# Ecology logo. A state of Washington shape separated into three bands of color; light blue, green, and dark blue. a sun sits in the middle of the light blue band.APPROVED MEETING SUMMARY

**WRIA 13 Watershed Restoration and Enhancement Committee**

October 28, 2020 | 9:00 a.m. - 1:00 p.m. |[committee website](https://www.ezview.wa.gov/site/alias__1962/37325/watershed_restoration_and_enhancement_-_wria_13.aspx)

## Location

Webex**Committee Chair**

Angela Johnson
angela.johnson@ecy.wa.gov**Handouts**

1. Summary of September Meeting
2. Project Update
3. Draft Compiled Comment Tracking Sheet
4. Policy Approval: “Revise Thurston County Critical Areas Code Regarding Reclaimed Water Use”
5. Proposal for Chapter 6 language: “Assurance of Plan Implementation”
6. Plan Review Timeline

## Attendance

### Committee Representatives and Alternates \*

Angela Johnson (*Ecology – Committee Chair)*

Paul Pickett (Squaxin Island Tribe)

Dave Monthie (*Deschutes Estuary Restoration Team*)

Adam Peterson (*Thurston Conservation District*)

John Kliem (*Lewis County*)

Amy Hatch-Winecka (*WRIA 13 Lead Entity – Ex Officio)*

Donna Buxton (*City of Olympia*)

Wendy Steffensen (*LOTT-Ex Officio*)

Dan Smith (*City of Tumwater*)

Julie Rector (*City of Lacey*)

Charlie Schneider (*Tumwater City Council*)

Kaitlynn Nelson *(Thurston County)*

Erin Hall *(Olympia MBA)*

Noll Steinweg (*WDFW*)

Sue Patnude (*Deschutes Estuary Restoration Team*)

Julie Parker (*Thurston County PUD 1*)

Ruth Clemens (Thurston County PUD 1)

### Committee Representatives Not in Attendance\*

### Other Attendees\*

Gretchen Muller *(Cascadia Consulting)*

Jimmy Kralj (*ESA*)

Mike Noone (*Ecology*)

Tom Culhane (*Ecology*)

Chad Wiseman (*HDR*)

\*Attendees list is based on WebEx attendance

## Welcome

Angela and Gretchen kicked off the meeting with WebEx logistics. Gretchen took a roll call of all Committee member on the call. The group reviewed the meeting agenda.

Committee members were provided with a link to an [interactive Google Slides presentation](https://app.box.com/s/v85i7maiby48r8n0ghyzicr8xttc0u2d) to promote engagement and capture comments during the discussion, which can be found on Box.

## Approval of September 2020 Meeting Summary

* Angela received comments from committee members on the following sections:
	+ Plan Development
	+ Plan Comments
* Significant changes were requested and the summary will be approved at the next committee meeting after Angela provides revisions based on Committee feedback.

## Updates and Announcements

* The November and December meetings have been rescheduled:
	+ November 19th, 2020 – Thursday
	+ December 16th, 2020
* Ecology furlough day for November will be pushed to 2021.

# Projects

Angela provided a review of the October project subgroup meeting:

