MEETING SUMMARY

**WRIA 15 Watershed Restoration and Enhancement**

**Committee Meeting**

July 14, 2020 | 10:00 a.m. – 12:30 p.m. | [WRIA 15 Committee Webpage](https://www.ezview.wa.gov/site/alias__1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx)

**Location**

WebEx

**Committee Chair**

Stacy Vynne McKinstry

Svyn461@ecy.wa.gov

(425) 649-7114

**Handouts**

* Agenda
* Compiled comments on draft chapters
* Policy and adaptive management proposals
* Adaptive Management discussion guide

# Attendance

Committee Representatives and Alternates \*

Joel Purdy (*Kitsap Public Utility District*)

David Winfrey (*Puyallup Tribe)*

StacyVynneMcKinstry *(WA Dept of Ecology)*

GregRabourn *(King County)*

Teresa Smith *(City of Bremerton)*

Dave Ward (*Kitsap County)*

Kathy Peters (*alternate -* *Kitsap County)*

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

JoyGaritone *(Kitsap Conservation District)*

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

Nam Siu *(WA Dept of Fish & Wildlife)*

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

Dan Cardwell (*Pierce County*)

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

Seth Book (*alternate -* *Skokomish Tribe*)

Paul Pickett *(alternate - Squaxin Island Tribe)*

Randy Neatherlin *(Mason County)*

Russ Shiplet *(Kitsap Building Association)*

Sam Phillips *(Port Gamble S’Klallam Tribe)*

Paul McCollum *(alternate - Port Gamble S’Klallam Tribe)*

Mike Michael *(City of Bainbridge Island)*

Larry Boltz *(Mason-Kitsap Farm Bureau)*

Dave Windom *(Mason County)*

Other Attendees

Susan Gulick *(Sound Resolutions, Facilitator)*

Angela Pietschmann (*Cascadia, Info Manager*)

Burt Clothier *(Pacific Groundwater Group)*

Bob Montgomery *(Anchor QEA)*

Paulina Levy (*WA Dept of Ecology*)

Joel Massmann(*Suquamish Tribe)*

Joe Hovenkotter *(King County)*

Committee Representatives Not in Attendance\*

City of Gig Harbor

City of Poulsbo

Great Peninsula Conservancy

Washington Water Service (*ex-officio*)

*\*Attendees list is based on roll call and participants signed into WebEx.*

# Meeting Agenda, Updates, and Announcements

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

Stacy provided updates from Ecology:

* The June meeting summary will be reviewed and approved during the August meeting.
* Ecology staff are furloughed Fridays through July and then once a month through November (dates not set). WDFW is also on Friday furloughs. Let Stacy know if your entity is experiencing furloughs or reduced capacity so she can track for Ecology management.
* Next month the committee will hear a proposal to update operating principles to include remote voting on final plan.
* The City of Poulsbo has not regularly attended meetings since August 2019 (Stacy has sent numerous emails and voicemails to try and engage them). Next month the committee will discuss whether to update operating principles to address what to do when entities stop participating. Ecology is open to suggestions if other cities can connect with Poulsbo.
  + The City of Port Orchard has been in discussions with staff at Poulsbo and is planning to meet with them in the near future. Port Orchard will bring up their anticipated future participation in the WRIA 15 committee.
* Ecology’s Director adopted the WRIA 59 watershed plan addendum on June 25, 2020. WRIA 59 was identified in Section 020 of RCW 90.94. They previously completed watershed planning under RCW 90.82 but their existing planning unit was required by the streamflow restoration law to complete a plan addendum by February 1, 2021 (similar to the Nisqually/WRIA 11 process). See links below for details:
  + <https://ecology.wa.gov/Water-Shorelines/Water-supply/Streamflow-restoration/Streamflow-restoration-planning>
  + <https://sccd.stevenscountywa.gov/wria-59-documents/>

# Projects Update

The Project Workgroup met on June 29 and July 13. Meeting notes for those meetings are posted on committee webpage. The workgroup discussed development of detailed descriptions for offset projects as well as those that primarily benefit habitat and project list organization. Stacy will summarize the recent workgroup discussions and recommendations in a discussion guide for the August 6 Committee meeting. Ecology provided an update on specific projects discussed at recent workgroup meetings:

