



SEPTEMBER 2020 MEETING SUMMARY

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

September 22, 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

October 27
12:30 p.m. - 3:30 p.m.
WebEx

Attendance

Committee Representatives and Alternates*

Lisa Tobin, *Auburn*
Trish Rolfe, *Center for Environmental Law and Policy*
Tom Keown, *Covington Water District*
Evan Swanson, *Kent*
Josh Kahan, *King County*
Rick Reinlasoder, *King County Agriculture Program*
Jennifer Anderson, *Master Builders Association of King and Snohomish Counties*

Carla Carlson, *Muckleshoot Indian Tribe*
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*
Mark Hoppen, *City of Normandy Park*

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

Committee Members Not in Attendance*

City of Enumclaw

Tacoma Water, ex officio

Other Attendees

Ruth Bell (facilitator), *Cascadia Consulting Group*
Caroline Burney (information manager), *Cascadia Consulting Group*
Bridget August (technical consultant), *GeoEngineers*
Joe Hovenkotter, *King County*

John Covert, *Washington State Department of Ecology*
Jim Pacheco, *Washington State Department of Ecology*
Stacy Vynne McKinstry, *Washington State Department of Ecology*

* 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 some corrections from City of Seattle on the August meeting summary to fix typos. The Committee voted to approve the August 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.

- Ecology furlough day on Friday, September 25.
- Ecology expects grant awards to be announced soon.
- [WDFW resource](#): Literature review and abstract bibliography produced by Washington State University and contracted by WDFW. Document provides additional context and information regarding the effectiveness of management strategies to restore streamflows.
- Distributed the [WRE draft plan](#) on 9/14. Comment period until 10/19.
- Remaining WRIA 9 WREC meetings:
 - October 27
 - November 16
 - February 23

Public Comment

No comments.

Projects

Objectives:

- Recap of September 9 Technical Workgroup meeting.
- Discuss water offset estimates for Green River MAR project.
- Discuss project tiering.
- Comprehensive recap of projects that are included in the plan.

Reference materials:

- [Project devt. tracking sheet & maps](#)
- [Green River MAR offset estimates](#)
- [Project tiering discussion guide](#)

Technical workgroup update

- Workgroup discussed:
 - Water offset estimates for Green River MAR project and critical flow period.
 - General project descriptions to include in the plan (water rights acquisitions, increase connections to water service, surface to groundwater source switches, agricultural efficiency, etc.).
 - Reviewed draft tiering spreadsheet and discussed proposed changes from King County.
 - Discussed safety factor proposals.

Water offset estimates from Green River MAR project

- Stephanie provided a recap from the August 25 meeting and September 9 technical workgroup meeting:
 - The Committee wanted additional information in order to decide the water offset quantity to include for the Green River MAR project.
 - The Committee requested water offset estimates for: (1) streamflow benefits anticipated during the critical flow period and (2) streamflow benefits on days when surface water is not being diverted to the project.
 - GeoEngineers developed estimates based on those scenarios ([see handout](#)):

- Streamflow data and critical flow period
 - Marked decrease in flow during the period from June to October.
 - During drought year 2015: low flow period extended to start in May.
- Additional scenario 1: Streamflow benefits anticipated during that critical flow period
 - For a critical flow period from June 1 to October 31, the associated water offset is approximately 113.8 acre-feet.
 - If, in anticipation of climate change, the critical flow period is extended to encompass the period from May 1 to October 31, the associated water offset increases to approximately 152.3 acre-feet.
- Additional scenario 2: Streamflow benefits on days when surface water is not being diverted to the project
 - Per the Green River MAR project description, a streamflow diversion period that extends from December 1 to May 15 is contemplated. During the time of non-pumping from May 16 to November 30, the associated water offset estimate is approximately 149.0 acre feet.
- The technical workgroup began discussing what water offset estimate to include in the plan regarding the Green River MAR project. However, the group needed more time to consider the information because some workgroup members weren't able to fully participate.

