MEETING SUMMARY

**WRIA 15 Watershed Restoration and Enhancement**

**Committee Meeting**

March 5, 2020 | 9:30 a.m. - 2:00 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
* Technical Progress Update
* Plan Development and Review Memo
* Mason County White Paper – Cumulative and Eventual Proposal

# Attendance

Committee Representatives and Alternates \*

Joel Purdy (*Kitsap Public Utility District*)

David Winfrey (*Puyallup Tribe)*

StacyVynneMcKinstry *(WA Dept of Ecology)*

GregRabourn *(King County)*

Allison Satter *(alternate - City of Bremerton)*

Mike Michael *(City of Bainbridge Island)*

Christian Berg *(alternate - City of Bainbridge Island)*

Dave Ward (*Kitsap County)*

*Dave Nash (alternate-Kitsap County)*

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

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

JoyGaritone *(Kitsap Conservation District)*

Brittany Gordon *(WA Dept of Fish & Wildlife)*

Becky Erickson *(City of Poulsbo)*

Shawn O’Dell (*Washington Water Service - ex-officio)*

Austin Jennings (*alternate -* *Pierce County*)

Dan Cardwell *(Pierce County)*

Seth Book *(alternate Skokomish Tribe)*

Dana Sarff (*alternate -* *Skokomish Tribe*)

Nate Daniel *(Great Peninsula Conservancy)*

Paul Pickett *(alternate - Squaxin Island Tribe)*

David Windom *(alternate - Mason County)*

Randy Neatherlin *(Mason County)*

Russ Shiplet *(Kitsap Building Association)*

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

Committee Representatives Not in Attendance\*

City of Gig Harbor

Port Gamble S’Klallam Tribe

Other Attendees

Susan Gulick *(Sound Resolutions, Facilitator)*

Angela Pietschmann (*Cascadia Consulting Group, Information Manager*)

Burt Clothier *(Pacific Groundwater Group)*

Bob Montgomery *(Anchor QEA)*

John Covert *(WA Dept of Ecology)*

Stephanie Potts *(WA Dept of Ecology)*

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

# Meeting Agenda and Meeting Summary

Susan summarized the last meeting and reviewed the homework assignments and the agenda. *No revisions to the agenda.*

Stacy reviewed revisions to the February meeting summary, based on feedback from Pierce County and Squaxin Island Tribe. The Squaxin Island Tribe wants to share their concerns around uncertainties with the USGS method for estimating consumptive use. The concerns include: (1) outdoor water use is low compared to the range of metered data; (2) climate change is not considered (historical rather than forward-looking); and (3) possible higher growth is not considered. Accounting for these three factors could almost triple the USGS estimate.

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:

* The next Project Workgroup meeting will be held at Bremerton Public Works on March 19th. The Workgroup is seeking direction from the committee on how to focus their next conversation. If interested in attending, let Stacy know.
* Ecology met with the Great Peninsula Conservancy to discuss project ideas, the planning process, and upcoming grant round. Updated notes on specific projects are captured in the WRIA 15 project inventory.
* Ecology met with Barbara Zaroff from Kitsap County to discuss a potential reclaimed water project at the Kingston wastewater treatment plant (WWTP). Stacy has provided a [link on Box](https://app.box.com/s/99g6ugqo5j3du8gyye4umj0lby5cfblb) under project resources.
* Reminder to the committee to submit comments on Subbasin and Growth Projection memos by Friday, 3/6/2020.
* Stacy noted that Ecology’s July 2019 policy interpretation of the Streamflow Restoration Act (RCW 90.94) differs from some of the Squaxin Island Tribe’s interpretations that were distributed to the committee earlier this year. Ecology is asking the committee to meet the minimum requirements of the law as described in the policy interpretations and NEB guidance, but will be responsive to the interests of the committee. If the committee wants to go above and beyond these minimum requirements, Ecology will support and help move the committee forward in that direction.
* If members want to share information with other committee members, please make a specific request to the chair and provide information in a shareable format.

Updates from committee:

* Kitsap County, City of Bremerton, and City of Port Orchard are collaborating on Kitsap County Resiliency Planning. This work is expected to wrap up by the end of March and takes a “broad but shallow” look at all potential climate change impacts.
* Kitsap County noted instances where eradicating Japanese knotweed stands restored perennial streams that had only intermittent flows. Dave Ward is looking for additional documentation/research on this strategy as a potential consideration for projects.
* Kitsap County is working on an Action Agenda Near Term Action to develop a Natural Resources Asset Management Plan. Dave Ward envisions that outputs from the WRE committee could help build the program.

# Plan Development and Review Process

Stacy presented slides on the plan development, review, and approval process and timeline. Committee members are expected to review and vet components of the plan on an ongoing basis. Ecology is planning to distribute a compiled draft of the plan by mid-August. Ecology has set February 1, 2021 as the target date for the committee to complete an approved plan. Ecology intends to review all approved plans that are submitted by committees, but must do so ahead of the statutory deadline of June 30, 2021.