* Big BeefThe project workgroup and technical consultants have done a lot of research on this project, but it looks as though the benefits won’t pan out. [A brief write-up is posted on Box with further details.](https://app.box.com/s/c0oz1on7fhimd1wnuz3iw8w4fu3hkms8) The project workgroup recommends the committee no longer pursue this project is looking into other projects that could feed Big Beef basin with greater offset potential and fewer permitting hurdles.
* Headwaters project – south near Morgan’s Marsh. Skokomish Tribe is interested in proposals within southern headwaters near Morgan’s Marsh area. Seth Book and Bob Montgomery to connect on details.
* Newberry storage site. This site shows promise and provides benefit in a similar area to some headland waters. The project workgroup recommends developing this project in detail.
* Bainbridge Island storage sites. These projects are looking very promising. The project workgroup recommends developing these projects in detail.
* Winslow and Belfair WWTP. HDR is looking into these projects and will bring back more information to the group in August.
* Mason County rooftop and storage. HDR is looking into this project and will bring back more information to the group in August.
* Central Kitsap WWTP / Silverdale. Many open questions remain for this project; it is in development.
* Port Orchard airport stormwater. Continued development/exploration.
* Burley Creek ag field / wetland projects. WDFW recommends further exploration of these projects (offset/storage value).
* Big Beef field / wetland projects off Peter Hagen.WDFW recommends further exploration of these projects (offset/storage value).

PGG has refined the [Water Rights Acquisition opportunities list](https://app.box.com/s/vcf6kwkw7uwyaaryk5nindp8obafupjb) based on committee feedback. Ecology asks anyone with knowledge of the water rights to provide feedback on whether or not any of the water rights on the list are worth pursuing. PGG would like to have a narrowed list of opportunities to further describe in advance of the August 6 committee meeting. Kitsap Conservation District is currently reviewing the list and will bring forward any concerns. The list still has gaps in potential water rights on the islands.

The project workgroup discussed creating a small workgroup to discuss a beaver project and policy package to bring back to the committee for discussion (possibly generic enough that it could be shared with other committees for consideration). The beaver workgroup will meet in the coming weeks and bring a proposal back to the committee soon.

While the committee does not yet have agreement on consumptive use estimates by subbasin, Bob Montgomery pulled together an [initial inventory](https://app.box.com/s/5ednny272a3q8aq2pjc13nl611rleydx) of where we are with the projects being developed in more detail for their offset need (does not include full inventory of projects). This analysis uses the medium growth scenario and outdoor irrigation method.

Ecology noted that the law does not require the Committee to find offsets by subbasin (although considered “higher priority”). Some members of the workgroup want commitment from the committee that we will find enough offset projects by subbasin to meet the consumptive use estimate for that subbasin (see discussion below). Ecology recognizes that the consequence of not finding enough projects by subbasin would mean the Committee could not approve the plan, but some members of the workgroup stated that they would not support a plan that did not provide projects that meet the offset impacts by subbasin.

The committee will continue this discussion in August.

Ecology’s NEB guidance provides suggestions around tiering, sequencing, and prioritizing projects included in WRE plans (Stacy shared this [discussion guide with the workgroup](https://app.box.com/s/9nuwlkd0vgcq0j2i7exdkqjjypagq8ms)). There is no requirement on how we present our projects in the plan. The workgroup began discussions on how to present the project list in the plan. Potential options include:

* Organizing projects by subbasin.
* Presenting projects that are very well-developed and have high likelihood of implementation in the body of the plan (both in paragraph and table format) and then retaining all projects and concepts in the project inventory in the appendix.
* Ecology welcomes other input and ideas on how to organize the project list.

**Discussion**

* **Beaver Projects & Policy Package:**
  + Dave Ward (Kitsap County) has had numerous conversations with several people on this topic and identified two general approaches:

1. Identify a potential site; create beaver dam analog; hope that beavers come.
2. Instead of approaching on project-by-project basis, take a programmatic approach: identify potential beaver habitat (typically corresponds with salmon habitat); set up network of easements/acquisitions that would allow beavers to colonize without fear of being run off land. Treat watershed-wide network of beaver habitat the way you would any other utility easement network across the county. Allows landowners to monetize marginal land with low value for other purposes and helps mitigate the uncertainty around whether beavers will colonize / stick around (poor track record on transplanting beavers). Skokomish Tribe supports further discussion around this approach.

