



FEBRUARY 2021 MEETING SUMMARY

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

February 23, 2021 | 1:00 p.m. – 3:00 p.m. | [Committee website](#)

Location

WebEx

Committee Chair

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

Next Meeting

None scheduled

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*

Mark Hoppen, *Normandy Park*

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*

Stacy Vynne McKinstry, *Washington State Department of Ecology*

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

Committee Members Not in Attendance*

City of Black Diamond

City of Tukwila

Other Attendees

Ruth Bell (facilitator), *Cascadia Consulting Group*

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

John Covert, *Washington State Department of Ecology*

Paulina Levy, *Washington State Department of Ecology*

Bridget August, *GeoEngineers*

Joe Hovenkotter, *King County*

Angela Johnson, *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 one comment to fix a typo on the November meeting summary. The Committee voted to approve the November 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 adopted the remaining 3 plans under section 020 of the streamflow restoration law by the Feb 1, 2021 deadline. Those plans are posted on the [streamflow restoration planning webpage](#).
 - WRIA 22/23: Chehalis
 - WRIA 49: Okanagan
 - WRIA 55: Little Spokane
- Streamflow Restoration Grant program: Ecology will determine the timing for the next grant round after the Washington State Legislature approves a budget for the 2021-2023 biennium. The Governor's capital budget includes Ecology's request of \$40 million for the grant program.
- [Operating principles](#): Updated Appendix A "Committee Membership" to add the entities that declined to join the Committee.

Committee Member updates:

- Kathy Minsch will be retiring from the City of Seattle by the end of April.

Public Comment

No comments.

Steps to Plan Adoption

Objective: Overview of pathways to get to plan adoption.

Reference Materials

- [Plan Adoption Pathways](#)

Stephanie provided an overview of the plan adoption pathways.

- Plans must be approved by all members of the Committee prior to adoption.
- Deadline for adoption is June 30, 2021.
- Ecology will vote on the plan today. This local approval step is preliminary and distinct from the plan review Ecology will undertake if, and when, plans are locally approved and submitted to Ecology for review and agency action in accordance with RCW 90.94.090(3)(c).
- If plan is approved, the chair will submit the plan to Ecology on behalf of the Committee and Ecology will undertake the following steps:
 - State Environmental Policy Act (SEPA) review: This is a non-project programmatic plan review, with an anticipated 30 day public comment period (minimum 14 days for public comment).
 - Technical review: 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 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.
 - 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 the plan is not approved and submitted to Ecology with time for review by June 30:
 - Ecology prepares the plan with input from the Salmon Recovery Funding Board: 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 this chapter or under Chapter 90.22 or 90.54 RCW, and shall adopt amended rules within two years of initiation of rule making. Ecology rulemaking is guided by the Administrative Procedure Act (APA), Chapter 34.05 RCW.
 - No timeline for plan adoption identified in law.
 - No role for Committee identified in law.
- If the plan is not approved today, that does not preclude the Committee from continuing to work on the plan or vote again.

Committee Member Comments

Objective: Opportunity for Committee members to make a statement about the planning process or the final plan to include in the meeting summary. This is optional.

Facilitator invited Committee members to provide comments on the plan or the overall process.

Committee member comments:

- Washington Department of Ecology: no comments.
- Muckleshoot Indian Tribe: Carla Carlson thanked everyone for participating.
- Washington Department of Fish and Wildlife: Stewart Reinbold thanked everyone for all of the work.
- King County: Joe Hovenkotter expressed appreciation for everyone's participation.
- City of Auburn: Lisa Tobin thanked everyone for their hard work and added she enjoyed the process.
- City of Enumclaw: Scott Woodbury added that the City submitted comments with the resolution passed by City Council. He added that it was a very educational opportunity and been wonderful to work with the Committee. He shared that Stephanie has done a great job.
- City of Kent: Evan Swanson said thank you to Stephanie and the team for making it a seamless review process and providing timely responses.
- City of Normandy Park: Mark Hoppen expressed gratitude for the cities caucus representative. He added that he's amazed at the progress as technical as the plan is.

