



AGENDA

WRIA 15 Watershed Restoration and Enhancement Committee Meeting

November 5, 2020 | 9:30 a.m.-2:00 p.m. | [WRIA 15 Committee Webpage](#)

Location

WebEx Only
(See instructions below)

Committee Chair

Stacy Vynne
Svyn461@ecy.wa.gov
(425) 649 7114

Handouts

- Agenda
- October 1 Meeting Summary
- Discussion Guides: Consumptive Use Estimate, Project Recommendations, Plan Comments, Adaptive Management Section

Welcome

9:30 a.m. | 5 minutes | Susan Gulick

Meeting Agenda and October Meeting Summary

9:35 a.m. | 10 minutes | Susan Gulick

Handouts: [Agenda, Revised October 1 Meeting Summary](#) (materials will be posted by 11/2)

Updates and Announcements

9:45 a.m. | 10 minutes | Stacy Vynne, All

Projects

9:55 a.m. | 45 minutes | Stacy Vynne, Susan Gulick, All | Discussion

Handout: [Project Workgroup Updates and Recommendations](#)

- Updates
- Additional feedback on project inventory
- General statements for project support
- Next steps

Consumptive Use Estimate

10:40 a.m. | 20 minutes | Susan Gulick, All | Discussion

Handout: *(forthcoming)*

- Agree to final approach in the plan

Break | 15 minutes | All

Plan Development

11:15 a.m. | 1.5 hours | Stacy Vynne, All | Discussion

Handout: [Discussion Guide](#)

- Review and discuss outstanding comments

Adaptive Management and Other Policy Recommendations

12:45 p.m. | 60 minutes | Susan Gulick, All | Discussion

Handout: *(forthcoming)*

- Update from October Special Meeting
- Beaver Package
- Possible Financing Recommendation

Public Comment

1:45 p.m. | 5 minutes | Susan Gulick

Next Steps and Action Items

1:50 p.m. | 10 minutes | Susan Gulick, Stacy Vynne

- Next meeting—Thursday, December 3, 2020, 9:30-3:00 (anticipated) Webex

WRIA 15 Upcoming Meetings: <https://ecy.box.com/v/WRIA15UpcomingMtgs>

WebEx Information

[Join Webex Meeting](#)

Meeting number: 133 180 7584

Password: WRIA15CommMtg

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Meeting Summary

WRIA 15 Watershed Restoration and Enhancement Committee Meeting

October 1, 2020 | 9:30 a.m.-3:00 p.m. | [WRIA 15 Committee Webpage](#)

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Committee Chair

Stacy Vynne
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Handouts

- Agenda
- September Meeting Summary Revised
- Discussion guides: Comments on Chapter 4 and Compiled Plan; NEB Evaluation; Consumptive Use Estimate
- Project Workgroup Updates and Recommendations
- Adaptive Management Draft Section
- Responses to Salmon Recovery Portal Questions

Attendance

Committee Representatives and Alternates *

Joel Purdy (Kitsap Public Utility District)
Stacy Vynne McKinstry (WA Dept of Ecology)
Greg Rabourn (King County)
Teresa Smith (City of Bremerton)
Dave Ward (Kitsap County)
Zach Holt (alternate - City of Port Orchard)
Brittany Gordon (WA Dept of Fish & Wildlife)
Nam Siu (alternate- 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)
Mike Michael (City of Bainbridge Island)
Dave Windom (Mason County)
Alison O'Sullivan (Suquamish Tribe)
Bri Ellis (City of Gig Harbor)
Nathan Daniel (Great Peninsula Conservancy)
David Winfrey (Puyallup Tribe)

Other Attendees

Ingria Jones (Ecology)
Paulina Levy (Ecology)
Susan Gulick (Sound Resolutions, Facilitator)
Angela Pietschmann (Cascadia, Info Manager)

Bob Montgomery (Anchor QEA)
Burt Clothier (PGG)
Joel Massmann (Suquamish Tribe)
John Covert (Ecology)

Committee Representatives Not in Attendance*

City of Poulsbo
Kitsap Conservation District

Mason-Kitsap Farm Bureau (ex-officio)
Washington Water Service (ex-officio)

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

Meeting Agenda and September Meeting Summary

Susan Gulick (Facilitator) reviewed the agenda. No changes. Stacy Vynne McKinstry (ECY – Chair) reviewed revisions to the September meeting summary. Summary approved.

Reference Materials

- [Approved September Meeting Summary](#)
- [Google Doc comment sheet](#)

Commented [PP1]: In each section, add a note, where appropriate, that there are additional comments on the google doc slide for that topic.

Commented [VMSJ(2R1)]: Angela typically incorporates comments from the google doc (as well as chat) into the meeting summary. Will confirm. We want to ensure all the comments from the meeting are in one place as the google doc sheet are not archived by Ecology.

Updates and Announcements

Stacy provided the following updates:

- Ecology's upcoming **furlough** days are October 30 and November 30.
- The [Streamflow Restoration Grants Award Summary](#) is expected next week. Stacy will share with the Committee when it is available.
- [Adjudication Report](#) is coming out this week or early next. It will present results and recommendations from the study undertaken by Ecology—at the direction of the Legislature—to identify next WRIAs to complete adjudications. Stacy will share with the Committee when it is available.
- Ecology's Communications Staff are developing **factsheets** on places where the streamflow planning process is complete. The Nisqually Plan Factsheet is currently available. It is a 2-pager that summarizes the work done by the planning unit and the recommendations in the plan.
- The **Project Workgroup** met on 9/22 and 9/28. A **Policy Open House** was also held on 9/28.
- Next week, Ecology will send a **notice for removal to the City of Poulsbo** (giving them one month to re-engage), in accordance with the newly approved operating principles. Ecology will conduct extensive phone and email outreach to try and reengage Poulsbo before the month is over and they are removed from the committee.
- Tristan Weiss (WDFW) provided responses to questions raised by Committee during last Adaptive Management discussion regarding the use of the **Salmon Recovery Portal**. The responses are included in the meeting packet.
- WDFW conducted a **literature review on streamflow restoration project effectiveness** to help guide restoration project development and prioritization during the implementation phase of the WRE Plan. The documents were distributed in the email with the meeting packet. WDFW shared that the literature review can be useful for:
 - Rationalizing where, how, and at what scale restoration activities are most likely to produce positive impacts across the watersheds.
 - Strengthening adaptive planning elements of the plan, for instance, by helping to support which actions might generate meaningful streamflow benefits in certain instances.
 - Providing several general management recommendations (at the end), which are useful high-level considerations at any stage of planning.
 - Providing additional context for discussions moving forward, using the abstract bibliography's hundreds of references to (mostly) peer-reviewed articles.

Plan Development

Stacy provided reminders on WRIA 15's **planning timeline and local entity review processes**. She provided an overview of resources available to the committee to facilitate conversations with local decision-makers.

Stacy noted that some entities have **differing interpretations of the law** than Ecology. The Committee discussed how to capture these differences in the plan in a way that allows entities to move forward with plan approval.

Stacy noted that comments received by 9/24 on the Draft WRE Plan (Chapters 1-7) are included in the discussion guide (or have been addressed if they were corrections or minor revisions that did not change the intent). Comments that came in after the meeting packet was distributed will be addressed at the late October and November meetings. The Committee discussed some of these comments, as summarized below. Committee members should send comments on latest draft 10 days ahead of the next Committee meeting for inclusion in the meeting packet.

Reference Materials:

- [WRIA 15 2020 Work Plan](#)
- [WRIA 15 Local Approval Process for WRE Plan](#)
- [Discussion Guide](#): Proposed Revisions Chapter 4 and Draft Compiled Plan.
- [Comments received on Draft Compiled Plan.](#)

Discussion:

- **Timeline and local entity review process:**
 - **Pierce County** noted it has been challenging to provide comments within the designated review periods. Difficult to manage time, participating in meetings across three WRE Committees.
 - **Suquamish Tribe, City of Bainbridge Island, and Mason County** agreed.
 - **Mason County** noted internal timelines have been severely impacted by COVID, restrictions in county, and reduced commission meetings, which has greatly reduced the ability to get in front of commissioners over the next three months. Timelines that were appropriate a year ago are not as appropriate now.
 - **Squaxin Island Tribe** asked for explanation on why Ecology is using a review timeline that appears to be more accelerated than what the law requires.
 - **Ecology** noted that the Director of Ecology must make determination on whether to adopt the WRE Plans by June 30, 2021. The WRE Committee needs to approve the plan before then to give Ecology sufficient time to review and consider adopting WRE Plans across eight WRIAs. Ecology has already reduced their review timeline by two months. Entities should consider whether local review process could be condensed. Stacy will distribute a survey to interested entities that have seen their timelines shift.
 - **Pierce County** noted that reviewing the full plan is more time intensive than individual chapters. It would be helpful to see the changes made between drafts to focus on any changes and make review more efficient.
 - **Suquamish Tribe** noted the next chapters are denser so it may be better to have chapter by chapter comment periods and discussions.
 - **Kitsap County** would have internal challenges with the WRE Plan review by chapter because multiple departments need to review and comment on drafts. Firm dates are helpful to hold time with county board and others in advance. The WRE Planning process has been far more time consuming than initially expected (for example, cancelling two other meetings to attend this five-hour WRE Committee meeting – after a long meeting earlier in the week).
 - **Suquamish Tribe** sees this as a preliminary review and comment. Alison is briefing decision-makers in the interim but does not expect them to have much input until there is a full second draft.
 - **Ecology** is open to suggestions for changes to the process, working within the legislative deadline. The goal of sharing early drafts is for representatives to vet content internally with decision-makers to address issues early on. There are

different ways to package the WRE Plan. Some entities need to see the full plan as a package. Stacy and Angela will work together to provide different review options for entities.

