com) feedback on the example language by 5/12. (Gretchen will share feedback with Trish, the policy lead for the plan implementation policy recommendation)
- **Policies:** Policy leads will start developing policy proposals.
  - **Education/outreach/incentives for water conservation:** native/drought-tolerant plants, rainwater storage for irrigation, etc.
    - Policy leads: CELP and Seattle
  - **Increase water service connection:** strengthen requirements for new homes to connect to water service (timely & reasonable language), require/incentives for homes that connect to decommission wells, incentives for homes to connect. Example: CWD's code language
    - Policy Lead: CWD
  - **Increase enforcement of existing state** regs: Funding for Ecology to increase enforcement of existing water use requirements. Includes enforcement of reduced water use during drought.
    - Policy leads: King County, CELP
  - **Plan implementation:** Funding/legislative authority for Ecology to implement the WRE plan
    - Policy lead: CELP
  - **Improve Ecology well tracking:** Improve the Ecology well log database to include GPS coordinates, link records for new and decommissioned wells, identify permit-exempt wells.
    - Policy lead: King County
  - **State Trust Water Rights Program:** Expand and fully fund the Trust Water Rights Program to secure and augment instream flows
    - Policy leads: King County, CELP
  - **State Water Code:** Expand and fully fund the Department of Ecology's capability to accurately, timely, and comprehensively compile, correct, update, store, and share information, data, and records regarding water rights
    - Policy lead: King County

## Next Meeting: June 23, 12:30 – 3:30 pm

- Next technical workgroup meeting: Tuesday, May 12 from 10 am – 12 pm
- Next WREC meeting: Tuesday, June 23 from 12: 30 pm – 3:30 pm
  - Plan to go back to monthly meetings starting in June.
  - Expect to meet via WebEx for the next several months, at least.
  - If you have any recommendations for how to structure the remote meetings to increase engagement, please send to Stephanie and Gretchen.



## Project Brainstorm Chart:

Project idea	Project type	Point Person	Notes	Next Steps
MAR projects in Middle and Upper Green	Water Offset	GeoEngineers	GeoEngineers will look at public land sites John Covert identified and private land (sand and gravel operators). Washington Water Trust is doing outreach to county and state partners and meeting with King County week of 5/4.	GeoEngineers will identify candidate sites and bring them to the technical workgroup
Tacoma Water for streamflow augmentation or MAR	Water Offset	Ecology	Ecology staff are researching and thinking about ideas to propose to Tacoma Water. Scott Woodbury and Steve Lee have some ideas.	Ecology staff will look into it and discuss project ideas with Tacoma Water.
Surface storage: divert water to surface storage and then use for irrigation	Water offset	GeoEngineers	have farmers with surface water rights use the stored surface water instead of diverting from streams	GeoEngineers will identify potential sites to bring to the workgroup.
Stormwater	Water offset	GeoEngineers	GeoEngineers is already looking into this for cities and counties in WRIA 8.	GeoEngineers will talk to King County staff about ideas in WRIA 9 and report back to technical workgroup.
Howard Hanson Dam operations	Water offset	Ecology	Matt G mentioned some conversations around dam operations related to fish habitat. Suggested talking to Greg Volkhardt about ideas as well.	Ecology will talk to WRIA 9 WEF and Tacoma Water.
Source switches for water utilities connected to Tacoma Water	Water offset	GeoEngineers	Trish suggested looking at smaller cities that have surface water diversions and are also getting water from Tacoma Water or another bigger system	GeoEngineers will research opportunities in WRIA 9.
Source switches on King County farms in lower Green	Water offset	Rick Reinlasoder	Surface water to groundwater sources switches might be beneficial to farmers because groundwater can be used to wash produce	Rick will talk with supervisor and see if this type of project would be feasible on King County farm properties
Conservation and efficiency for large farms	Water Offset	Ecology	Rick mentioned 2 large irrigators in Middle Green and Lower Green that irrigate 700-1000 acres. Might be some opportunities for irrigation efficiency. Not sure if they are interested.	Stephanie will talk to Rick about conservation and efficiency ideas in WRIA 9.