Discussion:

- Carla Carlson put together an [assessment](#) of Green River Flows at Auburn to give the Committee a sense of what the hydrograph has been looking like more recently.
 - According to the assessment, we have critical flow periods year-round, and it really depends on what the flows are that year.
 - Muckleshoot Indian Tribe has concerns about counting offsets year-round because they think it doesn't make sense to give credit for putting water back in during high flow periods.
 - Muckleshoot Indian Tribe does not support withdrawing water from the Green River when flows are above minimum instream flows because they think the instream flows are set too low. Support withdrawing water when flows are high, like during flood flows.
 - Recommended being conservative with the water offset estimate for the project in order to deal with uncertainty. Recommended using 114 acre-feet for water offset.
- The Committee discussed the critical flow period and water offset estimate to associate with the project.
 - Carla does not think we need to add the dates for the critical flow period. Recommended keeping the language in the project description broad related to the low flow period and also the timeframe when surface water diversion would occur.
 - For project description: can say that for planning purposes we looked at expected streamflow benefits during periods when flows are typically lower (late summer and early fall) and for planning purposes we used the timeframe June through October.
 - Joe Hovenkotter shared that King County has developed criteria for MAR projects they would support ([see file on box](#)):
 - if groundwater is the source, it should not be counted as an offset project.
 - King County will support MAR projects for water offset if:
 - the project is specifically designed to enhance streamflows
 - the project has no negative impact to floodplains or critical habitat
 - for projects that divert surface water, support counting the offset benefits during the critical low flow period, and counting up to half of the water infiltrated into the project.

- Stephanie added that based on presentations from John Covert and looking at USGS models, it is beneficial to have projects as far from surface water body as you can because that is what increases the ability of a project to provide year-round offsets. If it's right next to streams, the water goes back right away. Specific siting issues to be determined during the feasibility study.
- The Committee supported MIT's recommendation to associate 114 af/year of water offset with the Green River MAR project.**

Next steps:

- Stephanie will update the Green River MAR project descriptions (Tacoma Water site and Kanaskat Palmer site) to include 114 af/year as the offset number and address Carla's comments and send to Carla for review.
- Stephanie will share King County's MAR criteria with the Committee ([see file on box](#)).

Project Tiering

- The technical workgroup reviewed the draft tiering spreadsheet, discussed proposed tiering, and the purpose of tiering.
 - Tier 1 projects are projects with higher certainty of implementation.
 - Also talked about the location of the project and project benefits relative to consumptive use.
- The workgroup was supportive of making all habitat projects Tier 1. The workgroup discussed the merits and justifications for putting the Tukwila Foster Links golf course project in Tier 1.
 - On the one hand, King County and others think that it is a project that has high implementation certainty and will bring benefits to an area that has been worked on for years.
 - On the other hand, CELP and others worry that placing Foster Links in Tier 1 will prioritize its funding. CELP expressed that this project is too far down the watershed, and although beneficial, it is not offsetting new permit exempt wells.

Discussion:

- The Committee discussed tiering and the questions in the discussion guide. See [project tiering discussion guide](#) for more information.
- The Committee agreed to the following tiers:
 - Tier 1 water offset projects
 - Tacoma Water streamflow augmentation and Eagle Lake siphon
 - Covington Water District MAR
 - Soos Creek Park water right acquisition (pre-identified #5)
 - Reserve Silica water right acquisition (pre-identified #2)
 - Green River MAR
 - Tier 2 water offset projects
 - Tukwila Golf Course Baseflow Augmentation (Foster Links) (pre-identified #4)
 - Pre-identified 6 water right acquisition
 - Tier 1 habitat projects: all habitat projects are tier 1
- The Committee did not want to use tiering to indicate priorities for funding. All projects in the plan are priorities for funding.
- Carla shared concerns about the using the Mill Creek Stormwater for water offset.

- Stephanie provided background on the project: GeoEngineers provided an offset estimate of 10 -100 acre-feet because the project is still conceptual. Technical workgroup discussed counting the project as an offset but on the lower end of the range: 25 acre-feet.
 - **Action Item:** Move stormwater project to habitat list
- Stephanie asked the Committee to review chapter 5 in the draft plan and provide feedback on the placeholder language included around tiering. As written, draft plan does not have a direct relationship between tiering and which projects we're relying on to offset consumptive use. If Committee members think there should be a relationship there, note it in the comments you submit on the draft plan.

