# 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**

November 19, 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 (revised)
2. Summary of October Meeting
3. Project Update
4. Revised Draft Plan – Track Changes
5. Updated 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*)

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*)

Ruth Clemens (*Thurston County PUD 1*)

### Committee Representatives Not in Attendance\*

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

### Other Attendees\*

Gretchen Muller *(Cascadia Consulting)*

Jimmy Kralj (*ESA*)

Tom Culhane (*Ecology*)

Chad Wiseman (*HDR*)

Jim Pacheco (*Ecology*)

Elena Fernandez (*Thurston County*)

Mike Noone (*Ecology*)

\*Attendees list is based on WebEx attendance

## Welcome

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

Committee members were provided with a link to an interactive Google Slides presentation to promote engagement and capture comments during the discussion.

These slides can be [accessed on Box](https://app.box.com/s/47reyad0aotjyd4zqrwa4c1uvro9sz71).

## Updates and Announcements

* Ruth Clemens will serve as the new representative from Thurston PUD, replacing Julie Parker.

# Projects

* In advance of the November project subgroup meeting, Ecology met with the Squaxin Island Tribe and WDFW to discuss project offset quantifications to understand concerns raised about seasonal benefits of projects. These items were raised during the project subgroup meeting in an effort to reach a recommendation from the project subgroup on the appropriate offset to claim for projects in the WRIA 13 plan.

Water Offset Projects:

* Schneiders Prairie
	+ A draft project description and analysis has been provided and the project subgroup has given feedback.
	+ The subgroup recommended minor changes to modeling to account for slower infiltration rates.
	+ Analysis currently estimates 1,169 afy of year round benefit with 150 afyr of offset benefits in the critical flow period.
	+ HDR provided an update to the analysis and the committee discussed a path forward for this project and its analysis.
		- The project subgroup discussed two options: only count the net infiltration in the summer season, or count the infiltration in the period when diversion does not occur.
		- HDR will continue with their sensitivity analysis and provide an additional update to the committee when that work is complete for further discussion at the next sub group meeting.
	+ Ecology believes that including the year round benefits is justifiable as any infiltration improves water availability for fish, and Angela reminded the committee that there is limited time remaining in the plan development process and the decision as to which benefits to count needs to made soon.
	+ Both the City of Olympia and City of Lacey stated that the critical flow period benefits should be counted and that anything beyond those benefits could be counted towards NEB. Both proposed listing benefits as a range for this project while emphasizing the agreement for the 150 af/year offset estimate.
	+ WDFW shared their thoughts on only counting offsets during the critical flow period. The committee discussed the pros/cons of this approach and determined that the additional analysis being conducted by HDR will help inform further discussion/sub group recommendation at the next sub group meeting.
	+ Committee was in agreement that critical flow period is defined as May – Oct.
	+ WDFW:
		- WDFW believes that offset estimates are most useful to look at during the critical flow period. WDFW believes that the water quantity needs to be replaced in time, or at least during the critical flow period. WDFW is concerned with counting the annualized benefits and would prefer that only the benefits during the critical flow period be counted.
		- WDFW supports the suggestions proposed by Olympia and Lacey of including a range of estimates. WDFW supports counting the critical flow estimate while acknowledging that there may be additional benefits beyond that, but any additional benefits would contribute towards NEB and not the offset target.
	+ Ecology:
		- The working number for the consumptive use estimate in WRIA 13 is 435 afy for the most likely estimate and 516 afy for the higher estimate.
		- Removing the annual estimates for a project like this would be a very conservative decision. Ecology believes that it is reasonable to follow the approach outlined by the Squaxin Island Tribe: count the 150 afy benefit during critical flow periods and add to that the flow from days where there is diversion during the winter months.
			* Thurston County agreed with this approach.
		- Ecology also believes there is some justification for including offset benefits during winter months.
	+ Squaxin Island Tribe:
		- Proposed developing a wet season and dry season offset estimate.
		- Ecology agrees that this is a reasonable approach, as long as both of these estimates are added to the total offset tally for the watershed.
	+ Angela summarized a potential approach to address some of the concerns brought forward during the discussion.
		- Potential approach = count the benefit provided during the critical flow period (150 af) and in addition, add the benefits provided during days when diversion does not occur. This would create a critical flow period estimate and an annual amount that would contribute towards the NEB analysis.
	+ Next steps and decisions made
		- The committee agrees with a May – October timeframe for a critical flow period.
		- The revised analysis will be reviewed by the project subgroup, and a path forward will be decided upon at the next committee meeting.
		- Ecology will discuss additional project questions with DERT if requested.
* Managed Aquifer Recharge
	+ PGG provided a list of potential sites and HDR used that information to develop an initial offset quantification estimate. A draft memo was provided to the project subgroup for review.
	+ The analysis will be revised but currently suggests a potential of 1,100 af of year-round benefit.
	+ The committee needs to determine how many MAR projects to include in the plan and how much offset benefit to claim for each MAR project, and specifically when to claim the benefit (year round or during the critical flow period).
		- The decision should be made with an idea of potential project sponsors in mind.
		- The Squaxin Island Tribe proposed considering MAR projects together with PE well consumptive use estimate and adaptive management. Weak adaptive management would increase uncertainty for projects.
		- Thurston County stated that MAR projects are of great interest to Thurston County. In Nisqually, MAR projects were included in the plan and a feasibility study was just funded through the streamflow restoration grants. Thurston County could be considered a project sponsor for MAR projects and has incentive to support these projects.
		- WDFW views MAR projects differently that other offset projects like stormwater and off-channel projects. MAR projects can be placed further away from streams and designed to add as much benefit as possible. WDFW similarly thinks that benefits should be counted in the critical flow period, but that the projects should be designed to maximize those benefits.
		- The Squaxin Island Tribe was interested in whether enough geological information was available to inform estimates of project effectiveness at this stage of analysis, including the lag time from inundation to streamflow benefits, and the direction of flow.
* Hick’s Lake, Lilly Road, Donnelly Drive
	+ All projects have a completed description and the committee needs to agree on how much offset to claim for each project.
	+ The analysis done for these projects is different from the level of detail provided for the MAR and Schneider’s Prairie projects, and new analyses are not expected for these projects. As such, the Committee will need to consider a different approach to address concerns about how to determine what the potential seasonal benefits of projects are as requested by WDFW.
	+ To determine benefits only during the critical flow period, Ecology proposed a general discount of 50% to the offset estimates for these projects to account for seasonality.
		- This is a high level approach that Ecology feels is an appropriate way to address this issue given the time constraints at this point in the process.
		- WDFW supports this approach. Without doing additional modeling and assuming steady state benefits, the 50% reduction in the annual estimate to generate a 6-month estimate for the critical flow period would work.
		- City of Olympia supports this approach.
		- Thurston Conservation District supports this approach.
		- City of Tumwater supports this approach.
		- City of Lacey supports this approach.
		- LOTT supports this approach.
		- Thurston County supports this approach.
		- Lewis County supports this approach.
		- The Squaxin Island Tribe and DERT agree with this as a working approach.
			* The Squaxin Island Tribe would like to further analyze this approach and if they have any concerns they will be raised at the next project meeting.
			* DERT has similar concerns about seasonality vs. the overall requirement for consumptive use offsets. DERT will discuss this further with Ecology, WDFW, and the Squaxin Island Tribe. However, they believe this is the right approach.
		- Ecology did note that while they support the plan describing what the seasonal benefits of projects are, they still recommend considering claiming year-round benefits from projects.
* Habitat projects
	+ Most descriptions are complete and on Box for committee review.
* Categorical Projects
	+ HDR has completed the floodplain restoration project descriptions.
	+ The water rights projects are included in the plan and the write up from PGG is complete. The committee did suggest a revision to the map to add more privacy for landowners. Thurston Conservation District proposed an alternative hexbin map that provides key geographic location information while protecting landowner privacy and Angela will work with PGG to make those edits.
	+ The Forest Stand Age proposal will be included in the next draft of the plan for committee review.
* Other Project Considerations
	+ HDR and Thurston CD will further discuss opportunities to consider retrofits of existing homes to create rain gardens as a project concept in the plan.
	+ Thurston CD Green Cove – Marshall Middle School
		- Project description is pending from HDR.
		- Potential water offset, although this project has been on a lower priority for analysis given time constraints and the scale of the project.
	+ Middle Deschutes Property
		- Project will be included in the longer project inventory list in the plan appendix. No detailed project description will be included in the plan.
	+ Evergreen/Green Cove
		- Thurston County has discussed this project with HDR, however no work has been assigned to HDR. Thurston County will begin a project description and will indicate if they are requesting any work from HDR.
	+ Spooner’s Farm
		- City of Olympia intends to use the water right and the project will be removed from the priority list. It may be included in a longer list noting that the committee reviewed it.
* Project Next Steps
	+ December project meeting will be scheduled and members will finalize the project list and the workgroup will make recommendations for offset amounts to include in the plan for consideration by the committee at the December committee meeting.