* Water Rights Assessments
	+ Information regarding water rights will not include identifying information.
	+ There will be a cumulative summary by subbasin, and a more detailed set of information included in the appendix.
	+ Angela provided committee members with draft language for inclusion in the plan regarding the general approach to water rights projects. This language will be included in the next version of the draft plan.
* Offset Benefit Projects
	+ HDR is working to finalize their analyses and develop descriptions for the offset projects.
	+ Schneiders Prairie
		- Description and technical memo have been drafted and reviewed by the workgroup.
		- Members raised some questions about how offsets are determined for a retiming project like this.
		- Analysis will be revised based on committee feedback and a new draft will be distributed for review.
		- HDR provided a summary of their continued analysis efforts.
	+ Lily and 26th
		- The description has been reviewed by the workgroup.
		- The workgroup has asked HDR to review the impact of the culvert at the north end of the wetland.
		- HDR will continue their analysis and provide an update to the committee. Specifically, HDR will investigate the impacts of water added to the system and its storage capacity.
		- The Squaxin Island Tribe requested HDR conduct a sensitivity analysis to better describe wetland soil types and their infiltration capacity. Additionally, this analysis would look at the outlet area and seasonality impacts.
			* HDR will determine if this is feasible and will provide feedback at the next project subgroup meeting.
	+ Donnelly Drive and Hicks Lake
		- Project descriptions have been out for review and minimal feedback has been received. The project subgroup will recommend an offset quantity for both of these projects.
	+ Spooner’s Farm
		- The project is in discussion with the City of Olympia and whether or not this should be included in the WRIA 13 plan.
		- Donna will have a final conversation with Parks staff and provide an update to the committee.
	+ Green Cove – Marshall Middle School
		- HDR is continuing to work with the Thurston Conservation District to conduct further analysis.
		- A description will be developed and distributed for review.
	+ Managed Aquifer Recharge Projects
		- HDR and PGG are working to finalize an analysis of favorable sites. PGG will provide a write up of their methods and results.
		- The workgroup recommended PGG identify additional MAR sites specifically in the Middle Deschutes and Johnson Point subbasins.
			* The workgroup discussed how to quantify offsets for these projects and HDR will develop an analysis for committee review.
		- The project description will address next steps and implementation as well as cost considerations.
	+ Recommendations
		- When available and appropriate, landowner and sponsor information will be included.
		- Seasonality should be addressed as much as possible.
		- More attention is needed to find projects in the Middle Deschutes.
		- PGG will provide additional MAR locations.
		- The committee will determine the offset benefits assigned to each project, informed by HDR’s analyses.
	+ The Squaxin Island Tribe asked about sponsorship and project certainty.
		- Ecology recommended that where possible, a sponsor should be identified. However, if there are not currently sponsors identified for projects, those projects should still be included in the plan, particularly since sponsors could be identified later through adaptive management.
* Habitat Projects
	+ HDR is finalizing project descriptions for the prioritized habitat projects. These will be used to develop Chapter 5.
		- Woodard Creek
			* Description is complete and ready for committee review.
		- Chambers Creek
			* Description is complete and ready for committee review.
		- Spurgeon Creek Remeander
			* Description is complete and ready for committee review.
		- McLane Creek
			* Thurston County is the project lead and will provide a project description for the committee to consider.
	+ Committee members should review these project descriptions and note any concerns.
* Categorical Projects
	+ Water Rights – described above.
	+ Floodplain Restoration
		- HDR is developing a WRIA-wide write up that will be distributed for committee review.
	+ Forest Stand Age
		- A summary of the proposal will be included in the next draft of the plan for committee review.
* New Projects
	+ Middle Deschutes Property
		- A few project subgroup members indicated interest in development of a project to build off of work previously done by Capitol Land Trust.
		- This property was previously considered for land acquisition, but ultimately it fell through. There are potential MAR areas on the site. The Squaxin Island Tribe, WRIA 13 Lead Entity, LOTT, and Thurston County will meet to further discuss this potential project and whether or not it should be included in the plan and pursued further. They discussed coordinating with the landowner to address privacy concerns; however, landowners have not been contacted to date.
	+ Evergreen/Green Cove
		- Thurston County is interested in a project with the Evergreen State College regarding storm water infiltration and the construction of a satellite reclaimed water plant on campus.
* Other Project Considerations
	+ In WRIA 15, there is a proposal to include raingardens and retrofits to existing homes using grant funding. A similar proposal would call for this kind of work in rural areas of WRIA 13.
	+ WRIA 13 Lead Entity expressed support for this project.
	+ Additionally, this project may provide a water offset value.
* Next Steps
	+ The next project subgroup meeting is on November 13th, 2020
	+ Project descriptions for prioritized projects will be completed by the next subgroup meeting.
	+ Workgroup to make a recommendation on project offsets to include in the plan.