**Reference Materials**

* [Plan Development and Review Memo](https://app.box.com/s/0t8gnbdgoq6anfzm600pcaslqi2idcpq)

**Discussion**

* The committee discussed how much lag time will be needed for circulating plans through local jurisdictions’ elected officials for review and approval. Consider holiday schedules and potential impacts of COVID-19 (remote work schedules, sick time, etc.).
* Some jurisdictions may want to review all plans at once (if participating in multiple planning processes).
* Ecology noted that the committee needs to be comfortable with the extent that projects included in the plan are developed. The committee should confidently demonstrate how projects can meet offset or habitat benefits. John Covert will be a resource for determining whether more content is needed for specific projects.

# Technical Progress to Date

Stacy shared a summary of the committee’s technical progress to date in the following areas:

* Sub-basins
* Growth projections
* Consumptive use estimates
* Projects

Refer to the “Technical Progress Update” memo link in the “Reference Materials” list below for details. Note this memo will not be included as an appendix to the committee’s plan; it is for reference only.

Dave Windom (Mason County) presented a Cumulative and Eventual Proposal (Domestic Use Water Model for Central Mason County). Refer to the white paper link in the “Reference Materials” list below for details.

**Reference Materials**

* Technical Progress Update [Memo](https://www.ezview.wa.gov/Portals/_1962/images/WREC/WRIA15/202003/WRIA15-TechnProgress20200305.pdf)
* Mason County White Paper – [Cumulative and Eventual Proposal](https://www.ezview.wa.gov/Portals/_1962/images/WREC/WRIA15/202003/WRIA15-EventualCumulativeMasonCoFinal.pdf)
* Gravel Pit Projects [Summary](https://app.box.com/s/p9vquryi9w5g9xv0w5z8vc3ece2un27t)

**Discussion**

* **Subbasins**
  + The committee discussed whether further refinement was needed to the region delineation prior to considering them as subbasins. No further revision is needed. It was recognized that the committee does not like the term “subbasin” because the current delineation, in some cases, is not reflective of geology or hydrology. The committee will use the term “subbasins” (instead of “regions” or “sub-areas”) going forward for consistency with legislation and with other WRIAs. Stacy will work with Bob to ensure the plan includes language clarifying that “subbasin” (as used in the plan) is a planning term, not a geological/hydrological/ecological term. Stacy will add the language to the subbasin memo before bringing to the committee for final review in April.
  + The committee agreed that projects should be located as close as possible to impacts. The committee may consider further dividing subbasins informally as needed to assess projects (e.g. into subareas).
* **Growth projections**
  + Some committees are using a range of growth projections (those where Pierce County participates), while others are choosing a specific number (those where King and Snohomish Counties participate). The committee provided no further input or revisions to the growth projections. There is concern from some committee members that WRIA 15 is still considering a range for growth projections as it complicates consumptive use.
* **Consumptive use estimates**
  + The Skokomish Tribe is working on an outdoor irrigation estimate.
  + Committee members discussed pausing the conversation on consumptive use estimates until there is more discussion on projects/adaptive management.
    - Stacy will coordinate a sub-group meeting in late April for those interested in developing a consumptive use proposal (for committee approval). All committee members will be invited; attendance is optional.
    - At the May meeting, the committee will discuss what would make each member comfortable with an agreed upon offset target.
  + Burt Clothier (PGG) is reviewing Ecology’s Water Rights Database to look for opportunities for water right acquisitions in WRIA 15. There was concern by the committee that PGG is considering the high end of the consumptive use estimate and that this might set a precedent for other technical work by the committee. Stacy will work with Burt on another approach, such as limiting hours.
  + Since the February meeting, Ecology has refined the project inventory by:
    - Assigning subbasins to each project where possible and also creating subbasin tabs within the inventory.
    - Moving conceptual ideas (rain gardens, beaver dams) to separate tab.
    - Including DFW’s feedback on long list of projects from salmon recovery 4-year workplans.
    - Connecting with sponsors of large projects with real interest (Kingston WWTP, Port Orchard Airport, and gravel pit projects).
  + Updates on gravel pit project research:
    - Technical consultants reviewed proposed projects from the last meeting using maps of geologic areas suitable for infiltration facilities (based on underlying geographies/USGS model data). They have identified seven potential sites that appear to be suitable for infiltration. Refer to Gravel Pit Projects Summary for results.
    - Ecology will follow up with WA DNR about mine reclamation documentation to determine the process for changing a reclamation plan to include more ecological benefits. Stacy will see if DNR can come to the next project workgroup meeting to discuss gravel pits.
  + Kitsap PUD is working with Silverdale Water District to develop a two-page overview/synopsis of reclaimed water moving into existing stormwater ponds, gravel pits, etc.
  + City of Bainbridge Island added a potential habitat project to the inventory. Through the Spring Creek Project, the City has identified a fish passage barrier near the mouth of Fletcher Bay.
  + The committee discussed strategically envisioning projects to address priority areas and finding project sponsors (versus relying solely on existing projects).
  + The Suquamish Tribe added a potential storage/infiltration project opportunity on Ruby Creek to the project inventory based on the Wild Fish Conservancy’s water typing project.
  + The Skokomish Tribe is working on additional project opportunities.
* **Mason County’s Cumulative and Eventual Proposal** 
  + HDR is working with Mason County to assess what the benefits are if the committee is interested in pursuing the county’s proposal as a project in the plan.
  + Ecology will need to assess the potential offset of the proposal.
  + If the committee approves the proposal, Mason County would expedite adoption.
  + John Covert (WA Dept of Ecology) noted that Mason County could only get credit for the amount of water saved through this potential change in building codes that is greater than the water savings under the current code--not for the entirety of water saved.