- **Pierce County** asked other county representatives whether or not they are reviewing the WRE Plan with their respective Planning Commissions. Pierce County is waiting to determine what type of land use recommendations will be included in the plan, which would need to go through the Planning Commission; otherwise, may be able to take directly to Council.
 - **Kitsap County** is not planning to take the WRE Plan to its Planning Commission. The Plan is not legislative for the county. If legislation comes out of recommendations in the Plan, it would be reviewed by the Planning Commission at that time.
 - **Mason County** noted that if land use changes/regulations are included in the WRE Plan, they would need to go to the Planning Commission. Would like to avoid additional layers of review that would draw out the process.
- **Differing interpretations of the law and other dissenting opinions**
 - **Susan** acknowledged that in consensus-based processes, there is often a signing statement or other opportunity to members to explain their vote and acknowledge their concerns on the record. She would like to find a path forward where entities can provide their dissenting opinions on the record without undermining their approval of the plan. This is a diverse group for a reason, and it is important to hear those diverse views to understand how consensus emerged or failed.
 - **Squaxin Island Tribe** does not support using a footnote to acknowledge these differing interpretations; footnotes imply a minor issue. Consider including language in the paragraph that talks about legal requirements, indicating alternative interpretations. The Tribe will not approve the plan if it feels like it is taking away rights for potential litigation around something they disagree with. Suggest counties propose an alternative approach if appendix is unacceptable and then Tribal staff will bring to Tribe's legal staff for consideration.
 - **Mason County** believes including dissenting opinions would open the County up for future lawsuits. County cannot put itself in position to be sued over this plan. It is okay if these dissenting opinions go on the public record as long as they are completely separate from the plan itself. Acknowledge it is opinion and not part of the plan. Avoid confusing public record with plan approval. The County suggests that including signing statements on the Ecology website would be appropriate (after-the-fact document).
 - **Pierce County** agrees a footnote is inappropriate, but they are concerned that including dissenting opinions in the Appendix is still part of the WRE Plan (the Council approves plan as a whole, which includes appendices). At the beginning of the plan, could note that signing letters in appendix were not approved as part of planning process, but included in WRE Plan as part of the record.
 - **Port Gamble S'Klallam Tribe** intends to write comments they would like captured in Appendix.
 - **Kitsap County** is concerned that including dissenting opinions would undermine the plan and create inconsistencies that would put the County in a legally vulnerable position. Kitsap County spent 2.5 years litigating an unaffiliated document outside of County's planning documents. Cannot ask County prosecutor to defend that an appendix is not part of plan.
 - **Skokomish Tribe** notes that they agree with some of the Squaxin Island Tribe's comments. The Tribe would like to capture what is said in meetings to show what

happened throughout this whole process. If the plan is approved and projects move forward (meeting offset needs), there won't be legal problems.

- **Ecology** noted that any signing statements or additional information included as part of a plan that creates uncertainty in terms of whether or not this plan is meeting NEB, can indicate lack of assurance as Ecology makes their determination. The law requires full committee approval of the plan but does not prescribe a process for local entity plan review. Committee members have the ability to approve or not approve the WRE Plan. The Committee should be explicit in identifying how Ecology should or should not consider any signing statements as part of the plan review.
- **Great Peninsula Conservancy** believes that appendices are part of WRE Plan when it comes to the project list. GPC was perfectly comfortable with projects being included in appendices as part of the plan, but if some appendices are excluded from the plan, would that extend to the project list?
- **City of Bainbridge Island** would like to have a way for committee members to express their thoughts and dissent on aspects of the plan, even if they approve it. But the dissent should not be part of the plan.
- **Susan and Stacy** will work with counties to find options to share with the Committee.
- **Squaxin Island Tribe** noted that they will not give away their rights to litigate in the future. They will see what the Counties offer and bring it to their legal staff. To use a sports analogy, it's like a game played under protest, but in this case the protest will last for 20 years. If it turns out well, the protest won't matter, but the Tribe's concerns are a reality and everyone will just have to live with that.

- **Review of Comments on Draft WRE Plan (Chapters 1-7)**

- **Squaxin Island Tribe:** Add ~~language~~ foundational information about legal requirements for critical areas and the Counties' adoption of critical area ordinances. A short summary that mentions relevant laws is sufficient.
 - **Kitsap County** recommends including existing language from GMA RCW.
 - **Mason County** OK with including existing language of law.
 - **Stacy** will work on updating language with a footnote to cite the law and make sure counties/others have a chance to review.
- **Squaxin Island Tribe:** Include a table that lists the streams categorized by subbasin, and by annual or seasonal closure, and by ISF limits set. Add a count of the listings for temperature, DO, pH, and TP (the impairments most likely to be worsened by low flows). Also add a footnote with a link to Ecology's assessment webpage.
 - **Ecology** noted that details in Chapter 2 were scaled back at Ecology's direction.
 - **Mason County** is not sure that this piece is integral to Plan.
 - **Squaxin Island Tribe** believes there is not enough detail in this section. It is relevant information to include in Plan because a purpose of the Plan is it represents senior water right protection. ~~Ok to~~ List the streams affected and cite the ISF rule. See WRIA 12 Draft Plan for language that handles this topic well. Provide as background info related to NEB / overall goals and context of plan.
 - **Port Gamble S'Klallam Tribe** notes it is important to refer to ISF rules for public awareness of senior water rights.
 - **Stacy** will work with Bob to review WRIA 12 example and include revisions in next draft.

Projects

Stacy provided an update from the 9/22 and 9/28 Project Workgroup meetings (see link below). The Committee discussed the Project Workgroup's recommendations coming out of those meetings. The Project Workgroup will seek feedback on revisions and recommendations over the next six weeks. Feedback is needed by the November Committee meeting in order to determine revisions to Chapter 5 and the project inventory in the Appendix.

The Committee also discussed whether to pursue Kitsap Public Utility District's (KPUD) Stream Augmentation Projects.

Reference Materials:

- [Updates on Project Development and Recommendations from Project Workgroup](#)
- [Discussion Guide](#): Kitsap Public Utility District Stream Augmentation Projects

Discussion:

- **Water Right Assessment**
 - **Kitsap County** noted it is important to talk to landowners (or owners of water rights) to determine whether or not the rights are viable.
 - **Ecology** noted the next step for all water rights would be outreach to landowners, depending on capacity. Determine interest from Committee in potentially including water rights as an offset benefit before conducting outreach.
 - **Squaxin Island Tribe** asked how much information is needed to count a water right towards the offset target. [Do a sponsor and landowner need to be identified?](#)
 - **Ecology** noted the Committee must demonstrate reasonable assurance that the project will move forward and meet offset; "reasonable assurance" is determined by the Committee. Committee can lower offset value to represent lack of confidence, if desired.
 - **Skokomish Tribe** asked if Ecology or technical consultants are vetting whether these water rights are actually being used?
 - **Ecology** noted that for the water rights the Committee wants to count towards offset benefit in the WRE Plan, the Committee would need to include whatever amount of information folks need to feel comfortable. There will not be sufficient time/budget to complete the full review process that water right needs to go through to determine whether they can be moved to the trust program. However, the Committee could conduct initial outreach and research to build confidence in including water rights in the Plan. Ecology recommends only spending resources where there is potential to include the right as an offset in Plan.
 - **Suquamish Tribe** asked whether the technical consultants have conducted a water rights analysis, looking at large (20 acre) parcels in rural areas that could be subdivided into 5 acre parcels and result in more wells per parcel (i.e., 20 acres, divided into 5 acre parcels could lead to 5 PE wells instead of 1). Tribe is particularly interested in acquiring large parcels in headwater wetland areas to better protect headwaters and remove PE wells in headwaters where effect is more detrimental.
 - **Port Gamble S'Klallam Tribe** thinks Suquamish's proposal is a good one.
 - **Ecology** noted this was not considered in the initial water rights analysis. Project Workgroup noted the additional benefits of acquiring these large parcels (preventing up to 5 new wells) could be described qualitatively but not added to quantitative offset.

- Approximately 80% of **Kitsap County's** rural lots are undersized for zoning under GMA; County would like to better manage those lots.
- **King County** believes offset should be counted based on fixed number of developable lots.
- **Mason County** has more lot consolidations than subdivisions. Each lot has requirements for onsite septic and wells require a certain amount of land area. In rural Mason County, unlikely to find parcels in headwaters (owned by timber companies; already have protection from long term forests). The County does not support acquiring municipal water rights, as it affects the affordability and availability of affordable and low income housing.
- **Ecology** will draft a general statement that the Committee supports land acquisitions that prevent or remove PE wells, especially in headwaters. Updated language will be discussed at the next Project Workgroup meeting.
- **Squaxin Island Tribe** requested a broader statement to replace the water rights general statement: *~~"The WRIA 15 Committee recognizes the importance of water availability for farmers and the limited available water supply. The WRIA 15 Committee supports the acquisition of irrigation water rights if the properties underlying the water rights have access to an alternative water source that can be reliably supplied to the properties at a rate that is comparable to the cost of current irrigation management or is otherwise agreeable to the property owner."~~* Partial acquisition applies to other water rights as well ~~and/or consolidating systems~~. Opportunities exist to provide efficiencies through conservation and/or consolidations that allow water rights to be put into trust.
 - **Pierce County** would like to broaden statement beyond active farms. Statement should also relate to areas designated as agricultural resource lands (ARL); not all land designated as ARL are active farms.
 - **Kitsap County** recommends modifying language to say "agriculture" instead of "farmers." Many farms in county are small scale / hobby farms that would not self-characterize as "farmers," but definitely grow food.
 - **Suquamish Tribe** is not aware of any GMA designated "agricultural" parcels in Kitsap County.
 - **WDFW** recommends using "producers" instead of "agriculture" or "farmers."
 - **Port Gamble S'Klallam Tribe** noted climate change could actually make agriculture more viable in the WRIA. Consider greatest use of water.
 - **Skokomish Tribe** suggested an exemption for small scale farms (i.e., half acre or less).
 - **Next Steps: Ecology** will work on revisions to the general water rights statement based on feedback. **Ecology** will continue to work on development of the water right opportunities and bring back updates to the committee.
- **Offset Benefits for Projects**
 - **Port Gamble S'Klallam Tribe** noted the Seabeck road widening project is not a viable opportunity.
 - **Kitsap County** generally supports raingarden LID development. For new development, Kitsap already requires LID where appropriate (including rain gardens/infiltration pits). Huge part of the problem is legacy developments before stormwater codes were in place. County is discussing practical approaches to moving towards LID retrofits.
 - **Ecology** noted that a "deep dive" meeting will be scheduled to further discuss the Mason County rooftop infiltration project. Many technical comments and concerns have been expressed by committee members, and further revisions are needed.

Commented [PP3]: Not sure what this is doing in the middle of my comment. It might belong at the end after the discussion that follows.

Commented [VMSJ(4R3)]: I believe this was the revision from the google slide. Will confirm, but can also remove.

