# 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 14 Watershed Restoration and Enhancement Committee**

December 10th, 2020 | 9:00 a.m. - 2:00 p.m. |[committee website](https://www.ezview.wa.gov/site/alias__1962/37326/watershed_restoration_and_enhancement_-_wria_14.aspx)

## Location

WebEx**Committee Chair**

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

1. [Summary of November Meeting](https://app.box.com/s/ox027barq273chlap7eev2i0uza3rvhl)
2. [Project Update](https://app.box.com/s/0ugmou4uw8d0ezwon8nrc1ovrwf4ti82)
3. [Project Descriptions](https://app.box.com/s/xkmmuc7tde3pn69r2p9a18z0lp9p2hwk)
4. [Draft Plan Compiled Comment Tracking Sheet](https://app.box.com/s/9bpnn0z9lfjrgbla9ua8zosu8r43targ)
5. [Draft Plan – track changes](https://app.box.com/s/7c8999nd6y6sy8zfska8ttzq7genzcvw)
6. [Plan Compendium Draft Language](https://app.box.com/s/6pm6znhg45bmb2cqzkju7dq5ble35zh7)
7. [Revised Chapter 6](https://app.box.com/s/xkmmuc7tde3pn69r2p9a18z0lp9p2hwk)
8. [Plan Review Timeline](https://app.box.com/s/gm7mnmktgpgeg1j9rwoxolgtn07ld4k9)

## Attendance

### Committee Representatives and Alternates

Angela Johnson (*Ecology – Committee Chair)*

Seth Book (*Skokomish Tribe*)

Ron Gold (*Mason PUD 1)*

Darrin Hall (*Mason PUD 1*)

Kevin Shutty (*Mason County*)

Dave Windom (*Mason County*)

Kaitlynn Nelson (*Thurston County)*

Ken Gill (*City of Shelton*)

Josie Cummings (*Building Industry Association of Washington*)

Fern Schultz (*Department of Health, ex-officio*)

Lois Ward (*Sierra Club*)

Larry Boltz (*Mason Kitsap Farm Bureau*)

Barbara Adkins (*Mason CD, ex-officio)*

Paul Pickett (*Squaxin Island Tribe*)

Patti Case (*Green Diamond Resource Company, ex-officio*)

Allison Cook (*WDFW*)

### Committee Representatives Not in Attendance\*

### Other Attendees\*

Susan Gulick *(Sound Resolutions)*

Jimmy Kralj (*ESA*)

Chad Wiseman (*HDR*)

Deidre Peterson (*City of Shelton)*

Jim Pacheco (*Ecology*)

Mike Noone (*Ecology*)

Tom Culhane (*Ecology*)

John Turk (*Aspect Consulting, representing Skokomish Tribe*)

James Reyes (*Mason PUD 1*)

Erica Marbet (*Squaxin Island Tribe*)

\*Attendance is based on WebEx participation

## Welcome

Due to the spread of COVID-19 and the recommendations from Public Health Officials, the December 2020 WRIA 14 meeting was held via WebEx conference. Angela and Susan kicked off the meeting and provided instructions for participants to participate remotely. Committee members introduced themselves. The group reviewed the meeting agenda.

## Approval of November 2020 Meeting Summary

Angela received comments on the following section:

* Projects
* Plan Development
* Plan Comments

Committee members approved the November meeting summary.

## Updates and Announcements

* Committee members interested in submitting a photo for the cover of the WRIA 14 plan should upload images to Box.
* Angela shared an update on the planning process in other WRIAs:
	+ WRIAs 8 and 9 have distributed their plan for local review.
	+ WIRAs 22/23, 49, 55 have all approved their plans at the local level and sent them to Ecology for review.
* The Squaxin Island Tribe has shared a letter with the Department of Ecology about their concerns in the plan development process. Paul Pickett stated that the letter does not change any previous opinions expressed during committee meetings, but outlines the tribes concerns in one document. The tribe is willing to have offline discussions regarding the letter with Committee members if desired.

