MEETING SUMMARY

**WRIA 15 Watershed Restoration and Enhancement**

**Committee Meeting**

November 7, 2019 | 9:30 a.m.-12:45 p.m. | [WRIA 15 Committee Webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx)

## **Location**

Kitsap County

619 Division Street

Port Orchard, WA

**Committee Chair**

Stacy Vynne McKinstry

Svyn461@ecy.wa.gov

(425) 649-7114

**Handouts**

* Agenda
* Committee Memo
* KPUD Consumptive Use Calculation
* Local Approval Process
* Draft Detailed Plan Outline

# Attendance

Committee Representatives and Alternates \*

David Winfrey (*Puyallup Tribe)*

Nathan Daniel *(Great Peninsula Conservancy)*

StacyVynneMcKinstry *(WA Dept of Ecology)*

GregRabourn *(King County)*

DaveNash (*alternate) (Kitsap County)*

SamPhillips *(Port Gamble S’Klallam Tribe)*

TeresaSmith *(City of Bremerton)*

Mike Michael *(City of Bainbridge Island)*

Dave Ward (*Kitsap County)*

Zach Holt *(alternate) (City of* *Port Orchard)*

Larry Boltz *(ex offio)(Mason-Kitsap Farm Bureau)*

Brienn Ellis (*City of* *Gig Harbor)*

Alison O’Sullivan (*alternate) (Suquamish Tribe)*

JoyGaritone *(Kitsap Conservation District)*

RandyNeatherlin *(Mason County)*

Paul Pickett *(alternate) (Squaxin Island Tribe)*

Nam Siu *(alternate) (WDFW)*

Committee Representatives Not In Attendance\*

Washington Water Service (ex officio)

City of Poulsbo

Building Industry Association of Washington/ Kitsap Building Association

Pierce County

Skokomish Tribe

Other Attendees

Susan Gulick *(Sound Resolutions, Facilitator)*

Stephanie Potts *(WA Dept of Ecology)*

Jimmy Kralj (*ESA, Information Manager*)

Kristen Howard *(Kitsap County)*

\*Attendees list is based on sign-in sheet.

# Meeting Agenda and Meeting Summary

Susan reviewed the agenda.

*No revisions to the agenda.*

Susan acknowledged minor revisions to the October meeting summary, including minor edits, additions to discussion on climate change and adaptive management, and clarification of Squaxin Island Tribe perspective on the growth projections. No concerns were shared with the revised version. Ecology will post the final meeting summary on the committee webpage.

*No further refinements to the meeting summary provided.*

# Updates and Announcements

Stacy provided updates from Ecology.

* Stacy provided an overview of Box.com and walked the committee through key folders. The link to the parent folder is [here](https://ecy.box.com/v/WRIA15CommitteeFolder). (https://ecy.box.com/v/WRIA15CommitteeFolder)
  + The committee webpage will be the formal, public facing site, but the Box site will aid committee collaboration and sharing of information.
  + Schedules for the full committee meetings and workgroup meetings are available on the site.
  + The project inventory is available for committee members to populate and review.
  + Committee members should upload any materials they think would be helpful for the committee’s work.
* Ecology recently met with WDFW staff regarding concerns related to the consumptive use approach, particularly the number of parcels analyzed for outdoor irrigation. Ecology has not received an alternative proposal from WDFW.
* Ecology will meet with Squaxin Island Tribe in December to discuss their interests across the 5 planning areas where they are particpating. Stacy will share outcomes of the discussion with the committee in February.
* [Local Process for Plan Review](https://ecy.box.com/v/WRIA15PlanReviewLocalProcess) (https://ecy.box.com/v/WRIA15PlanReviewLocalProcess)
  + This document is intended for committee members to describe the process through which their entity needs to review and approve the plan.
  + At the February meeting, the committee will report about each participant’s review and approval process including timelines.
  + An understanding of each entity’s process and timeline is critical for determining the committee process and timeline for developing and approving a draft plan.
  + Ecology recognizes that the amount of time for review may depend on what the plan looks like.
  + The expectation is that entity leadership is continually being briefed throughout the plan development process. However, we recognize that there may be issues that need to come back to the committee for potential plan revisions.
  + If the full committee cannot come to agreement on the plan, and get it to Ecology to review for NEB determination and adopt prior to the June 30, 2021 deadline, Ecology will finalize the plan and start the rulemaking process (as laid out in 90.94.030). Ecology will consider all of the work the committee has completed to date in developing the final plan.
  + Once Ecology has finalized the plan, projects included in the plan would likely receive priority in a future grant round. *Note that grant guidance and point allocation could change in the future, and Ecology has not yet determined if an Ecology final plan would get priority points or if the plan would need to have completed the rulemaking process (~ 3 year process).*
* [Draft Plan Outline](https://ecy.box.com/v/DraftWREPlanOutline) (https://ecy.box.com/v/DraftWREPlanOutline)
  + This document includes information about the sections and details that Ecology expects to be included in the finalized plan.
  + Ecology has encouraged committee members to provide comments and feedback on the document directly to Stacy.
* Future meetings will occur at the Kitsap County Commissioners Chambers (Port Orchard), and the next meeting will include a presentation about beaver habitat projects.