- **Squaxin Island Tribe** noted all projects will have uncertainty around offset estimate. [A range is more transparent and acknowledges scientific integrity.](#) Would like to see a range of low to high offset estimates, [developed](#) from [the](#) technical analysis.
 - If a range of offset values for each project is included in the WRE Plan, **Ecology** would likely default to low end of range in terms of counting towards offset unless committee directs Ecology otherwise.
 - **Kitsap County** suggests using specific offset estimates where projects are well-developed, and Committee is reasonably confident in estimates. Where projects have more uncertainty, a range of values may be more appropriate.
 - **Next Steps: Ecology and Anchor QEA** will revise the project descriptions and provide suggested number or ranges for feedback.
- **Habitat Benefit Projects**
 - **Kitsap County** does not support excluding habitat projects from inventory. Could include a range of potential offset estimates that could be refined over time (but exclude from offset total in Plan).
 - **City of Port Orchard** agrees.
 - **Ecology is not** removing any projects from the project inventory unless flagged for removal by the Committee. Remaining projects can be included in project inventory appendix and/or body of Plan. WDFW has concerns about quantifying and counting habitat project offsets towards total.
 - **Port Gamble S'Klallam Tribe** is comfortable with including habitat projects in the plan but leaving them unquantified.
 - **Great Peninsula Conservancy:** As long as it is clear the projects in the appendix are part of the plan and are eligible for the Streamflow Restoration Grant "bonus points," then GPC is fine with the NEB-focused projects staying in the appendix.
 - **Ecology** will include habitat projects in project inventory (appendix), and note in Chapter 5 of the Plan that projects in appendix are part of plan implementation and to meet NEB.
- **Project Inventory Clean Up and Organization**
 - The **Project Workgroup** discussed organizing the project list into four categories:
 - Projects with quantifiable offset benefits
 - Projects with non-quantifiable offset benefits
 - Projects that provide habitat benefits only
 - Projects that cannot currently move forward at this time / conceptual projects
 - **Great Peninsula Conservancy** suggested elevating projects in the plan that are ready to be implemented in the short-term ("shovel-ready"), as long as this does not imply projects in appendix are less valuable.
 - **Kitsap County** asked how projects that cannot be quantified will be moved forward (what is incentive?).
 - **City of Bainbridge Island** agrees. Some projects may need to be implemented to then create a baseline for future evaluation of the benefit of similar projects.
 - **Squaxin Island Tribe** agrees with WDFW about not including projects without water benefit in body of Plan. [The Committee should set some boundaries to avoid piling on habitat projects for a false NEB. But it's](#) Ok to cast a wide net and include robust project list in appendix.
 - **Pierce County** suggests including narrative project categories in body of plan, then keeping project list in appendix. County does not support removing non-water offset projects from plan.

- **Ecology** and technical consultants will develop descriptions of projects for Chapter 5 and Appendix for committee review.
- **KPUD Stream Augmentation Project**
 - **Squaxin Island Tribe** noted that the discussion guide misstated the Tribe's concerns. They recommend thats the augmentation project undergo a feasibility study- that includes a technical study of the-to-understand impacts of project outside target stream. We also need to understand-evaluate how Water System Plans would account for future water use for stream augmentation.
 - **Kitsap County** is concerned that this project would draw water from deeper aquifers. The projects in WRE Plan infiltrate water or buy water rights. Proposing to take existing water rights and spill into stream is contradictory. Entire stormwater program (NPDES and Ecology's Stormwater Manual) are intended to put water back into the ground. If project stays in Plan, include a statement to justify how this is not inconsistent with state and local government efforts to infiltrate water LID and stormwater management.
 - **WDFW** agrees with Kitsap County.
 - **Suquamish Tribe** would like to keep this project on the table as an option. While not ideal, this type of project is already occurring as a mitigation option. Keep in the project list as an option if urgently need water in streams. Mitigation for Well 7 in Poulsbo is augmentation; also occurring on Gorst Creek and possibly Grovers.
 - **Port Gamble S'Klallam Tribe** agrees with Suquamish Tribe.
 - **Skokomish Tribe** sees both perspectives. Not opposed to keeping on project list with concerns stated.
 - **Squaxin Island Tribe** noted that this ties into the adaptive management approach. Over 20 years, how do we add projects in if they are needed, such as if projects on the list come off for some unexpected red flag?
 - **Based on comments, Ecology** will remove this project from Chapter 5 (do not include as contributing to offset benefit). The project will remain on the project inventory noting that there our outstanding concerns and requests for a feasibility study prior to implementation.

Policy Recommendations

Susan provided an update to the committee on the proposals that were flagged for revision in the survey. The proposals are now revised in Chapter 6 for committee feedback. Susan provided an update from the Policy Proposal Open House (9/28), which discussed proposals that entity flagged as potential for not approving the plan if included. Policy proposals will not be brought back to Committee meetings unless proponent/opponent have come to agreement. Proponents should submit revised versions of policy proposals to Stacy eight days before next Committee Meeting for inclusion in meeting packet.

Reference Materials:

- [Policy Proposal Open House – Synopsis of Meeting Results](#)

Adaptive Management

The Committee discussed **updates to the Draft Adaptive Management Chapter of the WRE Plan** as well as proposed revisions from the Squaxin Island Tribe. Susan noted that further discussion is needed on a general monitoring recommendation (for things above and beyond Adaptive Management) to be included in Policy Chapter along with funding for things outside of Adaptive Management. Funding

component of Adaptive Management Chapter will need to be developed as Committee determines what needs to be funded.

Ecology does not have authority from legislature for Adaptive Management or future review of plan/projects. Once the WRE planning process is completed, the Committee can choose how to manage project list. If new projects are added to the WRE Plan after approval, they will not get the benefit of “bonus points” from Streamflow Restoration Grant Funding process as they were not part of the adopted plan. WRIA 7 is considering a proposal in the WRE Plan to ask legislature for Adaptive Management funding and allow for Adaptive Management of refinement of project list into the future (Stacy will share).

Stacy shared responses to committee questions on the **Salmon Recovery Portal** (provided by Tristan Weiss, WDFW):

- **Question:** Will SRP include measuring project effectiveness (i.e. estimating offset)?
 - **Response:** The SRP is both a web-based data repository and tool that provides a framework from which to archive projects and actions recommended within the watershed plans and chronicle the development, funding, and implementation of new projects related to streamflow restoration. As such, the SRP is a tool and a database that can be used to record information about project effectiveness but will not conduct any project effectiveness monitoring of its own. Its primary utility is to provide a platform from which to conduct implementation monitoring which could include identifying sub-basins with project deficits, assessing streamflow restoration funding needs, cataloging quantified (or estimated) project benefits, and tracking permit exempt well development.
- **Question:** How will the data stewards be funded/maintained over the long-term?
 - **Response:** WDFW has already provided funding to conduct pilot projects (in WRIAs 11, 22, and 23) to update the SRP to accommodate streamflow restoration projects and to evaluate the costs necessary to expand tracking statewide. WDFW intends to provide some long-term recurring annual funding to support streamflow restoration project tracking. RCO staff estimate that recurring annual costs (associated with updating project information and uploading newly funded projects) are likely to be relatively small. However, the total costs will remain uncertain until the pilot projects are completed (~January 2021).
- **Question:** Who will manage this effort over the long-term? Is WDFW prepared to do that?
 - **Response:** WDFW is prepared to work with RCO, UW data stewards, and Ecology to ensure continuity of annual data uploads and adequate quality assurance of project information on an annual basis.
- **Question:** How easy will it be to download information from the SRP to include in the WREC reports (many WRECs are going to recommend that Ecology or another entity develops regular reports on project status)?
 - **Response:** a primary function of the SRP is to generate reports of project status, watershed restoration implementation status, and grant funding across programs and regions. Filtering and downloading data is easy and producing reports should be relatively straightforward. It may be possible to develop additional reporting features as needed.

Reference Materials:

- [Updated Adaptive Management Chapter](#)
- WDFW responses to Salmon Recovery Portal Questions (see meeting packet).

Discussion:

Susan reviewed proposed additions to the Section from Paul Pickett (Squaxin Island Tribe):

1. Paul asked that in addition to tracking and reporting new PE Wells, new connections to water systems should also be tracked and reported. He also requested that the data be organized by subbasin.
 - **Ecology** noted that jurisdictions report new wells by WRIA, and the amount of fees collected but do not currently report by subbasin. Some counties have had difficulty reporting by WRIA.
 - **Pierce County** currently provides whatever information is required along with fees collected to Ecology. Data is available on number of permits and associated parcel numbers. Using GIS, we could easily figure out which subbasin these wells fall within but that is not currently required. How does collecting data on non-PE wells add value to adaptive management that is focused on mitigation of PEW?
 - **Squaxin Island Tribe** would like enough information to use the WRE Plan and its implementation in the context of overall water management. The WRE Plan is part of broader water right management regime.
 - **Mason County** notes that reports on Group A systems are not required by law. If latitude and longitude are included on each start card, Ecology could pull information and include on map.
 - **Kitsap County** only reports on one WRIA. They produce a list of building permits on PE wells because that is how the fees are transmitted to Ecology. Theoretically, could get an account of all wells across the county and subtract PE wells to calculate Group A/B systems. Breaking out by subbasin relies on data that is not normally collected but you could do a GIS exercise to obtain. There is currently no way to do a direct data poll on Group A systems.
 - **Susan and Stacy** will work on updating this language to include the recommendation of breaking out data by subbasin if efficient/feasible. Further input needed on inclusion of water system data, but counties currently not interested in including.
2. Paul requested that the annual reports include an estimated “as built” offset estimate for each completed project.
 - **Pierce County** noted that once a project is completed, it takes time to determine the full extent of its benefits. Benefit observed can increase over time.
 - **Squaxin Island Tribe** suggests conducting an initial assessment on how the project was built and review all projects every five years to see if they are functioning as expected. Could also monitor groundwater levels.
 - **King County** notes that restoration projects could take a few years (e.g., for rainfall event to shift channel or create storage; or for BDA to bring in beavers). As such, annual required monitoring may not be very useful. Suggest noting any significant changes in design from what was proposed in WRE Plan and at least every five years, provide a summary of projects.
 - **Pierce County** agrees with premise of information being helpful for Adaptive Management. Language is very generic right now; be clear about whether Plan recommends a qualitative or quantitative assessment of project. Quantitative reporting is not easy to generate; we cannot guarantee we will be able to provide quantified measurements without a separate

effectiveness monitoring project. Consider serious investments associated with monitoring, for example: it costs roughly \$100K to put in stream gauging stations.

- **Squaxin Island Tribe** recommends relying on the project sponsors to provide data. Include practical language in WRE Plan to indicate how realized offsets of WRE Plan projects will be estimated into the future. Imagine that there may be a future request by the legislature or other interested parties for information on how much water was created by offsets, and you can give them an answer.
 - **Susan** to develop draft language to address these points.
3. Paul proposed a rewrite of the Salmon Recovery Portal section.
- **Susan** will revise this section to incorporate Paul's suggestions and Tristan's responses to questions without changing the meaning or intent of the section.
4. **Squaxin Island Tribe** recommends that the first annual report includes an estimate of expenses necessary for implementation, a recommended Permit Exempt Well fee increase to cover those expenses, and a proposed schedule for rule-making to implement the higher fee. If raising PE well fees, need to indicate what these additional funds will be used for.
- **Kitsap County's** principle objection is right now there is no budget to base fees upon. If raising fees now, it would be very hard to get specific on how they would be used. As a county agency, Kitsap has to justify each fee charged and the budget behind it. This analysis could be very helpful if it is a robust analysis of implementation costs and the associated fee increase to cover these costs. Suggests revisiting this idea farther out into plan implementation (more appropriate for 5-year check in).
 - **Mason County** is opposed to fee increases if unclear what they will be used for.
 - **Susan** will draft language that speaks to a future assessment. Will need to discuss more about how many years out, what it includes, etc. and bring back to the group for consideration.
5. **Squaxin Island Tribe** would like to add a requirement that Ecology prepare a special report with the following information:
- An estimate of the total number of connections to PE wells currently in use, as described in RCW 90.94.030(3)(b).
 - An estimate of the number domestic and municipal water rights in use and their current quantity of use, including estimates of inchoate water remaining in municipal water rights, and categorized by whether they are mitigated or not and which subbasin they are in, as described in RCW 90.94.030(3)(c).
 - Estimates of the cumulative consumptive water use impacts on instream flows from all pre-2018 permit-exempt wells and unmitigated municipal water rights, as described in RCW 90.94.030(3)(d)(e).
 - An evaluation of the costs of offsetting all new domestic uses over 20 years, as described in RCW 90.94.030(3)(d).
 - The initiation of adjudication would be considered an acceptable substitute for this study.
 - **Squaxin Island Tribe** is requesting additional data for water management (information the Tribe believes the law calls for).