## Projects

* Project Updates
	+ Mason County Rooftop Runoff
		- Background
			* The WRIA 14 Committee agreed that a proposal from Mason County would be used to further develop the project, and was prioritized as a project for HDR to provide analysis.
			* The initial estimate from HDR was an offset benefit of 597 afy
			* Several entities expressed concerns about the initial analysis, and HDR was asked to pause work until the project could be further discussed with the project subgroup and Committee to address concerns. The WRIA 14 agreed at the November 2020 meeting that HDR should complete the revised analysis.
		- HDR has provided a revised technical memo outlining changes to their analysis.
			* HDR tried to be responsive to the technical comments received on the project, and the analysis was revised regarding the existing condition status and the maximum infiltration facility size.
		- The revised analysis provides an offset benefit of 249 afy, and infiltration estimates were updated and reflected by each soil type (Group A, B, and C).
			* Some project subgroup members felt as though an additional reduction factor should be considered to the offset to account for uncertainties such as likelihood of implementation, restrictions due to soil types and site conditions, etc.
		- HDR and Mason County shared technical details of the new analysis with the committee.
		- Based on the analysis and the potential path forward, the committee needs to decide whether or not to include this project, and if so, what the offset estimate should be and whether or not a discount factor based on soil types should be applied.
			* Inclusion
				+ The Squaxin Island Tribe will not object to this project but they still have concerns related to it which they want to have on the record. In particular, the tribe is concerned about the relationship between this project and stormwater provisions in the law. (The law says new development with PE wells must treat to the “extent practicable” – a term that comes from CWA stormwater rules, which suggests that the law is requiring new PE well development to meet stormwater requirements regardless of whether a permit is in effect.) They would like Ecology to include specific legal justification in the plan as to how they interpret the law to allow this as an offset.
				+ The Skokomish Tribe has the same concerns as the Squaxin Island Tribe and will not object to the project.
				+ WDFW feels that their technical questions were not fully addressed, but that additional technical work should not be completed. WDFW will not object to the project but has similar concerns as those expressed by the Squaxin Island Tribe.
			* Offset Value
				+ The Squaxin Island Tribe pointed out that there are many sources of uncertainty in the project: soil types, ordinance issues, regulatory changes, etc.

The Squaxin Island Tribe supports a reduction factor across the board that takes all uncertainties into account.

Mason County stated that a reduction factor is already included in the estimate and that the technical analysis has been robust to refine estimated values.