# Regulatory and Policy Ideas

The committee has the ability to recommend new or changes to existing regulations or policies, as well as change the building permit fee and water allocation as authorized in 90.94.030.

Reference Material

* Discussion guide (available on [committee webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx))
* Breakout group transcription (end of summary)
* Building permit fee consideration from GPC

Discussion

* See breakout group transcription.
* There was a recommendation to keep an inventory of regulatory and policy ideas on the project inventory spreadsheet.
* There was a recommendation to develop an inventory of regulatory and policy ideas from all committees for sharing.

# Growth Projections and Consumptive Use

Stacy shared the proposal from the Skokomish Tribe to divide the Hood Canal region into a North and South. This proposal was sent to the workgroup for discussion. The workgroup deferred to a subgroup for a recommendation. The subgroup (Skokomish Tribe, Port Gamble S’Klallam Tribe and WDFW) recommended moving forward with the proposal as submitted by the Skokomish Tribe.

Reference Material

* Committee memo
* Technical Workgroup Meeting Notes (available on [committee webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx))

Discussion

* The proposed division of North and South Hood Canal is based on surface water drainage.
* The county and consultants will need to recalculate growth projections to consider the split of the regions, but anticipate the workload is minimal.
* The committee expressed no concerns with the division of North and South Hood Canal based on the Skokomish Tribe’s proposal. Stacy will confirm that there are no concerns with the committee members that are not present. Once she hears from them, we will work with Kitsap County and HDR to rerun the growth projections and consumptive use to reflect the division of the Hood Canal region.

Stacy provided a summary of discussions on growth projections and permit-exempt well projections. Stacy referred the committee to the memo for the summary of the workgroup discussion and current results for projections. At the workgroup meetings, come members of the workgroup expressed concerns about the Kitsap County projections appearing too high (based on historical well records) and an interest in seeing an additional analysis for a minimum parcel size of 1.0 acres. Dave Ward shared a handout (see committee memo) on the process for the county to establish the projections and the variables. Kristen Howard, senior planner from Kitsap County, presented on how the county allocates rural growth, based on OFM projections. The county converts these numbers to households to estimate projected new well projections. Kitsap County current trends are on track with the projections for rural growth, within 5%. Joel Purdy presented on the historic trends for well drilling. KPUD analysis has shown that there are wells drilled on lots smaller than one acre. The committee did not have time to discuss consumptive use assumptions beyond review of Joel’s analysis for Kitsap County, but Stacy briefed the committee on the considerations for adjustment as outlined in the memo. The workgroup reviewed the initial results of the outdoor irrigation analysis, which shows a low average for outdoor watering and a high instance of no watering. The workgroup discussed looking at an additional set of parcels to analyze in comparison to the parcels HDR analyzed. HDR will provide an additional set of parcels for interested workgroup members.