- Some members of the committee feel this collection of data is not related to adaptive management of this plan so would prefer to move it to another section of the plan for committee consideration.
 - **Susan** will work with Paul to develop language to address this need.
6. **Kitsap County** questioned the purpose of the email address for each well location. Not the most useful information to collect; already have taxpayer of record information.
 - **Susan** noted this was included in WRIA 1's rule; flag to potentially remove.
 7. **Squaxin Island Tribe** would like additional information added about how Ecology and Counties will implement the plan.
 - **Squaxin Island Tribe** has raised these points before: expectations of each Committee member to implement WRE Plan.
 - **Ecology** has significant concerns about current wording regarding commitments to plan approval and rulemaking. Ecology may be comfortable with broad statements about reviewing the WRE Plan against NEB guidance and implementing a funding program, but will need management review.
 - **Pierce County** cannot commit future councils to specific actions. Could potentially incorporate language reflecting the review of the county's Comprehensive Plan against WRE Plan during next periodic review and update (required by GMA) in 2024.
 - **Mason County** agrees and would need to review language in writing before commenting.
 - **Squaxin Island Tribe** recommends including whatever language counties think is appropriate (i.e., what have counties done with similar plans in the past? What will happen with this one? What might be considered in the future?).
 - **Kitsap County** notes the Comprehensive Plan updates are a public process. Cannot guarantee any specific outcomes of process. Seems like commitments are placed on County and Ecology but there will be a number of individual project sponsors that should be held to same standard.
 - **Susan** will add a place-holder for each entity to provide text on what they are able to commit to.
 - This is not adaptive management so will be moved to an implementation section of the plan for committee consideration.

Consumptive Use Estimate & NEB Evaluation

The Committee discussed **consumptive use estimates** and a path forward for the WRE Plan. The current draft plan presents two methods for calculating consumptive use estimates (USGS Groundwater Method vs Irrigated Area Method), and a range of estimates based on the various growth projection scenarios. Ecology requests a decision from the Committee by 11/5 on how to address consumptive use in WRE Plan.

The Committee also discussed whether to include a **NEB evaluation in the WRE Plan**, and if so, what that evaluation should include. Ecology is required to complete a review of each watershed plan to determine whether it meets NEB; plans must demonstrate that offsets from projects and actions exceed projected consumptive use from new permit-exempt domestic groundwater withdrawals over the planning horizon. The WRIA 15 Committee has the option of including a NEB evaluation within the plan.

Ecology will give considerable deference to Committee to decide what NEB means for the WRI A15 watershed.

Reference Materials:

- [Discussion Guide](#): Consumptive Use Estimate
- [Discussion Guide](#): NEB Evaluation (Chapter 7)

Discussion:

- **Consumptive Use**
 - **Squaxin Island Tribe** would like to use a range for consumptive use targets in WRE Plan. Medium growth projection is good as a moderate estimate and the most likely outcome. Higher estimate would account for higher growth and climate change. Suggest using irrigated area method with higher growth projection with 0.12 irrigated area included. Define offset values within range:
 - Below moderate projection = problem (strong push for offset projects needed).
 - Between moderation and high growth projection = concern (need to look for more offset projects)
 - Above high projection = success
 - **Kitsap County** prefers the USGS method due to its extremely large sample size relative to the number total connections in the WRIA, the lack of evidence that residences on wells use more or less water than those on public water supplies, and the inherent assumptions and uncertainties in the irrigated-area method.
 - **Mason County** would support the irrigated area method because it accounts for water at turf production rates—which would be an acceptable "safety factor" because it is much higher than actual irrigation for lawns (766 af/yr).
 - **Pierce County** does not support the inclusion of additional consumptive use numbers this late in the process. A suite of options are on the table and the Committee has not been able to reach consensus. Adding new numbers now would reverse previous Committee agreements and further complicates a decision that the Committee has struggled with for over a year. Pierce County's preference would be 467.8 to 766.4 acre feet per year (med growth scenario/USGS method –med growth scenario/irrigated area method). Lawn area is the method used in other watersheds and the County is striving for consistency across all of their WRE plans. However, the USGS method offers substantially larger sample sizes that would help justify the use of an alternative method - particularly if that flexibility helps to achieve committee consensus.
 - **City of Bainbridge Island** believes the unknowns and conservative nature of the mid-range estimate combined with a robust adaptive management plan is sufficient contingency for the unknowns of this analysis. Additional factors of safety added to the current consumptive use estimates would be difficult to justify to our council. (sent via email to Stacy and comment provided in chat)
 - **Great Peninsula Conservancy** believes the USGS estimate seems most rigorous, but GPC is willing to support whichever estimate will help reach consensus.
 - **Ecology** noted that last fall the Committee decided not to substitute null values within the irrigated area method results. As an alternative to finding consensus on a specific number or range, the Committee could choose to leave present consumptive use information as it is currently laid out in Draft Chapter 4 (i.e., describe different methods and results). Ecology's review would likely default to the highest range unless the Committee directs Ecology elsewhere.

- **Kitsap County** would be comfortable with this approach. Need to adjust plan language around Kitsap’s calculation of population growth. Did not use a range, used medium number with margin of error.
 - **Ecology** will revise the discussion guide for continued discussion at the next meeting and to see if the committee can reach a decision.
- **NEB Evaluation**
 - In the NEB guidance, **Ecology** recommends steps for planning groups to complete the NEB evaluation:
 - Compare consumptive water use to water offset benefits generated by projects and actions at the WRIA scale.
 - Compare consumptive water use to offsets within each subbasin.
 - Identify the projects and actions that go beyond the needed offset in order to achieve NEB.
 - Include a clear statement that the committee finds that the combined components of the plan do or do not achieve a NEB.
 - If desired, include adaptive management.
 - **Port Gamble S’Klallam** would like to include an evaluation of NEB based on the timing of impact relative to the timing of benefit. Could assume steady state impacts vs benefits during critical flow periods.
 - **Squaxin Island** would support including a NEB evaluation within the plan but diverging from the steps Ecology outlined above. The Tribe has offered alternative language; the heart of NEB is ensuring streamflows are restored.
 - **Pierce County** supports sticking to the process defined by Ecology and their NEB technical reviewers. Divergence from that adds unnecessary complexity and lessens the certainty that the Committee arrives at a plan Ecology will adopt.
 - **King County** asked what approaches other WRIs are using. Avoid creating a new process if possible.
 - Stacy will check with WRIA 7, 8, and 9 Chairs.
 - **Kitsap County** believes most logical approach is using the process as outlined in Ecology’s NEB interpretation since that is what will be used to evaluate WRE Plans.
 - **Ecology** is concerned that the current project list will fall short of offset benefit if the KPUD Stream Augmentation Project and Mason County Rooftop Project are not included as offsets in the Plan. Focus resources/technical consultant time on developing a robust project list.
 - There is general support for attempting to prepare a draft NEB chapter. Ecology will work with the technical consultants to prepare a draft, with consideration for Squaxin Island Tribe’s revisions. (Note that the projects will need to be further developed prior to completing the NEB chapter.)

Public Comment

No public comment

Next Steps and Action Items

- Next **Committee Meeting** is Thursday, October 29 (9:30 AM – 12:30 PM).
- Ecology looking to schedule **Project Workgroup meeting** for October (a week ahead of Committee Meeting).

- Ecology will share the **Streamflow Restoration Grants Award Summary** and **Adjudication Notice** when they are available.
- Ecology will reach out to **City of Poulsbo** to begin removal process.
- Committee members should send **comments on latest WRE Plan Draft** 10 days ahead of the next Committee meeting.
- Ecology and Facilitation Team will discuss with Counties how to **address differing interpretations of law and other dissenting opinions** “on the record.”
- Ecology will update Draft WRE Plan language with a footnote to cite the **legal requirements for critical areas** and the Counties’ adoption of critical area ordinances.
- Ecology and Technical Team will review **WRIA 12 example table** that (1) lists the streams categorized by subbasin, by annual or seasonal closure, and by ISF limits set; (2) includes a count of the listings for temperature, DO, pH, and TP (the impairments most likely to be worsened by low flows); and (3) includes a footnote with a link to Ecology’s assessment webpage.
- The Committee should **submit revised versions of policy proposals** to Stacy eight days before next Committee Meeting for inclusion in meeting packet.
- Ecology and Facilitation Team will **refine Adaptive Management Chapter** based on Committee discussion.
- Ecology will draft a general statement in Chapter 5 of WRE Plan that the **Committee supports land acquisitions that prevent or remove PE wells, especially in headwaters**. Updated language will be discussed at the next Project Workgroup meeting.
- Ecology will send invitations for a “deep dive” meeting to discuss the **Mason County rooftop infiltration project**.
- Ecology will include habitat projects in project inventory (appendix), and note in Chapter 5 of the Plan that **projects in appendix are part of plan implementation and to meet NEB**.
- Ecology and technical consultants will develop clear recommendations for **how to present projects in WRE Plan** for discussion later in October.
- Ecology and technical consultants will update **KPUD Stream Augmentation Project** in inventory to describe Committee’s concerns and need for feasibility studies.
- Ecology and the consultants will make a first attempt at drafting the **NEB Chapter** for discussion at a future Committee meeting.

To: WRIA 15 Committee

From: Stacy Vynne McKinstry

Date: October 22, 2020 with updates from October 29th meeting in orange

Re: Updates on Project Development and Recommendations from Project Workgroup

The WRIA 15 project workgroup met on October 20th. The topics covered include water rights assessment, offset benefits for projects, and project inventory clean up. This memo provides a summary of the workgroup discussions and recommendations coming from the workgroup to the committee. The committee will discuss the recommendations at the October and November committee meetings. Any errors or misrepresentations of the workgroup discussions presented in this document are my mistake and will be clarified by members of the workgroup during the committee meeting.