* **Project offset needs by subbasin**
  + Paul Pickett (Squaxin Island Tribe) would like the committee to make a decision as soon as possible on whether they will commit to meeting offsets by subbasin to provide technical consultants with clear direction on priorities. Paul put forward a motion: “that Plan will be organized by subbasin. For each subbasin, the Plan will set targets for future PE well growth; and the Plan will describe, set targets for, and implement PE well offset projects specific to that subbasin. NEB can be met WRIA-wide.”
    - Susan Gulick (facilitator) reminded the group that we had general agreement that offsets would be as close as possible to impacts, and this is noted in the technical memo on sub-basins. She also encouraged the committee to raise any concerns as soon as possible around having adequate projects/offsets in particular subbasins so we can address those specific areas and develop appropriate offsets.
    - Susan also clarified the committee’s consensus-based process does not include ad-hoc motions. The committee needs time to review any proposals in writing and advanced notice to include in the meeting agenda. Susan Gulick She clarified that the operating procedures allow for two types of decisions:

1. Formal decisions made by consensus only.
2. Straw polls (not a decision but a pulse read to see where people stand).
   * + Dave Ward (Kitsap County) requested fair notice for decisions affecting outcomes in significant way.
     + Joel Purdy (Kitsap PUD) agrees with concept of offsetting by subbasin but wants more time to review the proposal in advance of making a decision.
     + Randy Neatherlin (Mason County) requested advanced notice before making decisions at the committee level.
     + Greg Rabourn (King County) agrees with the concept but needs more information on what the potential downsides might be / potential ramifications from other perspectives before making a decision.
     + Nam Siu (WDFW) generally supports offsets by subbasin but is concerned that some subbasins will be constrained by project availability. He does not want to lock the committee on a path / rush the decision. He needs more time to discuss with WDFW headquarters and align response across WRIAs.
     + Seth Book (Skokomish Tribe) agrees with the concept of offsets by subbasin—particularly in the Hood Canal subbasins—and emphasized making this decision in the near future.
     + Dan Cardwell (Pierce County) requests documentation on any proposals that require a committee decision, noting that other decisions are needed well, such as consumptive use. He would like the discussion guide to detail the special circumstances for WRIA 15 compared to others.
     + Stacy agreed to prepare a discussion guide and include this topic on the August agenda for further discussion.
     + Susan noted that the committee has generally agreed to direct offsets nearest to impacts, which seems consistent with Paul’s objective. She also noted that many committee members are uncomfortable voting on items unless they see them (in writing) in advance of meetings.
     + Paul thanked the committee for their input, and noted that more decisions like this would be needed as the planning process nears its end.
       - He agrees with Dan that issues like consumptive use still need resolution. He reminded the Committee of the Operating Principles, which lay out the process for interim decisions.
       - He withdrew his request for an interim decisions on setting offsets by subbasin.
       - He acknowledged the support for the concept he heard, and felt the discussion addressed his concerns about providing clear directions for consultants.

# Plan Development

Initial comments on draft WRE plan Chapters 1-3 were due on July 2. All of the [initial comments](https://app.box.com/s/2rg7lxbb37ywtoz4v5i6thyy1764nese) and [compiled comments](https://app.box.com/s/ypnmw8yvxgkf3bw5u8m0xw3mn12vms7l) are posted on box. Ecology received comments from City of Bremerton, WDFW, Kitsap PUD, Squaxin Island Tribe, Port Gamble S’Klallam Tribe, and Skokomish Tribe. The committee provided suggestions for some language refinement, additional background on wells and growth management, more information on lead entities and local integrating organizations, and other suggestions. Ecology does not have any concerns about most proposed revisions but will need to confirm the committee is comfortable with the changes as well.