Reference Material

* Committee memo
* Technical Workgroup Meeting Notes (available on [committee webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx))
* KPUD consumptive use analysis and well notice of intent spreadsheets
* Map of historical wells drilled in Kitsap County (From KPUD)

Discussion

* Kitsap County manages rural growth by adding capacity in urban areas and by doing other things such as setting a maximum lot size, permitting density, etc.
* The buildable lands analysis is somewhat of a report card for how the county met its projections. If the county does not meet its projection targets or over exceeded them, the Growth Management Act requires the county take reasonable measures to meet the targets.
* There is a possibility for some wells to go within urban growth areas not served by water system service areas; but it also goes the other way where water system services may extend outside of the UGA (e.g. Belfair).
* Kitsap County seeks input from the committee on the potential variables, such as minimum parcel size for a permit-exempt well, buffer to water line, and extension of water service areas.
* Joel Purdy and the KPUD are comfortable with a .75 acre minimum lot size – or smaller – given that wells are going in on lots smaller than 1 acre.
* There is a very high level of variation across the system and how properties receive water. There is so much variation in the consumptive use numbers that variations from the conditions get lost within the margin of error.
* In general, the committee was comfortable with the growth projections as presented in the memo, including the range that accounts for both .20 acre and .75 acre minimum lot size for Kitsap County. The committee anticipates an official approval of the growth projections range at the December meeting.

# Project Workgroup Update

Stacy provided a brief overview of the project workgroup discussions at the last workgroup meeting. A summary is provided in the committee memo and detailed notes are on the committee webpage. The workgroup focused their discussion on roles and responsibilities for project identification and development, water right acquisition opportunity review, and criteria for screening projects. The workgroup will continue to work on the screening criteria and bring back an update or any recommendations to the committee in December.

Reference Material

* Committee memo
* Project Workgroup Meeting Notes (available on [committee webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx))

# Streamflow Restoration Competitive Grant Guidance

Stephanie Potts from Ecology presented on the streamflow restoration competitive grants program. The 2020 grant program anticipates awarding up to $22M for projects. Projects in a planning basin (including WRIA 15) will receive priority points. The committee has the option to submit letters of support for projects in WRIA 15 and will further discuss this option in December.

Reference Material

* [Streamflow Grant Guidance](https://fortress.wa.gov/ecy/publications/documents/1911089.pdf) (https://fortress.wa.gov/ecy/publications/documents/1911089.pdf)

Discussion

* The grant guidance is for the 2020 grant round only and may be updated for future grant rounds. There is currently no allocation to watersheds, but the funding rule leaves this option open for future grant rounds.
* Ecology recognizes that the grant round is out of sync with the planning process. However, Ecology felt the need to begin the grant program because it is statewide and not just to support streamflow in the planning basins. In addition, the legislature allocates the funding each biennium and it is beneficial for Ecology to demonstrate need.
* Great Peninsula Conservancy, Port Orchard and the Bainbridge Island Land Trust are planning to apply this grant round. There was interest from some committee members on having presentations on project ideas.

# Public Comment

No public present.

# Action Items for Committee Members

* Next meeting: December 5, Kitsap County Commissioner’s Chambers, Port Orchard.
* REMINDER: WRIA 15 Committee will not meet in January.
* Project Workgroup and Technical Workgroup will meet November 18 at the Kitsap County Commissioners Chambers.
* Committee members should work on the local plan approval process form and prepare to share at the February meeting.
* Committee members should provide feedback on the draft plan outline to Stacy.
* Committee members should review and consider the growth projection range, as provided in the committee memo, and let Stacy or Susan know if they have any outstanding concerns.

# Action Items for Ecology and Consultants

* HDR will generate additional set of random parcels for outdoor irrigation analysis.
* Ecology will distribute the committee brochure (carryover from October).
* Ecology will distribute the plan outline and local plan approval process documents.
* Ecology will distribute the spreadsheets and maps prepared by KPUD.
* Ecology will distribute GPC’s consideration for the building permit fee.
* Ecology will add the policy and regulatory brainstorm to the project inventory spreadsheet.
* Ecology will work with the other committees to develop a comprehensive inventory of policy and regulatory ideas.