All of the detailed project write ups are available on Box:

<https://ecy.box.com/v/WRIA15DetailedProjectDescr>

Water Right Assessment

Updates

- The workgroup discussed updates to water rights in the following subbasins: Vashon Maury, South Sound Islands, Bainbridge Islands, and South Sound.
- The McNeil Island water right provides no offset benefit for the island (no planned development) and may no longer be valid. WDFW's water rights point person does not recommend further pursuing.

Recommendations and Action Items

- Do not pursue the McNeil water rights further.
- The workgroup discussed a **package of water rights for Vashon Maury** ([See draft write up on Box here](#)) which includes 27 potential water rights. It was recommended to revise the general Vashon Maury water right package to cover habitat benefits of land acquisition and conservation easements. The water rights currently provide potential offset benefit of 279 acre feet per year.
 - **The committee can determine what percentage of the water right acquisition opportunities to include for offset benefit. The committee may want to consider a range of 10%¹ to 25%, or 27.9 to 67.9 acre feet per year for inclusion as an offset benefit. What does the committee recommend?**
 - We will work on a revised project description and provide a recommendation to the committee on amount of offset benefit to include based on information available on water rights and likelihood of implementation.

¹ The Nisqually watershed plan addendum included a number of potential acquisitions. In Ecology's review, they accounted for 10% of the acquisitions to move forward.

- Burt will update the Bainbridge Island water right descriptions with the most recent information obtained from the City of Bainbridge Island and Ecology's Water Resources program.
- Bob will reach out to the South Sound water right holder to see if the opportunity is worth further exploration.
- Stacy and Paul will reach out to Chuck Hinds to identify additional opportunities on Anderson Island.

Offset Benefits for Projects

Updates

- A subset of committee representatives from WRIs 14 and 15 met October 13th to discuss concerns with the [Mason County rooftop infiltration project](#). Additional concerns were raised on 10/28 from multiple entities and comments are posted on [Box here](#).

Recommendations and Action Items

- Pause further work on the Mason County rooftop project to preserve resources to identify other projects for South Sound and South Hood Canal subbasins. (If time and resources, HDR can pick up the technical report revisions after projects found in WRIA 14, SS and SHC subbasins.) Move the Mason County rooftop project to the project inventory as a category IV project.
- The workgroup reviewed the **MAR package proposal** ([available on Box here](#)). The package brings together the larger projects that the committee has discussed over the last few months, as well as smaller MAR projects that were on the project inventory. The document also provides an approach for assigning an offset value for the projects based on their feasibility and likely time horizon for implementation (10%- low probability for implementation; 50% medium probability; 80% high probability). The workgroup did not have any concerns with the MAR package proposal, but recommended the addition of potentially important sites, sponsors and landowners (where available). The package is recommended for inclusion in the plan unless there are further revisions by the committee. Remove the Gamble Creek Arness and Seabeck DNR projects. A general statement around support for these types of projects will be considered for the plan. Expand the Silverdale recycled water project benefits to West Sound subbasin.
 - Does the committee have any proposed revisions to the package of projects?
 - The package currently recommends inclusion of 582 acre feet per year for offset benefit across the WRIA. Does the committee have any concerns with including this offset benefit?
 - Are there additional areas that the committee wants to include for future consideration of MAR projects?
- Bob is working to reframe the **Beall Creek Stream Restoration project** (Vashon Maury) and will share an updated description with the committee. We anticipate this project

will provide an additional offset benefit for Vashon Maury of approximately 6 to 18 acre feet per year (6 acre feet per month for approximately 1-3 months during the year).

- The workgroup reviewed the **Kitsap Conservation District Raingarden and LID Project** ([available on Box here](#)). The workgroup is generally supportive of the project but had some questions about the data and would like to see some targeted areas for raingardens. Additional feedback and revisions are sought by the committee. The project currently provides a potential offset value of 29 acre feet per year across Kitsap County. This is approximately 50 raingardens, LID improvements, or other “applications”.
 - **Does the committee have any concerns with inclusion of this project?**
 - **Does the committee have any revisions to the project description?**
 - **We recommend a target of approximately 20 applications for the North Hood Canal subbasin, 5 applications for the Bainbridge Island subbasin, and 25 applications for the West Sound subbasin per year. Does the committee have any revisions to this recommendation?** We will revise the distribution of applications to also cover south sound subbasin. We will continue working with Pierce Conservation District and Mason Conservation District to see if there are opportunities to develop similar projects in other areas of WRIA 15.
- Bob prepared a **Community Forest Package** ([available on Box here](#)). There were some revisions requested to the framing of the Dewatto forest project (habitat benefit only), but in general, the workgroup was supportive of including the portfolio of projects.
 - **The project package includes a total of approximately 178 acre feet per year of offset across WRIA 15. Does the committee have any revisions to this recommendation?**
 - Stacy and Paul will reach out to Chuck Hinds to identify opportunities on Anderson Island.

Project Inventory Clean Up and Organization

Updates

- Stacy has [updated the project inventory](#) to begin categorizing projects and flagging projects for removal. Please do not make edits directly in this project inventory as it is actively being revised.

Recommendations and Action Items

- Subbasin workgroups and those with knowledge of certain projects should review the project inventory and provide feedback. Stacy will distribute the inventory broken out by subbasin.
- **Stacy and Bob to work on identifying project sponsors to the extent possible.**

Other Items

- Our anticipated **offset benefits by subbasin** are [presented on Box here](#).
- The Project Workgroup may no longer need to meet and instead discussions can be held with the committee going forward.

- General Statements in Support of Project Types. The workgroup discussed two potential statements and provided feedback. Revisions are presented here for committee discussion and feedback. These statements (if supported by the committee) would be included in Chapter 5. **Does the committee have further revisions to these statements?**

Water Right Acquisitions: The WRIA 15 Committee supports the acquisition of water rights to increase streamflows and offset the impacts of PE wells. Water rights should be permanently and legally held by Ecology in the Trust Water Rights Program to ensure that the benefits to instream resources are permanent. The WRIA 15 Committee acknowledges that all water right transactions rely on willing sellers and willing buyers. The WRIA 15 Committee recognizes the importance of water availability for producers and the limited available water supply. *[Paul requested more specifics on opportunities here, but I would recommend keeping it simple and broad – we support water right acquisitions; we recognize the need to support local food production.]*

Land Acquisitions and Conservation Easements: The WRIA 15 Committee supports acquisitions and conservation easements of land to increase streamflows and offset the impacts of PE wells. The WRIA 15 Committee recommends focusing acquisitions and easements in areas with wetlands and headwaters, for the purposes of preventing new permit exempt wells, decommissioning old permit exempt wells, and for extending time between harvest of timber.

Potential general statement on climate resiliency *[this could be included as a general statement; Paul has requested we include for each project but that level of detail might be best incorporated at the grant stage]:* The WRIA 15 Committee recognizes the potential impacts of climate change on streamflow. The WRIA 15 Committee recommends that projects and actions include components that help improve the resiliency of our stream systems, but also for projects and actions themselves to be resilient to the impacts of climate change. *[cite resources – Beechie, LE salmon recovery resiliency project, etc]*

Potential general statement on MAR/storage projects. The WRIA 15 Committee supports projects such as managed aquifer recharge that re-time flood-level flows [to particular streams or subbasins?] to provide streamflow benefits during low-flow periods. *[note, this language pulled from WRIA 8 plan]*

Comments received on the Mason County Rooftop Infiltration Project

From: Weiss, Tristan N (DFW) <Tristan.Weiss@dfw.wa.gov>

Sent: Wednesday, October 28, 2020 1:42 PM

To: Johnson, Angela (ECY) <anjo461@ECY.WA.GOV>; Vynne McKinstry, Stacy J. (ECY) <svyn461@ECY.WA.GOV>

Cc: Cook, Allison E (DFW) <Allison.Cook@dfw.wa.gov>; Gordon, Brittany N (DFW) <Brittany.Gordon@dfw.wa.gov>; Siu, Nam (DFW) <Nam.Siu@dfw.wa.gov>; Kernan, Megan (DFW) <Megan.Kernan@dfw.wa.gov>

Subject: Mason County Roof-top Runoff Concerns

Hi Angela and Stacy,

I am writing to share our concerns regarding the Mason County roof-top runoff strategy that has been proposed in WRIAs 14 and 15. In addition to sharing these concerns, we would also like to offer recommendations for further action. Our thoughts and recommendations are summarized below:

- We remain concerned about the Mason County rooftop runoff proposal because of its uncertainty of benefits and complexity of implementation, both with respect to the technical analysis and the policy considerations of this project. We are specifically concerned about the following:
 1. This project lacks assurances that rainfall runoff, primarily infiltrated during the winter months, will generate a meaningful streamflow benefit during the critical flow period as required by RCW 90.94.
 2. The model (as is currently described) credits an offset benefit of 95% or 100% of all infiltrated runoff without consideration of consumptive losses, seasonality of benefit, antecedent conditions, or runoff rates that exceed infiltration capacity of the trench.
 3. The rationale and implications of certain model assumptions (such as 1-acre clearing per parcel, 2-foot trench depth, 5-foot or greater water table) are unclear and lack citations in the most recent technical memo (4 Sept).
- Upon completion of any outstanding revisions to the HDR memo, we would prefer that technical resources be directed towards projects that meet offset targets for each sub-basin in Mason County.
- We recommend that the committee retain the Mason County rooftop runoff proposal as an element of the WRIA 14 and 15 watershed plans, but not rely on it as a water offset project that replaces quantities of water commensurate with the impacts of permit-exempt wells.

Thank you for hearing our concerns and for considering our recommendations. We would be happy to speak with you if you have any questions or thoughts.

Tristan

Tristan Weiss
Streamflow Restoration Ecologist
Habitat Program | Science Division
Washington Department of Fish & Wildlife
Deskline: 360.902.2554 | Cell: 360.480.4381

From: Alison Osullivan <aosullivan@suquamish.nsn.us>
Sent: Wednesday, October 28, 2020 2:18 PM
To: Vynne McKinstry, Stacy J. (ECY) <svyn461@ECY.WA.GOV>
Cc: Sarff, Dana (<dsarff@skokomish.org> <dsarff@skokomish.org>); Erica Marbet <emarbet@squaxin.us>; Paul Pickett <ppickett@squaxin.us>; Kernan, Megan (DFW) <Megan.Kernan@dfw.wa.gov>; Cook, Allison E (DFW) <Allison.Cook@dfw.wa.gov>; Gordon, Brittany N (DFW) <Brittany.Gordon@dfw.wa.gov>; Siu, Nam (DFW) <Nam.Siu@dfw.wa.gov>; Weiss, Tristan N (DFW) <Tristan.Weiss@dfw.wa.gov>
Subject: WRIA 15 Roof Top Runoff proposal

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The Suquamish Tribe has concerns with the Mason County rooftop runoff proposal and potential precedent setting that may result from making the decision to retain this project as an offset project without fully understanding the technical, policy and legal implications. At this time the Suquamish Tribe requests that this project be removed from the list of projects for offset and if it remains within the plan it be utilized more as a conservation measure.

