



OCTOBER 2020 MEETING SUMMARY

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

October 27, 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

November 16
12:30 – 2:30 p.m.
WebEx

Attendance

Committee Representatives and Alternates*

Lisa Tobin, *Auburn*

Trish Rolfe, *Center for Environmental Law and Policy*

Tom Keown, *Covington Water District*

Scott Woodbury, *Enumclaw*

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*

Mike Perfetti, *City of Tukwila*

Mark Hoppen, *City of Normandy Park*

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

Committee Members Not in Attendance*

WRIA 9 Watershed Ecosystem Forum, *ex officio*

Other Attendees

Ruth Bell (facilitator), *Cascadia Consulting Group*

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

John Covert, *Washington State Department of Ecology*

Stacy Vynne McKinstry, *Washington State Department of Ecology*

Paulina Levy, *Washington State Department of Ecology*

Tristan Weiss, *Washington Department of Fish and Wildlife*

Joe Hovenkotter, *King County*

* 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 correction about the meeting summary regarding a typo in the safety factor.

The Committee voted to approve the September WRIA 9 WREC meeting summary. The final version will be posted on the Committee website.

Updates and Announcements

Chair provided updates from Ecology.

- 2-year anniversary for Committee!
- Streamflow Restoration Program Grant update:
 - Ecology awarded \$22 million to 21 projects.
 - In WRIA 9: King County received funding for Beaver Dam Analogs in the Upper Green River Watershed.
- [Plan review timeline](#):
 - Today's committee meeting will address comments received on the 9/14 Draft Plan.
 - Will ask for interim approval of the plan and discuss any remaining comments, if needed, at the November 16 meeting.
 - Meeting on February 23 to vote on plan approval.
 - Lisa Tobin asked about the SEPA process
 - Paulina Levy is doing work right now to prepare SEPA documentation. The SEPA review will be initiated after the Committee approves the plan and submits it to Ecology.

Public Comment

No comments.

Safety Factor

Objective: Confirm Committee support for using 495.4 acre-feet/year as a safety factor (2x CU estimate of 247.7).

Discussion:

- Committee members indicated support for the safety factor of 495.4 af/year via an [interactive](#) slide, with responses ranging from 'I can live with it' to 'Absolutely.'
- Scott Woodbury shared that he can live with it but cannot speak for Enumclaw City Council. He added that he thinks that the point of adaptive management is to achieve the CU target. He added that the CU estimate is conservative.
- Jennifer Anderson echoed similar concerns, but said that MBAKS can live with the safety factor and supports the way it is described in the plan.

Projects

Objective: Review changes to project list since September WREC meeting.

- Stephanie provided an overview of updates to the project list:
 - The Green River MAR project has updated project descriptions and offset total of 114 af/year.
 - The Mill Creek stormwater project was moved to the habitat project list.
 - Tukwila requested to remove Foster Links Golf Course recycled water project.
 - Added language to Section 5.2.3: Prospective future projects to address concerns over the lack of projects in the Coal/Deep subbasin.

- Washington Water Trust has offered to be the project sponsor for two of the water rights in the list.
- The Committee decided not to include longer project profiles for Tier 2 water right (Pre-ID #6) because there has not been a lot of outreach. Will remove the longer project profile from the appendix to be sensitive to potentially including private property information in the plan.
- The Committee discussed the Foster Links project. Mike Perfetti provided additional context for Tukwila's comment to remove the project. The Committee discussed how the language in 5.2.3 Prospective Projects that talks about water rights acquisitions and reclaimed water projects shows that the Committee supports this type of project going forward in the future.

WRE Plan

Objectives:

- Review and discuss comments from Committee members on the draft plan.
- Discuss adaptive management recommendations.
- Discuss Net Ecological Benefit evaluation.

Reference materials:

- [Revised draft plan](#) (version dated 10/22)
- [Compiled comments](#)

Stephanie provided an overview of the comment process:

- Received comments from most Committee members. Several members responded saying they did not have any comments. The entities that submitted comments are tracked in this spreadsheet on box. All comment trackers are in the Comments from WRIA 9 Committee members folder on box.
- The compiled comment tracker includes all comments submitted by Committee members and describes how they were addressed.
- Some of the comments were corrections or text edits and were incorporated into the revised draft, dated 10/22.
- Some comments require Committee discussion. Those comments are grouped by the following buckets:
 - Safety factor
 - Projects
 - Project tiering
 - Adaptive management
 - NEB
- Committee members were asked to review the revised draft plan (10/22 version) and flag any comments to discuss.

Comments on draft plan related to safety factor:

- The Committee reviewed several comments related to safety factor that required committee discussion or clarification.
- Sections 4.3 Impacts of New Consumptive Water Use and 4.5 Summary of Uncertainties and Scenarios
 - Trish Rolfe clarified CELP's comments. She suggested including a description of the methodology to develop the safety factor, including an explanation of the two scenarios used to determine the safety factor: 1) 950 gpd; 2) 2x multiplier.

- The Committee supported adding to section 4.5 that the Committee compared the 2x safety factor to the consumptive use scenario based on 950 gpd.
 - **Action item:** Stephanie will review the language Auburn suggested and add a sentence to the plan.
 - Committee is supportive of the language used to describe the uncertainties.
 - The Committee talked about Auburn’s comment on stormwater and Low Impact Development (LID) measures. Lisa shared that there are uncertainties around the impacts of LID measures, but it is important to recognize that some offset does occur. She clarified she does not want the plan to count the offsets, but the plan should recognize and document it.
 - The Committee supported adding a sentence or two about LID.
 - Action item: Stephanie will work with Lisa on the revision.
- Section 5.2.1 Water offset projects
 - Scott had nothing else to add regarding Enumclaw’s comment.
 - Committee supported including the offset target in the table.
- Section 5.3.1 Summary of Projects and Benefits
 - Committee had no comments.
- Section 6.1 Plan implementation and adaptive management recommendations
 - Committee supported revisions in 10/22 draft
- Section 7.2 Water offset for NEB
 - Committee had no comments and supported revisions in 10/22 draft.
- 7.5 NEB Evaluation findings
 - Committee supported how safety factor was described in that section.