Ecology is working across all WRIAs to develop some template maps (hope to have many of the WRIA 15 specific maps in the August draft). Ecology will hold on to the comments received on maps and determine if this committee would like further revisions after reviewing the draft maps.

Ecology received proposed revisions to the tribal overview sections. Ecology needs all tribal representatives to review and ensure they are comfortable with the revisions.

For Chapter 1, Ecology will take comments to management as they are reviewing all comments from WRIAs on this chapter together to identify universal revisions across committees vs for individual committees. Stacy will discuss WRIA 15’s comments on Chapter 1 with management later this month.

Chapter 4 covers growth projections and consumptive use, building off of the technical memo the committee worked through in detail over the spring. This chapter will present the information we have discussed to date on the consumptive use estimate since the committee has not yet landed on a number. Stacy plans to get the draft chapter out next week (if she receives from the consultants by the end of this week).

In August, Ecology will distribute WRIA 15’s draft WRE plan. There is still a lot of work to do on the plan components (e.g., finalizing project lists, policy recommendations, AM structure, and decision on consumptive use estimate). As a result, the plan will have a lot of gaps, but will present everything we have so far, including a structure for the remaining chapters with examples included where we have agreement (e.g. projects or any policy recommendations). Due to July’s furloughs and staff capacity, Stacy anticipates a delay in sending the draft compiled plan, but is aiming for some time before the end of August to allow for time to review ahead of our October meeting.

The draft plan distribution date and February 1, 2021 plan submission dates are target dates, not statutory deadlines. Stacy has informed ECY management that WRIA 15 is unlikely to submit our plan by February 1, 2021. The law states that Ecology must make a decision on adoption by June 30, 2021 ([RCW 90.94.030(3)](https://app.leg.wa.gov/RCW/default.aspx?cite=90.94.030)).

**Reference Materials:**

* [Compiled Comment Tracker for Discussion](https://app.box.com/s/ypnmw8yvxgkf3bw5u8m0xw3mn12vms7l)
* [Chapters 1-3](https://app.box.com/s/3t5q0x6xfc5lmcu4w8ifr795djdnwix3)

**Poll: Reasons your entity did not comment on draft WRE plan Chapters 1-3:**

* City of Port Orchard: reviewed, no comments at this time.
* King County: Not enough time, still working on it.
* Kitsap County: Reviewed; it still seemed pretty drafty. Mostly background information so had no comments.

**Discussion**:

* Paul Pickett (Squaxin Island Tribe) requested more transparency and documentation around the committee’s decisions for each proposal. Current process can feel fuzzy—it feels like we have no clear end points and we need to avoid having proposals float in limbo indefinitely. He noted that the Operating Principles has a process for interim decisions, which may be needed to ensure clear decision-making.
* Susan and Stacy laid out a process, which Susan had worked on with Paul, of distributing a survey to receive feedback on proposals which allows more time for committee members to review and comment on proposals outside of meetings.
* Susan Gulick (facilitator) reminded the committee we are trying to get consensus on the final plan. While people might not like a proposal and vote no every chance they get—if there’s something they really want in the final plan, they may be willing to reconsider. Individual votes along the way are not necessarily a measure of whether the plan as a whole moves forward as for many committee members, it may depend on whole package.

# Adaptive Management

Susan walked the committee through the WRIA 15 Adaptive Management discussion guide (linked below).

**Reference Materials**:

* [Adaptive Management Discussion Guide](https://app.box.com/s/3hfzo7680iljjtr40li8vnn7hn7a7tc0)