## Plan Development

* Winter Plan Review
	+ Tentative schedule for December – February
		- Local decision makers will review the plan.
	+ January
		- If the plan is not agreed upon for distribution in December, the Chair will continue revisions as needed. A mid-January meeting may be scheduled as needed.
		- If the Committee cannot come to agreement by January 2021, they will be in jeopardy of mission the deadlines for Ecology’s review timelines.
	+ February 24
		- Committee meeting – potential vote
	+ March
		- If a plan is not approved at February meeting, a mid-March meeting may be scheduled.
		- Chair will submit final approved plan to Ecology by mid – late March.
	+ April – May
		- Meetings will be planned as needed.
	+ June 30
		- Deadline for Ecology to approve the plan
	+ Angela will continue to update the timeline based on Committee progress

Differing Interpretations of the Law and Dissenting Opinions

* Several committee members have expressed different interpretations of the law.
* Gretchen proposed members submit a letter along with their approval of the plan. This letter could be included in the plan in a variety of ways.
	+ As an attachment in a plan appendix
	+ Retained on the WRIA 13 public website
	+ Retained in a separate resource document.
* Comments
	+ The Squaxin Island Tribe proposed including these statements in a plan appendix.
	+ Overall, committee members agreed with including these letters in an appendix.
	+ DERT supported the idea of a signing statement to identify places in the plan where they have concerns.
	+ DERT and the Squaxin Island Tribe proposed adding a reference in the text of plan regarding these letters and their location in an appendix.
		- Angela will develop language for the committee to consider at the next committee meeting.
* Background
	+ The Squaxin Island Tribe noted that the effect of PE wells on senior water rights is a core issue, and proposed adding additional legal background to provide more context around the Hirst Decision and the Streamflow Restoration Act. Angela would need to have these additions approved by Ecology leadership. In general, Ecology has encouraged a limited history of the legal background in the planning process.
		- DERT and the Squaxin Island Tribe proposed adding a short paragraph about how this process began. DERT disagreed with Ecology’s interpretation of the plan development process.
		- The WRIA 13 Lead Entity Coordinator also supported the inclusion of a synopsis about how this process was initiated.
* Committee Participation: Ecology chose not to list the City of Rainier in the participants’ section and instead noted that they did not participate in the plan development process.
	+ Thurston Conservation District proposed including a statement in the plan to welcome them into the implementation and adaptive management processes to support full geographic representation in the watershed.
	+ Angela will share draft language in the next draft.
* The Squaxin Island Tribe proposed adding additional information about the connection between the Growth Management Act and watershed planning efforts in WRIA 13.
	+ Angela will need to work with Thurston County on this request.
	+ This will be flagged for committee review in the next draft of the plan.
* Policy Proposals and Deschutes Watershed Council
	+ Thurston County and The Squaxin Island Tribe have discussed project recommendations that would require rulemaking.
		- The Squaxin Island Tribe suggested that those issues be included within the Deschutes Watershed Council proposal as potential activities.
		- The project proposals cannot have a recommendation for rule making, according to Thurston County.
		- Thurston County would support these proposed language updates and changes.
	+ The intent of the individual proposals will remain the same, but they would be further developed by the Deschutes Watershed Council.
		- The City of Tumwater expressed support for this approach and would like to be included in additional conversations.
		- The City of Olympia felt that this would put too much responsibility on the Deschutes Watershed Council, and would change the purpose of the council away from an advisory role to one of rulemaking.
	+ Ecology will continue their work supporting the development of these proposals, but ultimately it will be important to know if the inclusion of this proposal would not allow an entity to approve the plan.
	+ DERT and the City of Tumwater will be included in additional conversations regarding this proposal and approach.
* Olympia Master Builders raised concerns about the potential for lower than forecasted rates of rural home growth and the connection to adaptive management. Currently, adaptive management language is focused around higher than expected growth, and OMB would like language to be included regarding the alternative scenario. Additionally, many projects are expected to be funded from permit fees, and if there is lower growth of residential homes, there will be less funding available for these projects. OMB proposed to include language that would review offset goals and planning if a certain level of growth is observed.