* + - * WDFW supports the project concept but will abstain from supporting the offset number.
			* The Squaxin Island Tribe noted that Mason County’s comment about the reduced value was based on the technical analysis, but the uncertainty here is regulatory. They proposed a 50% factor, assuming this is good for 10 years out of a full 20.
			* This project will be included in the next draft of the project without any additional discount factor, and considered by the committee for a red-flag review. The Committee did not reach agreement during this discussion on the total project offset or an additional reduction factor, so the offset estimates from HDR’s analysis will be included in the draft plan for consideration during the red-flag review.
	+ MAR Projects
		- HDR and PGG have finalized the analysis for MAR sites. The workgroup has discussed the methods proposed by HDR, and PGG has provided a draft write-up of methods used and results.
		- The project subgroup discussed potential offset amounts and recommendations for consideration.
		- Current estimate is ~900 afy for seven potential project locations.
		- The workgroup discussed reduction factors for each of these projects and discussed a single reduction factor for the project package to account for uncertainty and concerns.
		- HDR provided a technical summary of the changes made to the analysis.
		- The Squaxin Island Tribe noted the importance of project sponsors for these projects, and stated that Mason County should be the primary sponsor for this work.
			* Mason County stated that they are not the primary land owner for many of the identified sites and that would limit their ability to serve as a project sponsor, but that they would likely be the project sponsor where it seems appropriate for the County.
		- The Squaxin Island Tribe stated the importance of partnerships in implementing MAR projects. Pierce County provided an example in the Nisqually, where they partnered with NRF on a grant. Look for opportunities and partnerships instead of focusing on what you can’t do.
		- Based on discussions, the committee needs to decide on the total offset value to claim and what an appropriate reduction factor would be as well as what assumptions or concerns should be included in the justification for a reduction factor.
			* The current proposal is to apply a single reduction factor to the ~900 afy estimate. One proposal was for a 30% reduction factor.
				+ No committee members expressed concerns with the proposed 30% reduction.
				+ This will result in an offset benefit of ~270 afy claimed by the Committee to count towards NEB for MAR projects and this value will be included in the next version of the plan.
		- The committee agreed to include the project in the plan with ~270 afy claimed by the Committee to count towards NEB.
			* WDFW supports the project concept but will abstain from supporting the offset number.
	+ City of Shelton Reclaimed Water
		- HDR slightly updated their analysis resulting in an estimate of 486 afy.
		- The project workgroup proposed including this value in the plan towards the consumptive use estimate.
			* WDFW supports the project concept but will abstain from supporting the offset number.
		- This project will be added to the plan with the 486 afy estimate.
	+ Summit Lake Water Use
		- Thurston County has proposed some potential water offsets in the future.
		- WDFW supports this project and stated it would have tremendous habitat and water quality benefits.
		- The Committee agreed this project should be included in the plan, but at this point is not being considered for inclusion with a water offset value to count toward NEB.
	+ Water Rights Analysis
		- PGG has provided a summary spreadsheet of their water rights. Erica (Squaxin Island Tribe) conducted a desktop aerial survey based on this analysis and shared her work with the project subgroup, providing a “targeted” list for future opportunities.
			* Based off of work from PGG and Erica, their analyses have identified 1,111 afy of potential offset.
		- Proposal before the committee is to claim 10% of the value identified from the “targeted” list as offsets contributing to NEB, a total of 111 AFY. Angela explained that this is similar to offsets claimed in other WREC groups, and is a best estimate of water right opportunities that are likely to be available for project sponsors to pursue in the future.
			* Larry Boltz requested clarification about agricultural water rights in this analysis.
				+ Erica and Angela noted that not all of the water rights on the prioritized list are agricultural water rights, as it also includes some commercial/industrial water rights.
			* Ken Gil requested information about groundwater and surface water rights. Erica noted that none of the identified rights are owned by the City of Shelton.
		- The Committee agreed to include the water right opportunities project in the plan with an associated offset of 111 AFY.
			* WDFW supports the project concept but will abstain from supporting the offset number.
* Potential Projects
	+ Raingarden Retrofit Project
		- WRIA 15 has worked with the Kitsap Conservation District to estimate potential infiltration through this project. They assume infiltration of 3 afy from 20 raingardens on homes currently connected to a storm drain system. An analysis has not yet been completed for homes without a connection to a storm drain system.
		- Potential recommendation is to include this in the plan as a potential future action, however there will not be an associated offset for WRIA 14.
	+ City of Shelton Stormwater Projects
		- This project would enable stormwater retrofit projects to qualify for benefits related to streamflow recovery funding opportunities.
	+ Both of these will be included on the project inventory in the plan appendix.
* Other Projects
	+ Evergreen Mobile Estates
		- Project analysis is completed, with a 7.2 afy estimate which will be claimed as contributing to NEB.
	+ Schneider Creek Source Switch
		- Off will be described in Chapter 5 but not claimed towards the offset target
	+ Skookum Valley Railroad Blockages
		- Project description is complete and will be described in Chapter 5.
	+ North Steamboat
		- Project description is complete and will be described in Chapter 5.
	+ Skookum Valley Ag
		- Project description is complete and will be described in Chapter 5.
	+ Goldsborough Creek/Hilburn
		- Project description is complete and will be described in Chapter 5.
	+ Middle Steamboat
		- Project description pending from Thurston County.
	+ Thurston Count Forest Management Sites
		- Project description pending from Thurston County.
	+ Floodplain Restoration
		- Project description is complete and will be described in Chapter 5.
	+ Forest Stand Age
		- Proposal from Paul Pickett will be used to develop a project description for the plan, Angela has worked on language that takes into consideration feedback from Green Diamond.
	+ WDFW abstained from supporting offset numbers for projects.
	+ No concerns were raised from Committee members on inclusion of these projects in the plan.
* Next Steps
	+ Angela will work with HDR to revise Chapter 5 based off of today’s discussion.
	+ The next review of Chapter 5 will be a red flag review for major issues that would prevent approval.
	+ The January committee meeting will be used to address these concerns. There are no further project subgroup meetings planned.