**Polls (from google slides and verbal comments)**:

* **What information should be tracked?**
  + City of Port Orchard: Streamflow (especially low flow criteria), high frequency temperature / stage in-situ monitoring, rainfall, development rates/habitat influence within sub watershed, etc. effectiveness monitoring of NEB projects as they relate to groundwater and habitat.
  + Ecology: Project implementation, PEW
  + DFW: Project completion stage including feasibility, funding source, everything others are saying
  + King County: new exempt wells
  + Kitsap PUD: Number of wells in each subbasin. Nearby precipitation, streamflow (if possible), number of active projects and their status.
  + Port Gamble S’Klallam Tribe: streamflows; wells; projects; climate; drought. A minimum of ten years of monitoring streamflow status and trends is very worthwhile; perhaps every two-five years.
  + Squaxin Island Tribe: PE wells by subbasin as they are permitted. Status of offsets, when completed, benefits when completed. Status of habitat projects and NEB. Success of policy initiatives (e.g. conservation, entity actions to implement). Status of compliance with water use limits. Trends in streamflow with ISF rules.
  + Kitsap County: there are categories of monitoring: (1) plan implementation (e.g., what moved forward and what didn’t); (2) broader status/trends – how are the watersheds doing?; (3) effectiveness of projects. Look at progress by subbasin, instead of just at the project level. Are groups of projects together achieving what we want?
  + Ecology: no restraints on committee members self-obligating to future commitments but cannot obligate others (only recommend for consideration).
* **What should happen if tracking shows significant diversion from planned outcomes?**
  + City of Port Orchard: Research possible limiting factors, regional influences on data (climate change impacts, development, etc.) affecting outcomes, identify if diversion is due to design errors, adapt, if possible, to expand scope or mitigate for diversion.
  + King County: If we fall short, add additional projects and policies to meet offsets. If exceed the outcomes, yay for the fish!
  + Kitsap PUD: Don’t necessarily “adapt” on an annual basis, but only if a trend (2-5 years), maybe the 5-year report time period. Need a future planning group.
  + Pierce County: It depends on where we are in the planning horizon. 1st check-in at 5 years to review trends and review implemented projects, at 10 years review trends/implemented projects. Document challenges and perhaps revisit planned outcomes, assumptions, etc. Then after this review, identify appropriate strategies.
  + Squaxin Island Tribe: Need implementation group to plan, check, and act. Flow restrictions ramp up if offsets fall behind PE wells. If PE wells too far behind, building permits stop. The classic approach to adaptive management is “plan, do (implement), check (monitor), act (adaptively manage).” A planning group to implement the WRE plan is essential; not sure how plan could be successfully implemented without them. How would we react to a diversion from intended outcomes? This committee is the starting point, but folks should not be locked into it. Some entities want to continue their participation, but others do not. In the Nisqually, certain entities stepped up to lead the group; Chehalis is more self-guided/self-organized. Build a structure that allows to self-organize / continuity into future.
  + Mason County advocates for the Chehalis model as a continuation of this group to track implementation.
  + Pierce County advocates supporting existing groups / groups well equipped to take over where the committee leaves off (rather than forming a new entity).
* **Does the Committee support a standard request to the legislature for funding to support adaptive management?**
  + City of Port Orchard: Yes
  + Squaxin Island Tribe: Yes, but the wrong questions. PE well fee increase should be considered, as well as shared funding through an interlocal agreement.

# Additional Policy Proposals

* [New Policy Proposals](https://app.box.com/s/hpi2p8qwcgwpmw47wubveqxfzks4n274)
* [WRIA15 Policy Proposal Tracker](https://ecy.box.com/v/WRIA15ProposalTracker)