	+ The Squaxin Island Tribe thought this was a reasonable request and worth exploring.
	+ Angela will work with Erin to further develop this request.
* Lewis County raised concerns regarding the Drought Response proposal and the 350 gallon per day limit. The 350 gallons per day limit is currently in the law, but this proposal would recommend Ecology reconsider how it makes drought determinations.
	+ John will review this with Lewis County and report back.
* Lewis County expressed concerns about allowing Ecology to limit permit exempt well withdrawal limits to be less than the currently legislated allotment.
	+ John will review this with Lewis County and noted that it may be easiest to just exempt the county from this proposal.
* Thurston County noted that the county already uses satellite management of new small water systems.
* Thurston Conservation District proposed language that would include more citizen involvement in the Deschutes Watershed Council.
* The City of Lacey noted that only governmental organizations can sign inter-local agreements. Instead, they proposed using other documents like memoranda of understanding or something more inclusive for the non-governmental committee members.
	+ Angela will make this change in the plan.
* Thurston County noted they have extensive streamflow monitoring data and that these existing sources should be noted in the plan.
	+ The Squaxin Island Tribe agreed and stated it would be helpful to identify areas in the watershed where data is lacking.
	+ Angela will work with Thurston County to further develop this language.
* WDFW
	+ WDFW stated that requiring project sponsors to report directly to the Deschutes Watershed Council may lead to a disincentive for project development in WRIA 13 because of non-standardized reporting requirements.
	+ Instead, WDFW proposed Ecology revise their grant requirements for all reporting to be sent to Ecology.
	+ WRIA 13 Lead Entity supported this proposal and noted that it would help future project development and community outreach efforts.
* The Thurston Conservation District noted that 5-year reports may be too short of a timeline since it can often take longer to see the full benefits of a project. Instead, they proposed flexibility in the reporting process.
* DERT raised a comment about uncertainty, and asked to note in the uncertainty list that there is no way to accurately calculate how much water is used for outdoor use without metering.
	+ WDFW and the Squaxin Island Tribe agreed with this proposal.
	+ Angela will make this change in the plan.
* The City of Lacey noted that an additional sentence needs to be added that notes the importance of funding for projects.
	+ The Squaxin Island Tribe suggested that the Plan could highlight the Streamflow restoration grants as a key implementation piece.
	+ Angela will make this addition in the plan.
* The Thurston Conservation District noted that the $200,000 of proposed funding for the Deschutes Watershed Council seems high and that more justification is needed regarding the proposed amount.
	+ The Squaxin Island Tribe noted that the amount is just an example. The DWC could evaluate needs and make a recommendation. Wording could be revised to address County concerns.
	+ Thurston County noted that recommending increased permit exempt well fees would be a red flag for them and jeopardize their approval.
* Additional Plan Elements
	+ Thurston County proposed considering changes to Thurston County Critical Areas Ordinances regarding reclaimed water use.
	+ Assurance of Plan Implementation
		- The Squaxin Island Tribe produced a template for a proposed implementation section for consideration by the Committee. The intent is for Thurston County to write their section, with additional input from the cities and Ecology.
* Inclusion of original policy proposals in the plan.
	+ Several members felt it was important to include them for reference.
	+ This will need to be revisited by the committee at a later meeting as there is not currently agreement on the best approach.

## Public Comment

No public comments were provided

## Next Steps and Action Items

* The next committee meeting is THURSDAY November 19th (Date changed because of November holidays).
* Committee members should review project descriptions.
* Updates will be sent on the timeline for the second draft of the compiled plan.
* Committee members should continue internal discussions within their entity on process for plan review and authority to vote on final plan.
* Angela will send out [Ecology’s memo on MAR seasonality](https://app.box.com/s/69yogah4w1iea9b88sr403pf7mp44xg0)
	+ As requested, Angela will schedule a meeting with Ecology, WDFW, and Squaxin Island Tribe to discuss their perspective on project seasonality.
* Angela will send out the [updated plan review timeline](https://app.box.com/s/56m2tmas69mtxcjlx9ri3p1fj772qmhs)
* Angela will email a list of action items after the meeting.