Alison O'Sullivan
Senior Biologist, Natural Resources Department



P.O. Box 498 (mailing)
18490 Suquamish Way
Suquamish, WA 98392
phone: (360) 394-8447

From: Paul Pickett
Sent: Wednesday, October 28, 2020 2:27 PM
To: Johnson, Angela (ECY) <anjo461@ECY.WA.GOV>; Vynne McKinstry, Stacy J. (ECY) <svyn461@ECY.WA.GOV>

Cc: Jeff Dickison <jdickison@Squaxin.us>

Subject: Mason County's rooftop runoff proposal:

Angela and Stacy,

The Squaxin Island Tribe would like to share some thoughts and requests about Mason County's rooftop runoff proposal:

We are concerned about the complexity of this proposal, both with regard to the technical analysis and the policy and legal questions.

- There are a variety of unresolved technical issues with determining the appropriate offset values.
- It's not clear whether the proposal meets the requirements of 90.94.

Because of this complexity, we have several requests:

- We would like HDR to finish their technical memo on this project based on their work done to date.
- We would like to see any remaining HDR time spent on other projects that fill gaps and need additional work.
- At this time, we would like to see this project placed in a lower category, such as "Category II. Ready to implement and provides habitat benefit and unquantifiable streamflow benefit".
 - The category could change after review of the HDR technical memo and agreement on a technical approach, and determination that the policy and legal basis of this project is sound.

If the Committee agrees that the approach is quantifiable and meets policy and legal requirements:

- A "discount factor" should be applied to account for the parcels where this approach would not be feasible or would underperform.
- The tangible offset benefit should be reduced by a percentage due to the uncertainty of the project. This approach would be similar to approaches proposed for other categories of projects.

A this time, we would like technical resources focused on other projects that can fulfil offsets for subbasins in Mason County that currently lack well-developed projects.

Also, we call on Mason County to provide leadership on other offset projects that meet offsets by subbasin, such as reclaimed water, water rights, and MAR.

Thank you for your attention to our concerns.

Paul

*Paul J. Pickett
Squaxin Island Tribe
Cell: 360-359-3435
Home office: 360-943-5791*

From: Book, Seth <sbook@skokomish.org>
Sent: Wednesday, October 28, 2020 5:25 PM
To: Vynne McKinstry, Stacy J. (ECY) <svyn461@ECY.WA.GOV>; Johnson, Angela (ECY) <anjo461@ECY.WA.GOV>
Cc: Dana Sarff <dsarff@skokomish.org>
Subject: Mason County Rooftop Runoff proposal

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the attachment or the link

Hi Angela and Stacy,
Attached is a technical memo produced by Jon Turk of Aspect Consulting for the Skokomish
Tribe concerning the Mason Co. Rooftop runoff proposal. This memo only deals with technical
aspects of the proposal and does not constitute any Skokomish policy or legal direction.

Seth Book
EPA Grants Coordinator
Skokomish DNR
sbook@skokomish.org
(360) 463-1889 cell

[note stacy added the document to box and linked above]

Discussion Guide: Proposed Revisions to WRIA 15 Watershed Restoration and Enhancement Plan Draft Compiled Plan

WRIA 15 Committee Meeting November 5, 2020

Purpose of Discussion

Ecology is preparing a final draft of the WRIA 15 watershed restoration and enhancement plan (watershed plan) for committee review in December. Because the law requires that all members of the committee approve the plan, Ecology requests that committees collectively determine how to address proposed revisions. Today's discussion will focus on comments that Ecology has highlighted for committee discussion as they are more than a correction or clarification. If the committee does not complete review of these comments today, the committee will continue the discussion on the proposed revision at the December meeting.

Background

The streamflow restoration law states, "By June 30, 2021, the department shall prepare and adopt a watershed restoration and enhancement plan for each watershed listed under subsection (2)(a) of this section, in collaboration with the watershed restoration and enhancement committee. Except as described in (h) of this subsection, all members of a watershed restoration and enhancement committee must approve the plan prior to adoption" (RCW 90.94.030(3)). Ecology prepared draft Chapters 1, 2 and 3 and distributed to the WRIA 15 committee in July for review. Ecology prepared draft Chapter 4 and distributed to the committee in August for review. Ecology prepared a draft compiled plan (Chapters 1-7) and distributed to the committee in August for review. Ecology and the consultants are working on refinements to Chapters 5-7 based on committee conversations. Several committee members provided comments on the draft compiled plan: **we received 209 comments from Squaxin Island Tribe, Skokomish Tribe, Pierce County, Kitsap County, Suquamish Tribe, Port Gamble S'Klallam Tribe, Mason County, and WDFW.** Select comments propose the addition of information or a change in the original content and are identified here for discussion. Ecology is committed to sharing all comments received on the draft plan with the committee prior to making the revision. ([See compiled comment tracker with all comments received to date and notes on how the comment has been addressed or whether the comment is being brought forward for discussion.](#))

Considerations for the Committee

As all committee members must approve the plan, the committee must be comfortable with any revisions proposed by entities. The committee will have another opportunity to review a full draft of the plan in the winter of 2020-2021. All current plan content for the WRIA 15 plan, including draft chapters and compiled comments from committee members, is available on Box: <https://ecy.box.com/v/WRIA15WREPlan>. The

direct link to the August compiled plan and comments is available on Box: <https://ecy.box.com/v/WRIA15Aug2020CompiledDraftPlan>. Below we present the outstanding comments for committee discussion and decision on revisions.

Questions for the Committee

How does the committee wish to address the proposed revisions?

Proposed revision	Associated content	Entity	Options for Consideration
GENERAL COMMENTS			
Multiple comments on different interpretations of the law. The specific sections where concerns are raised include: <ul style="list-style-type: none"> • Overall plan content • Introduction to the plan purpose. Chapter 1, Lines 8-10. Chapter 1, Lines 80 - 83 • Requirements of the plan. Chapter 1, Lines 99-101 • Requirements of the plan. Chapter 1, Lines 115-117 • Requirements of the plan. Chapter 1, Lines 118-121 • Chapter 4, Lines 642-649 • Chapter 4, Introduction to projections for new wells. 	See “proposed revision” cell	Squaxin Island Tribe	Under discussion by entities for inclusion of signing statements along with submission of the plan to Ecology. Is additional reference to different interpretations of the law needed in the body of the plan?
Insert quotations from the law.	Introduction to the plan purpose. Chapter 1, Lines 8-10.	Squaxin Island Tribe	Ecology’s goal is to plain talk the plan and summarize the law to the extent possible. However, the committee may consider some limited quotations or other options: <ol style="list-style-type: none"> 1. Address through signing statements. 2. Insert text boxes within the plan with direct quotes (note limitations with this approach). 3. Retain summary of the law/plain talk.
PLAN OVERVIEW			
90.94 is clear: "The department of ecology is directed to implement a program to restore and enhance streamflows by fulfilling obligations under this act to develop and implement plans to restore streamflows to levels necessary to support robust, healthy, and sustainable salmon 2018 c 1304.]" . This should be quoted as is from 90.94.	Plan Overview, Chapter 1, Line 5	Skokomish Tribe	Please provide more information on what you would like included in the plan. This quote is not from 90.94.030 (watershed planning). The full quote includes: “Intent—2018 c 1: "The legislature intends to appropriate three

Proposed revision	Associated content	Entity	Options for Consideration
			<p>hundred million dollars for projects to achieve the goals of this act until June 30, 2033. The department of ecology is directed to implement a program to restore and enhance streamflows by fulfilling obligations under this act to develop and implement plans to restore streamflows to levels necessary to support robust, healthy, and sustainable salmon populations." [2018 c 1 § 304.]"</p> <p>Potential options:</p> <ol style="list-style-type: none"> 1. Committee decides to include this quote in the introduction or adaptive management section of the plan (Stacy will need to vet with management). 2. Committee decides not to include the quote, but can include reference to the funding program in the AM/Implementation section. 3. The committee decides not to include this language.
We decided that salmon recovery program goals which focus only on listed stocks with limited freshwater residency were not appropriate for this plan. Instream flows and streamflow restoration must strive to protect fish stocks and aquatic life, regardless of listing status, and in order to provide a benefit to the greatest length of stream channel, protection and restoration of headwaters streamflows would be the highest priority.	Plan Overview, Chapter 1, Line 87	Port Gamble S’Klallam Tribe	Does the committee have feedback on this comment? If the committee supports a revision, PGST to provide specific language to discuss with the committee in December.
Replace with "Watershed plans must be prepared to ensure full implementation."	Plan Overview, Requirements of Law, Lines 110-111	Squaxin Island Tribe	This is not a requirement of the law, NEB Guidance or Policy Interpretative Statement. The Guidance and Statement include language that the plan must be prepared with implementation in mind. ("As articulated in the Final Guidance for Determining Net Ecological Benefit17, watershed

Proposed revision	Associated content	Entity	Options for Consideration
			plans are to be prepared with implementation in mind. However, RCW 90.94.020 and 90.94.030 do not create an obligation on any party to ensure that plans, or projects and actions in those plans or associated with rulemaking, are implemented.” Page 10.) 1. Does the committee want to include language about this committee’s intent with implementation in the plan overview or address through adaptive management? 2. Or no additional change?
Clarify what projected uses must encompass. See RCW 90.94.030(3)(e) - estimates of the cumulative consumptive water use impacts over 20 years.	Plan Overview, Requirements of law, Lines 115-117	Squaxin Island Tribe	Please provide further discussion on what revision is recommended. The NEB Guidance speaks to the requirements of the law which are provided in the plan.
The law requires projects to offset impacts from new wells over the 20-year period. We assume the impacts will continue beyond the 20-year period (in perpetuity), so the offset projects must continue as well.	Plan Overview, Requirements of the Law, Line 128	Port Gamble S’Klallam Tribe	This is consistent with Ecology’s interpretation. If the committee supports revisions, PGST to provide specific language to discuss with the committee in December.
WATERSHED OVERVIEW			
Revisions to Tribal Reservation and U&A Section	Watershed Overview, Tribal Section	Multiple	Stacy is working offline with Tribes; recommends shortening this section to not include water rights. Revisions approved by Tribes and ECY Management will be brought back to the committee.
This section must state that there are instream rules and closures in place; that instream flows in many streams are unmet and basins are over-appropriated; and must include and cite to supporting data to that effect.	Instream Flow Section, Watershed Overview, Chapter 2 Line 262	Squaxin Island Tribe	Does the committee support additional information for this section? If the committee supports a revision, Squaxin Island Tribe to provide specific language to discuss with the committee in December. We are already working on some limited additions based on earlier committee feedback.