# Policy and Regulatory Ideas

Susan recapped the policy and regulatory ideas brainstorm exercise from a previous committee meeting. She noted that these types of projects are outside the technical team’s scope of work; however, facilitation support is available for committee members willing to develop policy and/or regulatory projects for committee consideration. The committee discussed which ideas they would support and/or take a leadership role on and any ideas that stand out as yellow/red flags.

**Reference Materials**

* [WRIA 15 brainstorm](https://app.box.com/s/lxl7e2rp02h23tuhzqra7h3dul4gtwp7) and [other WRIAs](https://app.box.com/s/uhlbev35zq2odj3pm624birm0jdeq6b2)
* Paul Pickett - WREC Policy and Implementation packages [list](https://app.box.com/s/1wfe1bre6t8fbyvtibgp69jpr1cnqfou)

**Discussion**

* Pierce County emphasized that regulatory actions included in the plan are recommendations not obligations for implementation. This is consistent with Ecology’s [policy interpretations](https://appswr.ecology.wa.gov/docs/WaterRights/wrwebpdf/pol-2094.pdf). The Puyallup Tribe expressed disappointment with the county’s position.
* Squaxin Island Tribe provided their input via Paul Pickett’s handout. These are items the Tribe is likely to support moving forward in the plan.
* WDFW would be interested in:
  + Collaboration with local governments on beaver-related legislation (e.g., including beavers as a species of local importance in critical area ordinances; no trapping/modification in these areas; mitigation sequence using non-lethal methods before trapping).
  + Strategies that can be implemented on existing residential properties, not just new development (e.g., encouraging/incentivizing efficient irrigation systems on existing and new parcels).
  + Incentivizing/funding ways to transition wet farmland crops to more suitable crops; working with farmers on properties that have opportunities for flood storage.
  + PEW metering for monitoring/adaptive management (could encourage voluntary improvement in water use when water users are conscious/mindful of how much they are using.
  + Exploring reopening Ecology’s wetland rating system.
* Kitsap PUD would lead efforts around voluntary PEW metering to gather additional data. Kitsap PUD would cover meter costs and help install system free of charge to motivate residents to install a voluntary meter (no regulation or increased PEW fee).
  + Multiple committees are considering voluntary or required PEW metering; Ecology can work with the facilitation team to develop consistent recommendation language (as appropriate) across plans.
* Pierce County is interested in exploring additional funding for adaptive management (e.g., recommendation Ecology take a central leadership role in implementation and monitoring). The County would have a hard time supporting recommendations that result in specific enforcement. The County has concerns about obligations to continue meeting and suggests recommending that existing groups assume the responsibility to monitor plan implementation.
* Kitsap County would consider:
  + Rural policies around vegetation management and retention and soil conservation (it would need to produce a measurable impact).
  + Regulations that prohibit bottled water plants/exporting water out of state.
  + Different approaches to monitoring/metering PEWs.
  + Incentivize hooking up to municipal water by offsetting costs.
* Kitsap Building Association would be selective about support for any fee increases. They would consider:
  + Voluntary PEW metering.
  + Hooking up to PUD (if all costs are transparent up front).
  + Public education (e.g., water reuse, conservation, and efficiency).
* City of Port Orchard would be interested in taking a leadership role on monitoring.
* Great Peninsula Conservancy would consider scalable policies; incentivizing residents to hook up to public water; well metering (use revenue from people using the water to finance long-term adaptive management); and education and outreach. GPC would be interested in working with other groups interested in headwaters and could use additional help identifying priority areas/acquisition projects.
* Skokomish Tribe is interested in updating the Washington Irrigation Guide based on more local and recent data.
* King County is interested in and could help lead policies around a volunteer PEW monitoring program, existing groundwater monitoring programs, enforcement of rules around surface water withdrawals on Vashon without permits, outreach and education (conservation, landscape management).
* City of Bremerton is interested in and could help lead regulations to encourage hook ups to public water; using the best available science to identify key areas where wells are affecting streamflows; restricting shallow wells; opportunities for funding to study and identify sensitive streams; education.
* Suquamish Tribe would not advocate for fees unless they could demonstrably address putting water back in the ground. The Tribe would consider land use regulations that prioritize/promote low impact development for managing stormwater; homeowners assistance to promote infiltration (e.g., raingardens/trenches); retaining vegetation; requiring commercial/industrial development in rural areas to use drought tolerant native vegetation; incentives for hooking up to public water; CAO protection of headwater wetlands, aquafer recharge areas.
* DFW suggested that the groups with the highest stake in the committee’s plan getting approved step up/increase capacity to take on leadership roles.
* Ecology is not promoting any policies/regulations/adaptive management and will take a back seat to these conversations and follow the direction the committee wants to go. Ecology will vet the committee’s recommendations with Ecology leadership and bring back any concerns to the committee.
* Ecology will summarize regulations/policies of interest to the committee and bring back for further conversation at the next few meetings.