## Plan Development

* General Check-in
	+ Angela provided a review of the work accomplished to-date regarding plan review and development.
	+ In late-December Angela will distribute a second draft for red flag review.
	+ Committee members should come to the January meeting to discuss major concerns. The goal is to send the plan for local review in January.
	+ If agreement is not reached at the January meeting, the committee will risk missing final approval deadlines.
		- February and March meetings will be scheduled as needed.
	+ It is our intent to vote on the final plan approval in April.
	+ Ecology must make their final determination by June 30th on approved plans submitted by Committees.
	+ If the committee does not approve the plan, Ecology will complete the plan.
		- The Squaxin Island Tribe asked if Ecology intends to use the information that the committee develop in their completion of the plan.
		- Ecology stated that they would likely use the work that the Committee has provided as a foundation for completing the plan, but at this time cannot speak to the amount of information that would be used in that scenario.
* Steps for Approval
	+ Once distributed for local review, committee members are responsible for working with their entity throughout their review.
	+ Additionally, members must be present at the April meeting to vote on the final plan.
	+ Mason County requested that information and updates about the plan approval process from all members be shared during the months of March and April
		- In WRIAs 22 and 23, the committees approved the plans and they were then brought to the Commissioners in Mason County.
		- City of Shelton plans to show the draft plan to council members three times. Once to review, once to discuss, and once to approve.
	+ Ecology noted that it will be difficult to make changes after the plan goes to local review, so all concerns should be expressed and resolved in January.
* Plan Development
	+ All plan chapters have been developed and committee members have reviewed all chapters except Chapters 5 and 7.
	+ Angela shared a recently updated version of chapter 5 produced by HDR.
		- The chapter includes background information and projects presented by streamflow benefits in each subbasin.
		- The Squaxin Island Tribe requested additional information be added for subbasins where no projects are located. In particular, he stated that information related to basin-wide projects like rooftop runoff be allocated to each subbasin.
		- Water rights information will be added.
		- The Squaxin Island Tribe requested the offset table be grouped by subbasin, noting that this is important because the law says water for water is a priority in each subbasin.
		- The Squaxin Island Tribe proposed additional language about the implementation committee proposal and assurances of entities supporting specific projects.
	+ Susan reviewed Chapter 6 with the Committee
		- Mason County is willing to organize an implementation/adaptive management group. Minor changes will be made to Chapter 6 to reflect this commitment from Mason County.
		- The Squaxin Island Tribe noted that they have an MOA with Mason County, which should be mentioned in the Plan. The MOA discusses a partnership with the County, so the County stepping up is a good first step, and you can expect the Tribe to be responsive to that and work on that partnership.
	+ Model Language for Assurances of Plan Implementation
		- Susan shared language regarding committee members’ vision for plan implementation to serve as a model for inclusion in Chapter 6 of the plan.
		- Ecology has provided language that has been vetted through Ecology management.
			* The Squaxin Island Tribe asked why Ecology hasn’t included a bullet on “consider rule-making”, given that it’s in the law?
			* Angela said she will bring that up with Ecology management.
		- The Squaxin Island Tribe provided language, which Susan suggested could serve as a template for entities interested in using the same or similar language.
		- City of Shelton is willing to commit to the same level of engagement as is identified by the Squaxin Island Tribe
		- Mason County has noted that this language is similar to the WRIA 22/23 plan, and that language that Mason County provided during their approval of the WRIA 22/23 plan could be used for WRIA 14.
			* Mason County will share the language from WRIAs 22/23 with Susan and Angela.
		- Committee members did not express concerns about this language, but may make specific request for language changes to more accurately reflect their position.
			* Mason Kitsap Farm Bureau stated that they are not well positioned to fund projects, but they are willing to participate in implementation activities.
			* WDFW also stated uncertainty about their funding abilities, but is interested in implementation.
				1. Alison will review this language with WDFW leadership and send proposed language edits to Susan.
			* Sierra Club is willing to participate but their capacity may be limited due to volunteer capacity.
		- Susan will reach out to entities after this meeting to confirm they language they would like to include in the plan.
	+ Chapter 7 – Net Ecological Benefit
		- HDR has developed this chapter and it includes information from all projects under consideration and does not reflect information discussed during today’s meeting.
		- Angela provided a high-level review of the newly developed language.
		- City of Shelton proposed that projects be arranged by the high, medium, and low categories for readiness to proceed.
		- The Squaxin Island Tribe proposed that NEB should focus on streamflow restoration. Describe how “surplus” represents potential for flow restoration, and “negative surplus” points to areas that should be prioritized for finding more offsets.
* Compendium Language
	+ Angela provided a review of updated language regarding the compendium for additional materials and signing statements to be included in the plan.
	+ This language was shared with the committee for review.
	+ Committee members did not express any concerns with the proposed language.
* Remaining Obstacles to Reaching Consensus
	+ The Squaxin Island Tribe feels that there are several flaws in the law at the basis of this process. The plan contains lots of good elements, but there are still some points of contention. The tribe is now considering what good comes out of a committee approved plan compared to an Ecology prepared plan.
		- The stronger the implementation elements, the more uncertainty the Tribe is willing to tolerate other flaws in the plan and its individual elements.
	+ WDFW is concerned that a number of projects are conceptually based and there are not enough project guarantees to show that there is enough offset. This is the biggest obstacle in their review.
* Next Steps
	+ Angela will revise the draft plan based on today’s comments.
	+ The updated plan will be distributed by December 28th for a red flag review.
		- If committee members do flag items, they should identify a way to resolve concerns and come prepared to share that with the committee at the January meeting.
	+ An executive summary will also be included in the next draft.
	+ Angela and Susan will work with entities regarding the assurance of implementation language.

## Public Comments

* No public comments were made during the meeting.

## Next Steps and Adjourn

* Next committee meeting is January 14th from 9:00am to 2:00pm
* Angela will provide an update on the 2nd draft plan
	+ Expected by December 28th at the latest.
	+ This review will be a red flag review before the January meeting to decide on sending for local review.
* Committee members should continue internal discussions within their entity for plan review.
* Susan will reach out to Committee members following the meeting to confirm the “assurance of implementation” language that each entity would like to include in the plan.