**New Proposals (comments from google slides and verbal comments)**:

* **P45 - Adapt & Update Instream Flow Rules: King County**
  + City of Port Orchard: agreed.
  + Squaxin Island Tribe: consistent with my proposal for ISF rule review, and Water Master proposal.
* **P46 - Recycled Water: King County**
  + City of Port Orchard: Please consider an in-depth monitoring component for all CEC’s and nontypical pollutants to determine potential impacts to receiving GdH20.
  + Squaxin Island Tribe: Consistent with Tribal goals.
* **P47 - Support for ECY to Maintain Robust Water Mgmt. Efforts: King County**
  + Squaxin Island Tribe: Support purpose and approach. Appreciate King County putting forward; consistent with what Squaxin would like. May have more specific comments later.
  + WDFW: Would policies like this roll into the NEB category? Since there is really no guarantee of how much offset they would provide since it is all dependent on how much development occurs?
    - Ecology: NEB guidance discusses projects and actions. If proposals fall into action realm – the committee can identify direct offset/habitat benefit in plan.
* **P07 - Funding Plan: Squaxin Island Tribe**
  + City of Port Orchard: Might be difficult to justify?
  + Kitsap PUD: Cart before the horse. We are asking for more money before we even know what we are going to spend it on.
  + WDFW: support an increase in the well fee (no opinion on what is a "reasonable" amount). For reference, I paid $500 for a road approach permit to widen my existing driveway in Kitsap County. In my mind, a new well permit should be significantly more than that.
  + City of Bainbridge Island: On the fee, if it was closer to on par with Group A hook-up fees, it would provide an additional benefit of directing site with the option to go either with PEW or a Group A connection toward the Group A.
* **P33 - Instream Flow Rule Revisions: Squaxin Island Tribe**
  + No comments
* **P44 - PEW Withdrawal Limits: Squaxin Island Tribe**
  + Kitsap PUD: 500 gpd for indoor use is not really a limitation, when total usage (outdoor and indoor) averages about 200 gpd.
  + Port Gamble S’Klallam Tribe: Dungeness Basin is limited to 150 gpd with higher amounts allowed by purchasing mitigation credits.
  + Ecology: WRIA 15 law limits indoor domestic use to 950 gpd, without exceedance of 5,000 gpd; this proposal would be a decrease.
* **A11 - Plan Implementation Durability: Squaxin Island Tribe**
  + Squaxin Island Tribe: need input from counties to refine this proposal. To make a robust plan, we need good open conversation, honest dialogue, and specific ideas.
* **A20 - Monitoring & Research: Squaxin Island Tribe**
  + City of Port Orchard: Agree with this. Need to define methods and resolution of data. (QAPP?) This data would be incredibly useful for future planning...
* **A04 - Upgrade Well Reporting: Squaxin Island Tribe**
  + City of Port Orchard: sounds useful
  + Kitsap PUD: This has been a desire for decades. The location part of Ecology’s database is kind of embarrassing given available technology.
  + Ecology: Snoqualmie Tribe put forward a similar proposal. Ecology is taking suggestions and moving forward in coordination with the Tribe. Will likely present proposal in August draft plan. Seems to have general support, not controversial, likely to move forward unless committee has concerns/revisions.
* **A23 - Water Supply Data: Squaxin Island Tribe**
  + City of Port Orchard: Agree with KPUD. I believe that purveyor data is already available and could be used for comparisons? Would be nice to see/model impacts to develop projections for future?
  + Kitsap PUD: I find it interesting that you are asking for water use data but are not considering water users or water purveyors as key players. Where else is the data going to come from? Each Group A system already has to have a plan for future water use in the water system planning process.

# Public Comment

No public comment.

# Action Items for Committee Members

* Review the list of potential water rights acquisition opportunities and provide feedback based on local knowledge to further narrow down the list.
* Seth Book to connect with Bob Montgomery on potential projects within southern headwaters near Morgan’s Marsh area.
* Two phase homework for plan review:
  + Review proposed changes to Chapter 1-3 before August 6 committee meeting. Notify Stacy if you have any concerns with making those revisions, primarily the yellow/green comments. Stacy will make it very clear in the document where your input is needed.
  + Stacy will bring back a discussion guide for comments that need to be discussed with the whole committee prior to making the revision.
* Provide proponents of policy proposals feedback and ideas for refining the proposals.

# Action Items for Ecology and Consultants

* Ecology will add Seth Book (*alternate -* *Skokomish Tribe*) to upcoming project workgroup meetings.
* Ecology will redistribute the water rights acquisition opportunities list and summarize feedback received.
* Ecology will summarize project updates in a discussion guide and bring to the August meeting for further discussion and agreement where appropriate.
* Ecology will send out a beaver project and policy package meeting notice to the entire committee in case other folks are interested in joining.
* At the August committee meeting, Ecology will present a discussion guide on the proposal by some workgroup members to find enough offset projects by subbasin.
* Ecology will summarize recommendations from the project workgroup on project list organization in the WRE plan for discussion in August and put forward some examples in the August plan draft.
* Ecology to resend compiled comment tracker for draft WRE plan Chapters 1-3.
* Bob Montgomery to connect with Seth Book on potential projects within southern headwaters near Morgan’s Marsh area.
* Susan will develop a framework for the adaptive management component of the plan for further discussion.