Proposed revision	Associated content	Entity	Options for Consideration
Add discussion regarding hydrologic maturity and the effects on evapotranspiration and streamflows. We know that young forests use more water than mature forests.	Watershed Overview, Line 319	Suquamish Tribe	If the committee supports a revision, Suquamish Tribe to provide specific language to discuss with the committee in December.
This discussion should be expanded to provide more complete and clear information about the relationship of GMA to water planning. For example, water system plans should not encourage development that is inconsistent with zoning, should not allow municipal water rights holders to consumptively use water in excess of their actual rights, and should require mitigation if system expansion or other change in use will impact instream flows. Add language about legal requirements for critical areas and the Counties' adoption of critical area ordinances, and how critical areas protect recharge and salmon habitat. Also describe how ESSB 6091 amended the GMA and Subdivision Code to allow for reliance on instream flow rules, and the Building Code to allow for reliance on compliance with the SRA. Ecology therefore must ensure that this plan meets all mandates established in the SRA (and other laws), including implementation to ensure offsets, restoration and enhancement.	Relationship with Other Planning, Watershed Overview, Chapter 2, Line 419	Squaxin Island Tribe	The Committee discussed in the summer including limited additional information on GMA and CAO. Stacy will defer to counties on specific language to include. Stacy will likely need to vet any additional information with management. Discuss with committee what additional content they are comfortable including in this section.
Saltwater intrusion seems extraneous to the requirements of the plan.	Chapter 2, Watershed Overview, Line 469	Mason Co	Is Mason Co recommending removal of the paragraph? Need clarification and discussion.
Given that aquifers may be continuous beneath several drainage basins, we need to say something about the dynamics when adjacent basins are experiencing different levels of development (urban/UGA vs rural) and the effects that could result to streamflow from cross basin transfer of groundwater. For example, the Gig Harbor/Silverdale/Bremerton urban area is more urbanized than the south and West sides of WRIA 15 (the western half of the South Sound subbasin and the Hood Canal Subbasins). Maybe describe the Port Orchard Foster modeling project which is now underway. See below. (Out of basin water transfers that are causing impacts to salmon bearing rivers and streams in adjacent basins must be mitigated "in kind" and	Chapter 2, Watershed Overview, Line 493	Skokomish Tribe; Squaxin Island Tribe	The Foster Pilots are a separate section of the law and management has requested we separate the two programs. (Although, we could speak to it regarding some of the projects that currently can't move forward but may be able to in the future.) Does the committee want to include the language provided by Skokomish Tribe? If so, where? Are there refinements? (Stacy will need

Proposed revision	Associated content	Entity	Options for Consideration
"overriding consideration of public interest" (OCPI) does not qualify except under certain circumstances. In <i>Foster v. Department of Ecology</i> , 184 Wn.2d 465, 362 P.3d 959 (2015); according to the Supreme Court, the prior appropriation doctrine does not allow for any impairment, even de minimis impairment, of senior water rights, in accordance with the Court's earlier decision in <i>Postema v. Pollution Control Hearings Board</i> , 142 Wn.2d 68, 11 P.3d 726 (2000). Accordingly, out-of-kind mitigation may not be used to remedy impairments to senior water rights, and the OCPI exception may only be used to offset temporary impairment of minimum flows.)			to vet any language supported by the committee with ECY management.)
The increase in impervious surfaces are related to past development practices...should there be acknowledgement of Low Impact Development requirements related to new development?	Chapter 2, Watershed Overview, Line 549	Pierce Co	If the committee supports a revision, Pierce Co to provide specific language to discuss with the committee in December.
Please discuss the limitations of the Climate Toolbox due to the small size of our watersheds. The UW is developing modeled future stream flows and temperatures for Chico Creek under future climate scenarios which might have relevance for other small adjacent watersheds.	Chapter 2, Watershed Overview, Line 555	Suquamish Tribe	We discussed in the summer including information on the Toolbox per the Squaxin Island Tribe's request. What review is recommended? Does the committee want to include a footnote about the limitations and future projections being developed?
Note that the 2020 Water Quality Assessment does not include all of the up to date information. Suquamish has submitted updated stream temperature data several years ago that is still not reflected. Specifically, Salmonberry Creek is not listed for temperature and it regularly exceeds the 7DADmax of 16C throughout the summer.	Chapter 2, Watershed Overview – Water Quality, Line 592	Suquamish Tribe	If the committee supports a revision, Suquamish Tribe to provide specific language to discuss with the committee in December.
GROWTH PROJECTIONS AND CONSUMPTIVE USE			
Several comments from initial draft of Chapter 4 regarding assumptions, uncertainties and limitations.	Chapter 4	Multiple	Stacy is working on some reframing of the language for the next draft that will document assumptions without undermining the planning process. Recognize additional comments

Proposed revision	Associated content	Entity	Options for Consideration
			submitted on this topic with compiled plan review.
Add the following sentence: It should be noted that the estimates for outdoor water use included in the plan are based on average years in terms of precipitation. Outdoor water use rates will generally be larger during dry or drought years. This will make the estimates included in the plan less conservative during these critical periods.	Chapter 4, consumptive use estimate methods, Line 825	Suquamish Tribe	Does the Committee have any concerns with adding this revision?
Reducing Uncertainty: Include (or similar): In order to help reduce uncertainty for the Committee when considering both the USGS Groundwater Model and the Irrigation Area Methods regarding consumptive use, the Skokomish Tribe and Aspect Consulting conducted an assessment of how, or if, precipitation variability across geography and time would affect outdoor irrigation consumptive use estimates in WRIA 15. The study used up to date climatological data from Ag Weather Net and Prism to compare to values using the Irrigation Area Method. This was undertaken to address concerns that these methodologies may be not conservative enough or too conservative (respectively) and whether or not a “safety factor” needed to be factored in. This assessment can be found in _____. The analysis provided similar results to the Irrigated Area method. The study also suggests that water use in dry years is substantially higher, pointing to the likelihood of increased water use as climate change makes the dry season longer, hotter, and drier.	Chapter 4, consumptive use estimate methods Line 886	Skokomish Tribe	Does the committee have any concerns in adding this note as a footnote or in the body of the plan? Recognize that the committee has not reviewed or comments on the analysis. Note: we will be working with the committee on where to put background information developed during the planning process.
Add another subsection to 4.3.2 that discusses climate change. Describe some of the climate projections from UW CIG and the Climate Toolbox, highlighting that the dry season in WRIA 15 is expected to get longer, hotter, and drier. My calculation of increased evapotranspiration (and therefore water use) due to temperature increases suggested 8% more water demand in 20 years.	Chapter 4, consumptive use estimate methods Line 886	Squaxin Island Tribe	Note other concerns about limitations of the Toolbox. What additional information does the committee want to provide? If the committee supports a revision, Squaxin Island Tribe to provide specific language to discuss with the committee in December.
Add another subsection to section about climate change, and the likelihood that demand for outdoor water use (under any estimation	This section is discussing uncertainties	Squaxin Island Tribe	Note other concerns about limitations of the Toolbox. What additional information does the committee want to provide? If the committee

Proposed revision	Associated content	Entity	Options for Consideration
method) will likely increase over the next 20 years due to increasing summer temperatures and evapotranspiration.	and assumptions of consumptive use.		supports a revision, Squaxin Island Tribe to provide specific language to discuss with the committee in December.
Lines 895-901, and globally throughout the plan: do not use the terms "medium-growth", "low-growth", and "high-growth" in the Plan. For 2 counties the numbers used are the same, and the Kitsap County numbers are not based on growth. Using "lower estimate", "moderate estimate", and "higher estimate" would be acceptable.	Chapter 4, consumptive use and growth projections, Lines 895-901	Squaxin Island Tribe	Does the committee want to frame the projections as proposed?
Add a sentence about the calculation using a substitution of 0.05 acres for zero - a 95th percentile value from this analysis was 0.12 acres irrigated.	This section is discussing the irrigated area method for calculating consumptive use.	Squaxin Island Tribe	For discussion with consumptive use estimate.
PROJECTS AND ACTIONS			
Add a paragraph about assessing the climate change and how it may affect project effectiveness, and which projects create resilience. Cite Beechie, et al (2013) RESTORING SALMON HABITAT FOR A CHANGING CLIMATE, River Res. Applic. 29: 939–960 (2013). Pertinet quotes to include: (from the abstract) "On the basis of our literature review, we found that restoring floodplain connectivity, restoring stream flow regimes, and re-aggrading incised channels are most likely to ameliorate stream flow and temperature changes and increase habitat diversity and population resilience. By contrast, most restoration actions focused on in-stream rehabilitation are unlikely to ameliorate climate change effects. Finally, we illustrate how the decision support process can be used to evaluate whether climate change should alter the types or priority of restoration actions in a salmon habitat restoration plan." (From the Summary and Conclusions): "Key elements of adapting any restoration strategy to climate change include (1) understanding the	Chapter 5, Projects, Line 950	Squaxin Island Tribe	<p>Does the committee want to include general language about climate change resilience; specific to projects; or a general statement? Note other concerns about limitations of the Toolbox. What additional information does the committee want to provide? If the committee supports a revision, Squaxin Island Tribe to provide specific language to discuss with the committee in December.</p> <p>The committee could also discuss including a separate section on climate change that covers projections and projects.</p>

Proposed revision	Associated content	Entity	Options for Consideration
current recovery needs, (2) evaluating whether climate change effects will likely alter those needs, (3) determining whether restoration actions can ameliorate climate change effects, and (4) determining whether restoration actions can increase ecosystem resilience." (and): "The key questions that must be answered for any adaptation strategy are as follows: Does climate change alter restoration needs in the future? And can restoration actions increase ecosystem resilience by reducing climate change effects or increasing habitat diversity?"			
Lines 24-26: this sentence appears to combine different issues. Revise: "The WRIA 13 Committee recommended a lower priority for technical consultant resources in further developing projects that primarily benefit fish and wildlife habitat. Top priority were the projects that were more certain and could be reasonably quantified for offset volumes."	Chapter 5, Projects, Line 952	Squaxin Island Tribe	Is this comment relevant for WRIA 15? If so, does the committee support the revision?
For each project description, add a sentence or two describing how the project will be resilient to climate change, and how it will add resilience to the aquatic ecosystem.	Chapter 5, Projects, Line 959	Squaxin Island Tribe	Options for committee consideration: <ol style="list-style-type: none"> 1. Add information for each project if available. 2. Add general statement at the beginning of the project section 3. Address through grants program (criteria for streamflow grants).
ADAPTIVE MANAGEMENT – OTHER COMMENTS ADDRESSED IN SEPARATE REVIEW			
Including proposed adaptive responses to offset deficits in this section may be helpful in providing context for a legislative request for funds and increase the likelihood that offset deficits can be managed in the future.	Adaptive management section. Chapter 6 Line 1245	WDFW	Need more information from WDFW on specific language to include. <ol style="list-style-type: none"> 1. Does the committee have any concerns with including this additional information? 2. If not, WDFW to provide suggested language for consideration at the December meeting.