Comments on draft plan related to projects:

- Section 5.1 Approach to identify projects
 - Added quote from RCW 90.94.030 regarding critical flow period to address CELP’s comment.
 - Trish added that CELP wants to clarify that the RCW gives higher priority to the offset projects.
 - Committee supported the edits
- Section 5.2.1: Water offset projects
 - WDFW submitted a comment suggesting that all infiltration projects should be required to provide baseline infiltration amount and O&M costs.
 - **Action item:** Stephanie will work with Stewart and Carla on language to add to 5.3.3. Certainty of Implementation
- Section 5.2.2: Habitat Projects.
 - WDFW submitted a comment regarding the requirement for instream and floodplain management projects to provide beaver management plans. Stewart added that habitat projects should identify the areas that can be flooded, flood elevation, and a beaver management plan. This requires project sponsors to be realistic.
 - **Action item:** Stewart and Josh will send a suggested paragraph to add to 5.2.2 related to beaver management plans.
- Section 5.2.3 Prospective projects and actions
 - Committee supported adding a voluntary metering program project concept, based on language included in the draft WRIA 10 plan.
 - **Action item:** Stephanie will add a bullet to that section.
 - Trish expressed concern with meeting NEB when we have no projects in Coal/Deep subbasin, where wells are likely to go.
 - Carla shared information on Muckleshoot Tribe’s smolt outmigration monitoring projects. The Committee supported adding those projects to section 5.2.3.

- **Action item:** Carla will draft a project description to include in Section 5.2.3 about 'study' or 'monitoring' projects.

Comments on draft plan related to project tiering:

- Committee reviewed the sections of the plan that describe project tiering and was supportive the language included.

Comments on adaptive management chapter 6:

- 6.1.1 Tracking and monitoring
 - Ecology will continue to provide guidance to local jurisdictions on PE well reporting.
 - **Action item:** Stephanie will add a footnote
- 6.1.2 Oversight and Adaptation
 - The Committee discussed the recommendation regarding Ecology reporting and plan updates.
 - Ruth provided a recap of previous Committee discussions on adaptive management where the Committee expressed that they are not interested in continuing to meet.
 - Trish shared that it makes sense in the plan implementation section to state that if something comes up that is wildly different than our assumptions, we should have the option to reconvene.
 - Lisa expressed concern with reconvening given the limited capacity of cities and other Committee members. Lisa clarified that the current language in the draft plan does not preclude reconvening.
 - The Committee agreed to add the following: “Members of the WRIA 9 Committee may reconvene, if needed.”
 - **Action item:** Stephanie will add that sentence to the adaptive management chapter.
- 6.1.3 Funding
 - Auburn and Enumclaw provided comments recommending removing cities from explicit mention as potential funding source.
 - **Action item:** Stephanie will update the language to remove cities and make it more general.

Comments on NEB chapter 7:

- Stephanie provided an update on the feedback provided by the technical workgroup:
 - Add an introduction section.
 - Add table to show number of habitat projects by subbasin.
 - Revise language throughout chapter to clearly indicate that the benefits are only achieved if projects are implemented, including in the last sentence.
 - Add in Section 7.3: Adaptive Management that the Committee want to find more projects in certain subbasins where we have not offset consumptive use.
 - Change “nearshore” to “riparian” in line 100.
- WDFW submitted a comment regarding identifying the timing for offset benefits. Tristan Weiss added that WDFW would like to see the nuance of benefits we’re associating with projects and to show when the benefits will be. For example, some projects are year-round, and others are during low flows.
 - Carla added that she supports this but it may be difficult to show when the critical low flow periods are.

- Tristan suggested looking at Ecology’s guidance to reference how critical low flows are defined. He added that if we do not define the timing of offset benefits, it will be difficult to determine NEB now and in the future.
- **Action item:** Stephanie will work with Carla to add a “timing of benefits” column to the water offset projects table in Chapter 7.
- The Committee supported the last paragraph stating that the plan, if implemented, achieves a net ecological benefit.

WRE Plan: Next Steps

- Stephanie will make the revisions discussed during the meeting and circulate a new draft before the meeting on November 16.
- At the November 16 meeting, Committee will vote on interim approval of the plan before distributing for local review. Want to make sure all Committee members support the plan before initiating the local review process.
- After the November 16 meeting, Stephanie will share the Final Draft plan, along with a cover memo and supporting materials.
- Stephanie shared that some Committee members have mentioned they plan to send a letter to go along with plan approval. This is optional for Committee members. However, chair wants to make sure that letters don’t undermine vote on final plan.
 - Let Stephanie know if you are planning to send a letter.

Action Items for Chair:

- Stephanie will make the revisions discussed during the meeting and circulate a new draft before the meeting on November 16.
- Stephanie will add the executive summary to the next draft.

Action Items for Committee Members

- Thoroughly review the plan revisions and flag any remaining concerns to Stephanie by 11/10.
- Prepare to give interim approval of the plan at the November 16 meeting.
- Upload submissions for cover photos by 11/12.
- Let Stephanie know if you are planning to send a letter to go along with final plan approval.

Next Meeting: November 16 from 12:30 – 2:30 p.m.