## Plan Development

* Ecology is currently developing Chapters 5 and 7 and will need final approval from committee members on some project elements to complete those chapters.
* Plan Review
	+ The committee has completed their review of the first compiled draft and Angela has revised the plan accordingly.
	+ The second draft of the plan will be compiled in early December. Committee members will be asked for a quick review noting red flag comments. This review will be discussed on December 16th at the next committee meeting.
	+ January is now the likely target for sending the plan for local review (assuming committee agreement).
		- This meeting may be moved up to the middle of the month.
		- Ecology will provide resources to committee members to use when sharing the plan with their local leadership.
	+ Committee members have indicated that they need up to three months for their individual local review process(es). Reaching committee agreement on the draft plan in January will help ensure that committee members have the time they need for their local review process and gives the committee time to discuss/incorporate requested changes that come in through that process.
	+ If the committee cannot agree to send the plan for local review in January, it will jeopardize the final review deadlines for the committee. April is the estimated date for the committee’s approval of the final plan. If approved, the plan will be submitted to Ecology in late April.
	+ Ecology would review the plan from May through June 30th.
* Draft Plan Comments
	+ General Plan Comments
		- Quotes from RCW 90.94
			* Ecology management stated that this is not ideal for accessibility reasons, but that the committee can work towards adding these quotes.
			* Ecology is working to develop an approach to this and it will be included in the second draft of the plan for committee review.
			* The Squaxin Island Tribe would like to include quotes in the plan to balance Ecology’s interpretation of the law by providing transparency to readers.
			* DERT reiterated their beliefs that the plan is for the committee to develop and that they have a different interpretation of the law than Ecology. They feel that quotes are only required in a few places.
		- Compendium (Signing statements, appendices)
			* Angela has developed some potential language regarding these documents which will be included in the second draft.
				+ Materials in the compendium are not officially part of the plan, but the materials will provide background on the planning process and share the diverse opinions of WRIA 13 committee members.
			* It is likely that these statements wouldn’t be submitted until the very end of the process and they would not be included in a draft for local review.
			* The Squaxin Island Tribe proposed making references to the compendium in the body of the plan.
				+ Ecology may agree with that approach, if references do not appear to be contradictory – Angela will confirm with Ecology management
				+ Committee members agreed with this approach.
			* This section would also include policy proposals that were not included in the full plan.
			* Some Committee members agreed with the proposed language for this section, while others wanted more time to review the language.
				+ Thurston Conservation District proposed adding language to state that this section expresses committee concerns.
				+ DERT is developing suggested edits.
			* Angela will distribute this section for comments on this language, but encourages Committee members to limit wordsmithing, as this language is trying to capture a wide range of perspectives on this issue.
	+ Discussion on Chapter 6 Revisions
		- Angela proposed including language stating that Lewis County is exempt from Policy Proposals.
			* Committee members were in agreement with this approach.
			* A similar approach may be followed in Chapter 5 as there are no projects and no projected permit exempt well growth in Lewis County.
		- Drought Response Limits
			* Thurston County is hesitant to agree to language that requires rule making. Thurston proposed following a research-based approach for this topic.
			* The Squaxin Island Tribe feels it’s important as a stand-alone topic and supports Thurston County’s language suggestion. Also proposed language about enhancing a county wide drought response plan.
				+ Thurston County has no issues with this request.
		- County Policies to Promote Connections to Group A Systems
			* Thurston County proposed reframing this as a research-based approach.
			* Committee members agreed with this approach.
		- Instream Flow Rule
			* Suggested change from Thurston County to make this more research-based and change requirements for Thurston County.
			* Committee members agreed with this approach.
			* This is not an ideal approach for the Squaxin Island Tribe but they will stand aside to allow the Committee to move forward.
		- Permit Exempt Well Withdrawal
			* Thurston County recommended reframing this proposal as a research-based approach to examine water use in WRIA 13 and remove quantity values, and instead compare observations to legal limits.
			* Squaxin Island Tribe would like language that reviews the legal limits and considers whether other limits are more appropriate to local conditions.
		- Satellite Management of New Small Water Systems
			* Thurston County proposed removing this as Thurston County already does this work. Instead they suggested including this as a state-wide recommendation.
			* There are existing loopholes in state law that allow jurisdictions to avoid this type of work.
			* DERT agreed with this approach.
		- Water Conservation Statewide Policy
			* Thurston Conservation District reiterated their concern with language around undefined mandatory statewide water limits would be triggered by drought declarations, which are understood to be WRIA-specific. They supported additional conversation with others to find areas of common ground,
			* Squaxin Island Tribe suggested that the proposal say “the legislature should consider…” and focus the proposal on PE wells.
		- Adaptive Management
			* Language was added that doesn’t assume only higher growth but also addresses lower than expected growth scenarios.
			* The Squaxin Island Tribe proposed removing “mitigation to make it more general.
			* Thurston Conservation District expressed support again for language that would emphasize community involvement as a core element of the DWC group and would follow-up with language that states that.
		- Watershed Council
			* Some Committee members were concerned about the term “corrective action”.
			* The Squaxin Island Tribe noted it is important to keep the Ecology related language in this proposal as Ecology is ultimately the backstop for the plan and responsible for its success. They suggested “Ecology shall take appropriate action to protect senior water rights and support implementation of the plan”.

## Approval of September and October Meeting Summaries

Because of time constraints, committee members were asked to review the edits to the meeting summaries independently and communicate with Angela if they have any concerns. Approval will be discussed at the December meeting.

## Public Comment

No comments were received.

## Next Steps and Action Items

* Next Committee meeting is December 16th from 9am – 1pm.
* Angela will schedule the next project subgroup meeting.
* Committee members were asked to review the project descriptions.
* Updates will be sent on the review timeline for the 2nd draft. Review of the second draft should be focused on fatal flaws.
* Committee members should continue internal discussions with their entity regarding the process for plan review and approval.