# 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.MEETING SUMMARY

**WRIA 13 Watershed Restoration and Enhancement Committee**

December 16, 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. Meeting Summaries to be Finalized
2. [Project Updates](https://app.box.com/s/5bh4cryc2k7lv1f2cg59gl1yuoiht9g1)
3. [Project Descriptions](https://app.box.com/s/4sdn0rps0b7u1vw2rm3auoj7n6smp6s5)
4. [Draft Plan Compiled Comment Tracking Sheet](https://app.box.com/s/wsf38wdxmg7pg9xdfhn4i9475pas5ppn)
5. [Draft Plan – track changes](https://app.box.com/s/uv73coipqbz4x00jbm0j0pgbyk064qyk)
6. [Plan Compendium Draft Language](https://app.box.com/s/2616iuaic6w3tj3gh8nxoy3hrgcrjyqw)
7. Draft Chapter 5 – will be sent Friday 12/11
8. [Revised Chapter 6](https://app.box.com/s/jlaf65l0sdhi6jxxh2ntiv1wovl3mtex)
9. [Assurance of Plan Implementation](https://app.box.com/s/a84slrv20qitpl2k6loe536kmrs4i00n) – example language
10. Draft Chapter 7 – will be sent Friday 12/11
11. [Plan Review Timeline](https://app.box.com/s/56m2tmas69mtxcjlx9ri3p1fj772qmhs)

## 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*)

Cynthia Pratt (*City of Lacey*)

Charlie Schneider (*Tumwater City Council*)

Kaitlynn Nelson *(Thurston County)*

Josie Cummings *(BIAW*)

Noll Steinweg (*WDFW*)

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

### Committee Representatives Not in Attendance\*

### Other Attendees\*

Gretchen Muller *(Cascadia Consulting)*

Jimmy Kralj (*ESA*)

Tom Culhane (*Ecology*)

Mike Noone (*Ecology*)

Chad Wiseman (*HDR*)

Jim Pacheco (*Ecology*)

Stacy Vynne-McKinstry (*Ecology*)

Elena Fernandez (*Thurston County*)

\*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.

## Approval of September, October, November 2020 Meeting Summaries

The committee reviewed suggested edits and approved the meeting summaries from the September, October, and November 2020 meetings:

* September
  + Angela received comments on the following sections:
    - Policy Proposals
    - Projects
    - Plan Development
  + The meeting summary was approved.
* October
  + Angela received comments on the following sections:
    - Projects
  + The meeting summary was approved.
* November
  + Angela received comments on the following sections:
    - Projects
    - Plan Development
    - Policy Proposals
  + The meeting summary was approved.

## Updates and Announcements

* The January committee meeting has been rescheduled to January 20th from 9:00am to 1:00pm
* Erin Hall from OMB has left her position and Josie Cummings from BIAW will serve as the primary representative for construction interests on the committee.
* Ecology submitted a Streamflow Restoration update to the state legislature as required by law. Angela will share this with the committee.
* Other plan updates:
  + WRIAs 8 and 9 have sent their plans for local review.
  + WRIAs 22/23, 49, and 55 have locally approved their plans and have sent them to Ecology for review. The director of Ecology will make a determination on plan adoption by February 1, 2021.
* Committee members should upload pictures to the folder on Box to be considered for the cover image of the WRIA 13 plan.
* The Squaxin Island Tribe shared a letter with Ecology to clarify their positions on various plan elements. Committee members are free to contact Paul Pickett with any questions.
* The Thurston Conservation District is hosting a native plant sale in early 2021, pre-orders are available on their website.