- City of Seattle: Kathy shared that it has been a fascinating process, that she has learned a lot, and appreciated working with the Committee. She added that Stephanie did an excellent job as Chair and Ruth did a great job facilitating. Seattle submitted a letter.
- Covington Water District: Tom Keown thanked everyone for working collaboratively and added appreciation for what the Committee accomplished during a pandemic.
- Master Builders Association of King and Snohomish Counties: Jennifer Anderson expressed thanks for the collaborative effort.
- Center for Environmental Law and Policy: Trish Rolfe thanked everyone. She added that this was a difficult process and though CELP did not get everything they wanted in the Plan, it's workable and appreciate everyone coming together to make it happen.
- King County Agriculture Program: Rick Reinlasoder thanked everyone for their professionalism. Plan balances a lot of things pretty well.

Vote on WRIA 9 WRE Plan

Objective: Vote on the WRIA 9 WRE plan.

Reference Materials

- [WRIA 9 Final Draft WRE Plan – Revised](#)
- [WRIA 9 WRE Plan – Compendium Cover](#)

Facilitator reviewed the section of the Operating Principles regarding voting on 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." Approval will be assessed by voting. If all Committee members vote "yes" in support of the plan it will be considered approved and provided to Ecology for "net ecological benefit" review and potential adoption. If the plan is not approved, the facilitator or chair will document agreement and disagreement on the plan elements and the matter will go to Ecology to establish a plan through rulemaking.

Options for the vote on final plan approval are: approve or disapprove

Chair shared that Cities Caucus members had the option to provide their vote over email to the cities caucus representative or chair. The chair received votes to approve from City of Black Diamond and City of Tukwila.

Committee Member votes:

- Washington Department of Ecology: approve.
- Muckleshoot Indian Tribe: approve.
- Washington Department of Fish and Wildlife: approve.
- King County: approve.
- City of Auburn: approve.
- City of Black Diamond: approve (via email to chair).
- City of Enumclaw: approve.
- City of Kent: approve.
- City of Normandy Park: approve.
- City of Seattle: approve.
- City of Tukwila: approve (via email to chair).
- Covington Water District: approve.

- Master Builders Association of King and Snohomish Counties: approve.
- Center for Environmental Law and Policy: approve.
- King County Agriculture Program: approve.

Decision: Approved. All Committee members voted to approve the WRIA 9 watershed restoration and enhancement plan.

Next Steps

- Stephanie will take the following steps to submit the final approved plan to Ecology for review and NEB determination:
 - Finalize plan. Add text about number of meetings and final vote date, fix typos and formatting.
 - Compile plan compendium. The plan compendium will include materials that the plan refers to that are not part of the plan or the appendices, as well as letters and resolutions that Committee members requested the chair submit to Ecology along with the final plan. The WRIA 9 plan compendium includes:
 - WDFW’s project tracking proposal.
 - Resolutions from Enumclaw and Covington Water District.
 - Letters from Seattle, CELP, and WDFW.
 - Submit plan and compendium to Ecology Water Resources Management.
 - Post final approved plan and compendium on [Committee website](#).
- Ecology will send acknowledgement letter to note that they have received the approved plan.
- Chair will provide periodic updates, including when the SEPA notice is out for public comment.
- Chair will distribute the February meeting summary for review and approval via email.

Discussion:

- Rick asked whether the other plans will be later arriving than anticipated.
 - In the [memo distributed](#) in early 2020, Ecology had an target date for plan submittal of February 1. WRIA 9 is the first to submit, about one month past the target date. Ecology has streamlined its review process in order to complete the review by the June 30 deadline. Plans will be reviewed in the order that they are submitted to Ecology.

Action Items for Chair:

- Finalize plan and submit plan to Ecology.
- Post final approved plan, appendices, and compendium on [Committee website](#)
- Provide periodic updates to Committee, including when the SEPA notice is distributed for public comment.
- Distribute the February meeting summary.

Action Items for Committee Members

- Review February meeting summary by March 22.