# Climate Change and Adaptive Management

The committee reviewed which climate change, adaptive management, and implementation ideas they support or have concerns about.

**Reference Materials**

* [WRIA 15 brainstorm](https://app.box.com/s/lxl7e2rp02h23tuhzqra7h3dul4gtwp7) and [other WRIAs](https://app.box.com/s/uhlbev35zq2odj3pm624birm0jdeq6b2)
* Paul Pickett - WREC Policy and Implementation packages [list](https://app.box.com/s/1wfe1bre6t8fbyvtibgp69jpr1cnqfou)

**Discussion**

* Susan gave an overview of some of the ways the committee might choose to include adaptive management in the plan:
  + Recommendation to legislature to fund ongoing work of the committee and/or Ecology’s role on the committee; and/or ongoing monitoring. Ecology and the facilitation team would work across watersheds to ensure consistency as appropriate to ensure the same language across all plans.
  + Within the plan, include adaptive management recommendations for projects.
  + Recommendation to adaptively manage the assumptions made in the plan.
* The committee discussed the uncertainly about what will happen after plan is adopted:
  + Who will meet and what are their responsibilities?
  + Who will make decisions after the plan is in place?
  + How will they report out?
  + How will it be paid for?
* The committee also discussed potential enforcement methods (e.g., a Water Master responsible for enforcement, education, outreach, assessment of PEW).
* Durability of the plan was also a concern: how do we ensure a lasting commitment for 20+ years.
  + One option proposed was an interlocal agreement (organizations make contract/commitment in writing) to lay out structure.
  + A consideration was noted that committee members are not obligated to participate beyond the adoption of the plan. There was a concern from some members about committee capacity to continue meeting in the future.
  + It was suggested that working with existing watershed planning groups on adaptive management might be an alternative to having the committee continue to meet or creating a new group through this plan.
  + Meeting frequency options considered:
    - Once a year
    - Every other year
    - Virtual correspondence (email updates, reports distributed)
    - Smaller regions or subbasins may meet more frequently at the local level to track implementation and adaptively manage.
* Adaptive management may depend on which projects the committee chooses; more engineered projects may require more monitoring and adaptive management.
* Ecology commits to bringing adaptive management recommendations directed at Ecology back to their leadership, vetting them in good faith, and agreeing to them in the plan if Ecology leadership is supportive.

# Public Comment

No public comment.

# Action Items for Committee Members

* **Next meeting**: Thursday, April 2, Kitsap County Commissioner’s Chambers, Port Orchard, 9:30AM-2:30PM (estimated).
* Review technical memos and send initial comments by Friday March 6, 2020.
* Provide the chair with input on how the project workgroup and technical consultants should focus time on project refinement and development.
* The committee will approve subbasin delineations at the April meeting.

# Action Items for Ecology and Consultants

* Ecology will connect with PGG on approach to water rights assessment.
* Ecology will work with Anchor QEA to ensure WRIA 15’s plan includes language clarifying that “subbasin” (as used in the plan) is a planning term, not a geological/hydrological/ecological term.
* Ecology will coordinate a subgroup meeting in late April for those interested in developing a consumptive use proposal (for committee approval). All committee members will be invited; attendance is optional.
* Ecology will follow up with WA DNR about mine reclamation documentation to determine the process for changing a reclamation plan to include more ecological benefits. Potential presentation on gravel pits to Project Subgroup and/or committee.
* Ecology will share with the committee:
  + Technical Memo: Gravel Projects
  + Paul’s document (policy and regulatory approaches)
  + Summary of today’s meeting feedback on policy and regulatory ideas + adaptive management considerations for the April committee meeting.