# Projects

* Project Updates
  + Schneider’s Prairie
    - HDR provided a revised project description and supplemental data. HDR revised modeling elements based off of previous discussions related to benefits in the critical flow period.
    - HDR summarized the updates they made in the model.
      * Ecology clarified that it was not possible for HDR to model dry year conditions at this site. As a general rule, Ecology stated that the amount of precipitation in future climate scenarios is not expected to change, just the distribution of that precipitation over the course of a year. The varied temporal distribution of precipitation is a problem well addressed by MAR projects like this.
    - The project workgroup recommended the committee consider an offset benefit based on year 5 of the analysis for the May – October benefit resulting in 681 acre-feet per year (afy).
    - Gretchen asked for Committee agreement on the workgroup recommendation of including this project in the next draft of the plan with an offset value of 681 afy. **Decision:**
      * **WDFW stated that they support all of the projects in the plan, but they noted remaining concerns about the methods used to generate the offset benefits, and they are not comfortable agreeing to a proposed benefit value. They will abstain from the Committee discussion on agreement of the recommendation for the offset value to include in the plan.**
      * **DERT agrees with what was stated by WDFW. DERT will also abstain from the Committee discussion on agreement of the recommendation for the offset value to include in the plan.**
      * **There is general agreement for the approach recommended by the project workgroup.**
  + MAR Project Package
    - PGG has provided a technical memo on the methodology for this package and HDR has provided an updated project description.
    - HDR provided a summary of their technical analysis on the project.
    - The current offset estimate is 810 afy for five potential project locations.
    - The project workgroup recommended the committee apply a reduction factor to MAR project benefit estimates to account for uncertainties. The workgroup discussed the following options:
      * Count offsets from proposed project locations not in closed basins and claim 25-50% of the total projected offset.
      * For proposed projects in closed basins, include this information in the plan as a “hopeful” offset total, but do not count benefits towards offsets justifying NEB.
      * Consider including in the plan that the Committee supports changing the WRIA 13 Instream Flow Rule to allow for MAR projects in closed basins.
    - Thurston County has indicated they are likely to serve as a project sponsor.
    - The Squaxin Island Tribe proposed that the Committee claim 40% of the total proposed offset estimate to account for uncertainty and project implementation. The 40% was derived from an assumption that at least 2 of the 5 proposed MAR projects would be implemented.
      * Several Committee members agreed with this proposal.
    - Gretchen asked for Committee agreement on the recommendation of including this project in the next draft of the plan with an offset value claiming 40% of the total 810 AFY estimated benefit. **Decision:**
      * **WDFW and DERT reiterated their intention to abstain from offset benefit approval.**
      * **There is otherwise general agreement from the Committee on the recommendation.**
      * **There is also general agreement to include language in the plan that the Committee supports revising the Instream Flow Rule to allow MAR projects in closed basins.**
  + Water Rights Analysis
    - PGG provided a technical memo for the focused water rights analysis for WRIA 13 including methodology and a summary of potential future water right opportunities.
    - Currently the summary included in the project list references no identifying landowner information.
    - Angela provided an overview from the project workgroup and their discussion on potential for the Committee to claim an offset benefit from the prioritized water right list that PGG provided. Many workgroup members expressed that the committee should consider including language in the plan that describes a future action and project sponsor to increase certainty. The workgroup discussed the potential to claim 5-10% of the proposed offset benefit generated by PGG (brought forward by Angela as an example of what other WREC groups have done). This would result in between 154 – 308 afy to claim in the plan.
    - The Squaxin Island Tribe proposed reviewing opportunities for water rights acquisitions in subbasins with few or no project opportunities.
    - The Thurston Conservation District expressed concerns around claiming a percentage of offset benefits from water rights projects without having data to ground this estimate.
    - DERT supports these types of projects but is uncomfortable assigning an offset benefit to these projects at this time. DERT would abstain from supporting an offset benefit.