Next steps:

- Stephanie will add the project tiers to chapter 5.
- Stephanie will look at how tiering is described in chapter 5 and make sure it is clear that water offset project tiers are separate from habitat project tiers and that the Committee did not use tiers to indicate priorities for grant funding. All projects in the plan are priorities for grant funding.
- Stephanie will move the Mill Creek stormwater project to the habitat project list.
- Committee members should review Chapter 5 of the draft plan and provide feedback on language on project tiering by October 19.

Project list

- Stephanie provided an overview of chapter 5: Projects and Actions, which includes:
 - Approach to develop projects.
 - Table of water offset projects.
 - Short summaries of water offset projects.
 - Table with all habitat projects.
 - Longer project descriptions for water offset and habitat projects are in the appendix.
 - Prospective projects (section 5.2.3): describes future project types that the Committee supports. Added that Committee is looking for more water offset projects in certain subbasins.

Offset target/safety factor

Objectives:

- Share consumptive use safety factor proposal recommended by workgroup.
- Discuss whether to add a safety factor to the consumptive use estimate, as a way to address uncertainty.

Background and TWG recommendation

- The terms offset target and safety factor have been used interchangeably. The result is the same, it's a higher number to try to offset.
- There is placeholder language in the draft plan that references a safety factor/offset target (in Chapter 4, Chapter 5, and Chapter 6.)
- The NEB Guidance says: "Watershed plans must, at a minimum, identify projects and actions intended to offset impacts associated with new consumptive water use. Planning groups may, at their discretion, decide to address new water use beyond these minimum requirements. Such an optional approach may include, but is not limited to, new water use beyond the 20-year planning horizon, or beyond new consumptive water use, or other goals of the planning group. However, watershed plans are not required to include such projects and actions. Any work undertaken beyond the specific planning minimum requirements increases the likelihood that time and funds are spent

on matters that will not necessarily yield a locally approvable or adoptable plan within the very tight timeframes of the law.”

- Note that Targets and Safety Factors are not addressed in the law, NEB Guidance or Policy Interpretative Statement. If a committee wishes to include these, they must define on their own. Ecology will not issue additional guidance outside of the NEB Guidance and Policy Interpretative Statement.
- Technical workgroup discussed a safety factor at the August meeting and Committee also discussed in August. Technical workgroup revisited this proposal at the September meeting and recommends a safety factor that is 2x the CU estimate: 495.4 acre-feet/year.

Discussion:

- Carla suggested that a safety factor is important to provide more incentive to get the offset and habitat projects completed.
- Stephanie clarified that there is no link between the consumptive use estimate or safety factor/offset target and whether a project will be funded.
 - In Adaptive Management recommendations, Committee members suggested that future streamflow restoration grant guidance should prioritize projects being funded in WRIAs where offsets have not been met. However, that is not currently a criteria in the grant guidance.
- Committee members discussed including an offset target of 495.4 af/year on an [interactive slide \(8\)](#).
 - Seattle, Kent, King County, Muckleshoot Indian Tribe, Covington Water District, WDFW, WRIA 9, and CELP expressed support for the safety factor.
 - King County Agriculture Program and Auburn are comfortable with the safety factor but expressed concerns about not meeting consensus.
 - MBAKS was not supportive of the safety factor.
- Trish said that CELP would not approve a plan without a safety factor.
- Rick added that King County Agriculture Program is comfortable with a safety factor but has concerns about having projects added to the plan later to try to meet the offset target that have not been screened by the same criteria.
 - Stephanie clarified that the plan includes general future projects. Additionally, there is no regulatory trigger to meeting the offset target so there will not be additional projects added after the fact.

Next Steps:

- MBAKS to have internal conversations to discuss safety factor. Stephanie will follow up with Jennifer.

NEB Evaluation

Objectives:

- Discuss purpose of including NEB evaluation.
- Confirm Committee interest/support for a statement that says plan meets NEB and explanation why.