# Flip Chart Transcriptions

**(**[**Images available on Box**](https://ecy.box.com/v/Nov2019Flipcharts)**:** [**https://ecy.box.com/v/Nov2019Flipcharts**](https://ecy.box.com/v/Nov2019Flipcharts)**)**

Financial

* Fund to support people who want to drill deeper wells
* Concerns about increasing fees for rural homeowners: Loss of trust if the increase is not worth the benefits, the $500 fee is reasonable.
* Financial and conservation need to be tied together
* Use the $500 fee to invest in conservation on property, or include an option to pay or invest.
* Funding for education, compliance, enforcement, and monitoring.
* Tiered fees for permit exempt wells: use the money to support metering and data analysis.
* Use metering for personal tracking and education, not compliance
* Water bank
* Track fees to reinvest in the same areas/sub basins and complete projects
* Consider how to make fees sustainable, like an ongoing use fee vs. installation
* Recognize water use needed to protect property
* Fund to support hookup fee (make it easier for people to hook up to municipal water).
* Increase funding to support expansion of water service line
* Conservation incentive program with fees
* Financial analysis of fee rate
* Metering permit exempt wells
  + Conservation fee, data collection.
  + There are mixed feelings about this amongst committee members
* Recognize concern about the general fund: clarify the allocation of the permit exempt well fee. Currently feels like money goes into a “black hole”.
* If there is a fee increase, invest in conservation
* There is a need for a fee that everyone can agree to.
* Increase the cost of the fee for permit exempt wells to fund more projects
  + It’s important to recognize that wells aren’t cheap.
* Increase regulations for people to hook up to PUD water.

Land Use and Development

* Tight line piping to land vs. marine.
* Land acquisitions (wetland, beaver areas, etc.)
* Regulations for water system hook ups or increase distance (with possible grandfathering)
* Identify key areas where wells will affect stream flows (times of the year, other considerations) and restrict shallow wells in these areas, require buffers similar to aquifer recharge protections.
* Regulations regarding no net loss of recharge (possibly only in key areas)
* Water banking similar to Kittatas (a structure to charge fees for new water rights)
* Require a 2 to 1 offset, for every unit of water we get one for offset, and one for restoration
* Increasing stormwater design regulations to promote infiltration. Or, if unable, offsite mitigation at sensitive and critical areas.

Water Conservation

* State regulations to allow greater use of reclaimed water, grey water, and stormwater
* Incentives and education for water conservation, similar to water purveyor programs.
* Drought response for well users: resources for enforcement, penalties for wasting water.
* Expand coordinated water system plan to cover permit exempt well users.
* Incentivize conservation at watershed scale
* Link conservation to instream flow for permit exempt well users
* Watershed scale-enforcement of illegal water users
* EPA water sense
* NRCS funding for conservation
* Landscape water allowance (similar to California)
* Concerns with changing the 950 gallons per day limit without enforcement
* Expansion of reclaimed water
  + Purple pipe and on-site (look at Ecology’s policy on rain catchment).
* Stormwater infiltration and reuse
* Rainwater reuse (for example, on baseball fields)
* Incentives for native/drought tolerant plants and crops
* Industrial users – encourage reclaimed water and conservation
* Education and incentives for homeowners
* Incentivize rain water storage requirements or rain gardens, wetlands, etc.
* Invest in monitoring and research needs (hydrogeological models)
* Revise the instream flow rules – flow monitoring to support instream flow rules
* Groundwater monitoring
* Restrictions on development in critical areas
* Increase compliance and enforcement of existing regulations by increasing funding for enforcement officials
* Water use metering
* Changing forest practice rules
* Expand the rain garden program for legacy development and educate new owners about rain gardens after sales.
* Grey water reuse on-site
* Education programs targeted towards businesses and churches/schools about native plants and retaining native vegetation.
* Protect headwater wetlands
* Can the Public Trust Doctrine apply to wetlands and forest protection?
  + Cities and Counties would need the State (Ecology) to back them on something like this.
* Make voluntary programs mandatory