      * WDFW will follow a similar approach.
    - Thurston County stated they are optimistic about the implementation of projects over the next 20 years.
      * In order for Thurston County to be listed as a project sponsor for this work, they would require an offset estimate be included with these projects in the plan.
    - DERT stated that there is not an active program for acquiring water rights which leads to even greater uncertainty in these projects being implemented and an offset target being assigned to this project package.
    - Thurston Conservation District shared that any water rights projects would need to be defined in type and scope before accurate offset estimates could be made.
    - The Squaxin Island Tribe proposed that the future Deschutes Watershed Council, Thurston County, and Thurston Conservation District take a more robust approach to landowner outreach. The tribe proposed that if these projects are necessary to reaching the offset target, a proposed benefit be included and that stakeholders work to actively identify landowner amounts.
    - **Decision: There is not support from the Conservation District to assign an offset benefit to these projects. This project will be included in the plan as a “categorical project” to address future feasibility studies for water efficiencies or water right acquisition opportunities, but will not include an associated water offset benefit.**
  + Lily and 26th
    - The project description is complete and available for review. The current estimate indicates a potential offset of 120 afy and the critical flow benefit was determined to be 60 afy.
    - The project workgroup recommended the committee consider inclusion of this project as a water offset project in the plan with an assumed offset of 30 afy to account for relevant uncertainty.
    - Gretchen asked for agreement on the recommendation that this project be included in the plan with an offset of 30 afy. **Decision:**
      * **WDFW and DERT will abstain on approval of this project’s offset estimate.**
      * **There is otherwise general agreement from the Committee on the recommendation.**
  + Hick’s Lake
    - The project description is complete and available on Box.
    - The project workgroup recommended two options for the committee to consider:
      * Claim a year-round benefit of 296 afy and note in the plan that the estimate during the critical flow period is 148 afy.
      * Claim only offsets during the critical flow period of 148 afy.
    - The City of Lacey supports claiming the year-round benefit of 296 afy and noting the critical flow period benefits.
      * The City of Tumwater also agrees with this approach.
      * Squaxin Island Tribe agrees
      * City of Olympia agrees
      * Thurston Conservation District agrees
    - Gretchen asked for agreement the recommendation that this project be included in the plan with an offset of 296 afy. **Decision:**
      * **WDFW and DERT will abstain on approval of this project’s offset estimate.**
      * **There is general agreement from the Committee on the recommendation.**
  + Donnelly Road
    - The project workgroup recommended the committee follow two options:
      * Claim a year-round benefit of 14 afy and include a note in the plan that the critical flow benefit is 7 afy.
      * Claim only the critical flow benefit of 7 afy
    - Gretchen asked for agreement that this project be included in the plan with an offset of 7 afy. **Decision:**
      * **WDFW and DERT will abstain on approval of this project’s offset estimate.**
      * **There is otherwise general agreement from the Committee on the recommendation.**
  + Raingarden Retrofit
    - The project workgroup recommended the committee consider including this project in the plan but not assign an associated water offset. Thurston Conservation District will work with HDR to further refine the project description.
    - The committee agreed with the recommendation.
  + Other Project Types
    - Habitat project descriptions are available for review as are those for the floodplain restoration and water rights projects.
  + Projects for Consideration
    - Evergreen/Green Cove
      * Thurston County will provide a description for potential inclusion in the plan. Water offset is possible but will not be formally estimated.
    - Green Cove Marshall Middle School
      * HDR and Thurston Conservation District may provide a project description for potential inclusion in the plan, however it is captured on the project inventory. Water offset is possible but will not be formally estimated.
* Project Next Steps
  + HDR and Ecology will revise Chapter 5 based on information in project descriptions and the discussion during today’s meeting. Updates will be included in the second draft.
  + Chapter 5 review in the second draft plan will be a red flag review.
    - The committee will review any red flag comments during the January committee meeting.
  + No further project subgroup meetings are scheduled.