Reference materials:

- [NEB evaluation discussion guide](#)

Purpose of including NEB evaluation

- Committees have the option of including an NEB evaluation within the plan. If they choose to include it Ecology will give considerable deference to the planning groups to decide what NEB means for their watershed.
- If this isn't included in the plan, Ecology will do the evaluation based on information included in the other chapters in the plan.

Discussion:

- Committee members provided feedback on an [interactive slide](#) (10) to express support for including an NEB chapter in the plan, which includes a statement that says the plan meets NEB and an explanation of why it meets NEB.
 - Committee members are supportive.
 - Carla added that she thinks the habitat projects are important in helping the plan meet NEB.
 - Trish added that if there is no safety factor, she does not think the plan meets NEB.

Next steps:

- GeoEngineers will start drafting the NEB chapter based on the outline included in the draft plan.
- Stephanie will share draft chapter for review, separate from review of draft plan, before the October Committee meeting.
- Carla will help with review of the chapter and the workgroup will provide initial feedback at the October 13 meeting.

WRE Plan

Objectives:

- Provide an overview of the draft plan and plan review resources
- Provide an overview of the plan review timeline
- Discuss comments on chapter 6: Plan Implementation and Adaptive Management

Reference materials:

- [Draft WRE Plan](#)
- [Revised plan approval timeline](#)
- [Comments](#) and [revised](#) Ch. 6: Adaptive Mgmt.

Draft plan update

- Distributed the [draft WRE plan](#) on 9/14.
 - Comment period until 10/19.
 - Note that each WRIA has its own plan review process. Some WRIAs distributed a draft plan that didn't include a projects chapter and therefore are doing two draft plan comment periods. Not planning to do that for WRIA 9, because this plan is a complete draft.
 - Please submit comments using the [comment tracker](#).
 - Detailed instructions are available [here](#).
 - Plan review and approval [timeline](#) includes key deadlines and meeting dates.
 - Will discuss all comments on the draft plan at the 10/27 meeting.
 - Goal to circulate final plan in late November.
 - Vote on final plan in February 23.
- Chapters 1-4: Incorporated Committee members' comments into revised versions.

- Tracked changes version of these chapters is available on Box so you can see how the edits were incorporated.
- Please thoroughly review Chapter 5: Projects and Actions and provide feedback.
- Materials to help with internal review
 - [Cover memo](#) that provides some context and background, explains the content and status of each chapter (included at the beginning of the draft plan).
 - [PowerPoint slides](#) (click to download) you can use to brief your internal decision makers.
 - [WRIA 9 Committee handout](#), background of streamflow restoration law, says who is on Committee and scope and timeline of the planning process.
 - [Streamflow restoration policy and interpretive statement](#) which includes Ecology's interpretation of the law.
- Plan review timeline
 - 5 weeks for draft plan review: due October 19.
 - Discuss comments at October 27 meeting.
 - Short meeting November 16 to address any remaining items and confirm that plan is ready to distribute for local review.
 - Distribute final plan week of November 23.
 - 12 weeks for final plan review: ~Nov 23 – Feb 16.
 - Did not build in any time for another review period. If we get comments back on the final plan, will need to adjust the timeline. Please thoroughly review the draft so that we can address your concerns before distributing the final plan.
 - Meeting Feb 23 to vote on plan. Every entity on the Committee must approve the plan before it is submitted to Ecology.
- When submitting comments on the draft plan, please provide proposed solutions (revised text to include, sources for additional info, etc.) to address concerns and color code comments based on whether it's a strong, moderate, or mild concern.

Chapter 6 comments on Adaptive Management

- Received comments from these entities, several other members responded saying they did not have any comments:
 - CELP
 - WDFW
 - City of Auburn
 - City of Seattle (reviewed and did not have comments)
- Some of the comments were corrections or text edits and were incorporated into the revised draft.
- Some comments required discussion by the Committee.

Discussion:

- Asked for clarification on some of the comments from CELP.
 - Line 56: "It is unclear that the safety factor is best discussed in this paragraph."
 - Line 83: ""provide a template for adaptively managing..." is listed as one recommendation, with a reference to Table 1. However, Table 1 does not assign responsibility for developing an adaptive management template."
 - Line 134: "It is unclear what a "collaborative approach to funding" would look like. Should the Plan expressly recommend to Ecology that it pursue additional funding from the Legislature?"
 - Trish to talk to Dan von Seggern to get more clarity on those comments.
- Tristan Weiss from WDFW provided additional background and an update on the pilot of the salmon recovery portal.