## Plan Development

* Plan Review Timeline
  + Angela provided a review of the plan review steps taken to-date by the committee.
  + January 20th: Committee meeting intended to agree to send the plan for local review.
    - If the committee does not agree to send the plan for local review, it may jeopardize the final Ecology review process.
  + January – April
    - Local decision makers will review the plan.
  + Target date for the committee to vote on final plan approval is the April meeting.
  + Ecology will make their decision regarding plan adoption on June 30th.
  + DERT asked what happens if the Committee approves the plan, but Ecology does not adopt it. DERT asked if the Committee would be given an opportunity to make changes if Ecology does not adopt the plan.
    - Ecology indicated that during their review they will give strong deference to the Committee’s approved plan.
      * Angela noted that she does not have clear direction on what will happen if Ecology does not adopt the plan, but pointed Committee members to the track that would happen if the Committee does not approve the plan – Ecology would finish writing the plan, the Salmon Recovery Funding Board would review, and any further action, including rule-making, would be done at the discretion of the Director of Ecology.
    - Ecology noted that after an approved plan is submitted to Ecology, there will not be another opportunity for the Committee to make changes.
  + WDFW asked when entities should submit their signing statements, if they intend to do so.
    - Angela stated that is likely these will be included during or after the final approval vote.
  + DERT stated their belief that if rule-making is proposed in an approved plan, the legislation requires Ecology to initiate rule-making.
    - Angela clarified that rule-making is done at the discretion of the Director of Ecology.
* Steps to Approval
  + Once the plan is distributed for local review, Committee members are responsible for ensuring they work through the process within their entity to be in a position to vote on final plan approval.
  + Committee members should ensure that the representative designated to have authority for plan approval is present during the meeting scheduled for the final vote on plan approval.
* Chapter 5
  + Angela will work with HDR to add information about the offset benefits divided by subbasin. Additionally, offset benefits during the critical flow period will be added.
  + Angela provided a brief review of new information added to Chapter 5 for the committee to consider in their red flag review when the draft of the plan is distributed.
  + DERT asked how abstentions will be referenced in the plan.
    - Angela and Gretchen clarified that individual decision points will not be discussed in the plan body, but various abstentions can be noted in the signing statements.
      * Angela noted that if the Committee approves the plan, it will be because the plan elements were agreed upon by consensus, and not voting on individual components, it would not be appropriate to reference each decision point.
  + Thurston Conservation District noted that the Statewide Water Conservation Education and Incentive program should be included in Chapter 6, not 5, as it is a policy proposal.
    - Angela will remove this from Chapter 5.
* Chapter 6
  + Angela confirmed the development of a County-wide drought response plan in Thurston County. Thurston County needs to clarify the language, but believes this should be fine to include in the plan.
  + The Squaxin Island Tribe proposed including the full proposal for the Upgrade Well Reporting proposal in the appendix as opposed to the compendium as there are many details not captured in the plan summary.
    - Ecology suggested to add a sentence about why this proposal is an appendix as opposed to the compendium.
  + Committee members supported inclusion of this in the next draft of the plan. Thurston Conservation District shared language worked on with Squaxin Island Tribe for instream flow revision policy that states maps would be made in future of streams placed under review.
  + A revised statewide policy was proposed to the group, which focuses on providing WRIA-based water conservation support for PE well users.
  + Assurance of Plan Implementation
    - The Squaxin Island Tribe stated that this is important to include for the success of this plan.
    - Each entity will be contacted individually to discuss their opinion on this piece of the plan. Gretchen and Angela will follow-up after this meeting.
* Chapter 7
  + The Squaxin Island Tribe suggested a better description about impacts to/restoration of streamflow be included. Additionally, the tribe suggested the language related to ecological benefits of the habitat projects be expanded.
  + Tom Culhane suggested a map be included showing the location and offset estimate values for projects.
    - Angela noted that HDR is preparing a map like this that will be included in the Executive Summary.
* Compendium Language
  + Language has been updated to share what the compendium is intended to accomplish as opposed to what it is not intended to accomplish.
  + Committee members supported the new language.
* Remaining Obstacles to Reach Consensus
  + Committee members were reminded to flag items that would prevent them from approving the plan in the next review stage.
* Next Steps for Plan Development
  + Angela will revise the draft of the plan based on today’s discussion.
  + Angela will send a second draft of the plan to committee members by December 28th, or within a couple of days of that. This version will be used for a red flag review to discuss at the January meeting.
  + An executive summary will be included in the second draft of the plan.
  + Angela and Gretchen will follow up with committee members about the assurance of plan implementation section.

## Public Comment

* No public comment

## Next Steps and Action Items

* Next committee meeting is Wednesday, January 20th
* Angela will provide the committee with the second draft of the plan, expected around December 28th, or shortly after.
  + Red flag review prior to the January meeting intended to address outstanding comments needed for plan approval.
* Committee members should continue their internal discussions within their entity on process for plan review and authority to vote on final plan.
* Angela and Gretchen will follow up with committee members regarding the assurance of implementation language.