- Salmon Recovery Portal is a tool to enable monitoring. The data that we put into it is as good as the data that we get out. The tool itself won't track the amount of water generated or produce any estimates – that information must be put into the database.
 - Trish asked whether project sponsors will be required to monitor information and input into database? Then will it provide info on offsets?
 - Yes, WDFW imagines that all projects included in the watershed plan will be uploaded to the database, whether they are very conceptual or funded or underway. As projects are developed and funded, the goal is to work with Department of Ecology to take information that was embedded in grant applications and bring into the database. Will do the same with SRF board money to ensure that other funding mechanisms are capturing this information. This will enable WDFW to provide updates on projects while also doing implementation monitoring.
- Idea was that this will create a foundation to conduct implementation monitoring, generate reports of new impacts or newly proposed projects, or implemented/funded projects. Creates an opportunity to conduct adaptive management using information from the portal.
- Tristan added that WDFW is moving forward with a pilot to use the Salmon Recovery Portal to for monitoring of the Nisqually and Chehalis basins watershed plans.
- The Committee briefly discussed the funding for adaptive management. Other WRIAs are including recommendations for additional funding from the Legislature.

Policy crosswalk

- At the August meeting, discussed how to re-draft some of the “policies” as projects. The table below shows how policy proposals were incorporated in the draft plan.

Policies discussed by WRIA 9	Current Status
Upgrade well reporting	Adaptive Management
Water conservation outreach, education, incentives (Cross-WRIA)	Prospective projects
Increased connections to water service	Prospective projects
Development and use of reclaimed water	Prospective projects
Increase enforcement of existing state regulations	
Plan implementation	Adaptive Management

- Carla and Kathy expressed support for how the policies are incorporated.

Next step:

- Stephanie will check-in with Enumclaw to confirm that they do not have comments or concerns with the adaptive management chapter.

Action Items for Chair/Facilitator/Technical Consultant:

- Stephanie will update the Green River MAR project descriptions (Tacoma Water site and Kanaskat Palmer site) to include 114 af/year as the offset number and address Carla's comments and send to Carla for review.
- Stephanie will share King County's MAR criteria with the Committee ([see file on box](#)).
- Stephanie will add the project tiers to chapter 5.

- Stephanie will look at how tiering is described in chapter 5 and make sure it is clear that water offset project tiers are separate from habitat project tiers and that the Committee did not use tiers to indicate priorities for grant funding. All projects in the plan are priorities for grant funding.
- Stephanie will move the Mill Creek stormwater project to the habitat project list.
- Follow up with MBAKS about safety factor/offset target.
- GeoEngineers will start drafting the NEB chapter based on the outline included in the draft plan. Stephanie will share draft NEB chapter for review, separate from review of draft plan, before the October Committee meeting.
- Stephanie will check-in with Enumclaw to confirm that they do not have comments or concerns with the adaptive management chapter.

Action Items for Committee Members

- Submit all comments on the draft plan by October 19.
 - Review Chapter 5 of the draft plan and provide feedback on language on project tiering.
- Let Stephanie know by 10/19 if you have concerns with moving the Mill Creek stormwater project to the habitat project list.
- MBAKS to have internal conversations to discuss safety factor.
- Carla will help with review of the NEB chapter and the workgroup will provide initial feedback at the October 13 meeting.
- Trish to provide clarification on Dan's comments on Chapter 6.
- Reach out to Tristan Weiss with any questions regarding using the Salmon Recovery Portal to track streamflow restoration projects.

Next Meeting: Tuesday, October 27: 12:30 pm - 3:30 pm

- Next technical workgroup meeting: October 13
 - Will review the draft NEB chapter 7
- The agenda for the October Committee meeting is review of comments submitted on the draft plan. Entities that submit comments should come to the meeting prepared to explain your comments and proposed solutions.