Proposed revision	Associated content	Entity	Options for Consideration
<p>Instream Flows and Instream Flow Rule (IFR). Revise: "...the Department of Ecology may not issue water rights <u>or change existing water rights</u> that would..."</p> <p>RCW 90.44 (Groundwater Regulations). Revise : "RCW 90.44 (Groundwater Code): ..."</p> <p>RCW 90.54 (Groundwater permit exemption). Add a note that this RCW codifies the 1971 Water Resources Act, which also continues to apply.</p> <p>RCW 90.54 (Groundwater permit exemption). Revise: "...provisions of this section and does not need a <u>permit or</u> water right."</p> <p>RCW 90.94 (Streamflow Restoration). Revise: "This chapter of the Revised Code of Washington codifies <u>parts of</u> ESSB 6091, ..."</p> <p>RCW 90.94 (Streamflow Restoration). Add to this definition: "Other laws codify other parts of ESSB 6091."</p> <p>Reasonable Assurance. This definition should note that this is not a term found in the statute. Including it may be in appropriate. A different term should be used that more strongly supports the legislative purpose that these plans are actually implemented in order for permit exempt wells to be constructed.</p> <p>Section 203 or Section 030. Revise: "...in ensuring the protection and <u>restoration</u> of instream resources..."</p> <p>Watershed Restoration and Enhancement Plan (WRE Plan). This definition should mention the other mandatory requirements of these plans and Ecology's findings before it can approve these plans.</p>	Appendix B: Glossary	Squaxin Island Tribe	Glossary developed by Ecology communications team with management review. Consistent across all plans. Stacy can discuss with management but unlikely to change.

WRIA 15 Discussion:

Potential New Funding Recommendation(s)

V4Nov2020

Background

The committee asked to discuss potential funding recommendations for plan implementation. As background, there are three references to funding already included in the draft plan (see the text of each below).

Two of the recommendations ask Ecology to provide an estimate of costs for plan implementation and associated funding options. This was preferred by some committee members who felt they did not have adequate information at this time to support a specific fee (such as an increase in PE well fees). The third option asks for legislative funding specifically for Adaptive Management (but not for plan implementation)

Each of these recommendations are here, with text from the current draft of the plan:

1. Recommendation that Ecology's first annual report would provide an estimate of costs to implement and associated funding options

Chapter 6, Adaptive Management Recommendation 2: Reporting and Adaptation on Additional Water Resource information

- The first annual report should include an estimate of expenses necessary for plan implementation and associated funding options. Funding options could include:
 - Local or state fees, including PE well fees
 - Grants
 - State funding
 - Other options
- Ecology will share the report with Committee members and other interested parties.

2. Recommendation that Ecology's 2026 Report include information on the costs of offsetting new domestic water sources.

Chapter 6, Recommendation 4: Report on Additional Water Resource information

Recommendation: By September of 2026, Ecology reports the following information with the support of the State Department of Health and local jurisdictions:

- Estimates of:
 - The total number of connections to PE wells currently in use, as described in RCW 90.94.030(3)(b).
 - The number domestic and municipal water rights in use and their current quantity of use, including estimates of inchoate water remaining in municipal water rights, and categorized by whether they are mitigated or not and which subbasin they are in, as described in RCW 90.94.030(3)(c).
 - The cumulative consumptive water use impacts on instream flows from all pre-2018 PE wells and unmitigated municipal water rights, as described in RCW 90.94.030(3)(d)(e).

- ***An evaluation of the costs of offsetting all new domestic water uses over the next 20 years, as described in RCW 90.94.030(3)(d). The initiation of adjudication would be considered an acceptable substitute for this study.*** (emphasis added)

3. Requesting legislative funding for Adaptive Management

Chapter 6, Adaptive Management Recommendation 3: Funding

The Committee recommends the Legislature provide funding for monitoring and adaptively managing the plan, including:

- Annual tracking of new PE wells and project implementation by subbasin.
- Staffing for the ongoing committee.
- Ongoing committee member participation; and
- Developing a process to adaptively manage implementation if NEB is not being met as envisioned by the watershed plan (e.g. identification and development of alternative projects, etc.).

Options for Committee Consideration

1. Request that new PE well fees are increased to \$1500 per connection.

This was proposed by the Squaxin Island Tribe in an earlier proposal

2. Request the legislature provide funding for plan implementation.

This could be an expansion of the current request for funding for Adaptive Management, or an additional recommendation.

As an example, here is what is included in the draft WRIA 9 plan:

The WRIA 9 Committee recommends funding plan implementation and adaptive management from a variety of sources including the Washington State Legislature, and other public and private funding sources. Funding and staffing at local, county and state levels is likely to see continued shortfalls due to COVID-19 related impacts over the next several years. The Committee urges a collaborative approach to fund Ecology and WDFW to ensure plan implementation and monitoring, streamflow health, water offsets, net ecological benefit, and full compliance with the mandates found in RCW 90.94.

Another option would be to amend the Adaptive Management recommendation above to read:

The Committee recommends the Legislature provide funding for plan implementation, monitoring and adaptive management including...

Questions for the Committee

- Do you want to add a new recommendation or expand on the existing recommendations in the plan?
- If yes, what would you like the recommendation to include?

Chapter 6. Additional Plan Recommendations

6.1 Policy and Regulatory Recommendations

[Comment xx. Note that based on the final recommendations, we can change the title of this section to “Non-Capital Recommendations” or whatever term best encompasses the set of recommendations.]

The Streamflow Restoration law lists optional elements committees may consider including in the plan to manage water resources for the WRIA or a portion of the WRIA (RCW 90.94.030(3)(f)). The WRIA 15 Committee included “policy and regulatory recommendations” in the watershed plan to show support for programs, policies, and regulatory actions that would contribute to the goal of streamflow restoration. When similar concepts arose from multiple Watershed Restoration and Enhancement Committees, the WRIA 15 Committee coordinated with those other committees to put forward common language for inclusion in the watershed plans, when appropriate. Coordination also occurred for jurisdictions that cross multiple watersheds. All projects and actions the WRIA 15 Committee intended to count toward the required consumptive use offset or NEB are included in Chapter 5: Projects and Actions.¹

As required by the NEB Guidance, the WRIA 15 Committee prepared the plan with implementation in mind. However, as articulated in the Streamflow Restoration Policy and Interpretive Statement (POL-2094), “RCW 90.94.020 and 90.94.030 do not create an obligation on any party to ensure that plans, or projects and actions in those plans or associated with rulemaking, are implemented” (Ecology 2019a). The identification and listing of these policy and regulatory recommendations is directly from the WRIA 15 Committee members and is not endorsed or opposed by Ecology.

The WRIA 15 Committee initially identified a list of potential recommendations based on proposals brought forward by members of the committee. After iterative rounds of discussion and feedback during committee meetings, in one on one conversations, and using a survey tool, the committee narrowed the recommendations to those presented below. Unless otherwise specified, the proposed implementing entity is not obligated by this plan to implement the recommendation; however, the WRIA 15 Committee requests consideration of each recommendation by the identified implementing entity.

The WRIA 15 Committee provides the following recommendations. Please note that these are not listed in order of priority:

1. Track the number and location of permit-exempt wells

Proposed implementing entity: Department of Ecology

¹ “New regulations or amendments to existing regulations adopted after January 19, 2018, enacted to contribute to the restoration or enhancement of streamflows may count towards the required consumptive use offset and/or providing NEB.” (Streamflow Restoration Policy and Interpretive Statement, POL-2094)

Recommendation: Change Department of Ecology’s well tracking system in the following ways, in order to track the number and location of permit-exempt wells in use:

- Collect latitude and longitude of wells on well report forms;
- Identify permit-exempt wells on well log form; and
- Provide Well ID Tag numbers to older wells, and associate well decommissioning, replacement, or other well activities with the Well ID Tag.

Purpose: Accurate tracking of the locations and features of permit-exempt wells will support the WRIA 15 Committee’s desire to engage in monitoring and adaptive management after plan adoption.

Funding source: If Ecology does not have capacity do this work with existing staffing and resources, the committee recommends the legislature provide additional funding.

2. Monitoring and Research

Proposed implementing entity: Multiple agencies would likely be involved in monitoring. Ecology would coordinate the development of the strategy.

Recommendation: Develop a research and monitoring strategy for WRIA 15 that addresses the following:

- Streamflow monitoring
- Groundwater monitoring
- Precipitation and drought conditions
- Water usage and water supply data

Given the cost and effort involved in developing a comprehensive strategy, this effort may need to be phased and prioritized to address most urgent needs first.

Purpose: The WRIA 15 Committee desires comprehensive monitoring data on the overall health of the watershed, including status and trends.

Funding source: Funding is needed either through legislative appropriations, grants, pooling of resources by committee members and other stakeholders, or other means.

3. Annual Report on Monitoring

Proposed implementing entity: Department of Ecology, with support from Kitsap Public Utility District, Squaxin Island Tribe, and any other jurisdictions collecting flow data under an approved Quality Assurance Project Plan.

Recommendation: Annually compile monitoring data on the status of water resources and water quality in the basin over the past year that has been collected by Ecology or provided by Partner jurisdictions. Partner jurisdictions are encouraged to provide relevant data to Ecology for inclusion. Monitoring of streamflows, groundwater, precipitation and drought conditions,

water usage, and water supply could be included. This information should be provided to the WRIA 15 Committee or a new implementation group if established.

Purpose: This provides additional information on water resources that will provide context for addressing adaptive management.

Funding source: It is assumed this can be completed with existing resources.

4. Report on Additional Water Resource Information

Proposed implementing entity: Department of Ecology

Recommendation: By September of 2026, Ecology reports the following information with the support of the State Department of Health and local jurisdictions:

- Estimates of:
 - The total number of connections to PE wells currently in use, as described in RCW 90.94.030(3)(b).
 - The number domestic and municipal water rights in use and their current quantity of use, including estimates of inchoate water remaining in municipal water rights, and categorized by whether they are mitigated or not and which subbasin they are in, as described in RCW 90.94.030(3)(c).
 - The cumulative consumptive water use impacts on instream flows from all pre-2018 PE wells and unmitigated municipal water rights, as described in RCW 90.94.030(3)(d)(e).
- An evaluation of the costs of offsetting all new domestic water uses over the next 20 years, as described in RCW 90.94.030(3)(d). The initiation of adjudication would be considered an acceptable substitute for this study.

Purpose: This provides additional information on water resources that will provide context for addressing adaptive management.

Funding source: Grant funding or a legislative appropriation will be necessary to hire consultant assistance to Ecology for this effort.

5. Recycled Water

Proposed implementing entity: Washington State Legislature and/or Department of Ecology

Recommendation: Enact state policies that encourage the development and use of reclaimed water.

Purpose: Using reclaimed water will:

- Offset water that would otherwise be diverted from rivers and streams, thus preserving natural high-quality instream flow;

- Reduce the amount of treated wastewater that is discharged into receiving water bodies; and
- Create water supply options, which makes the water supply system more resilient against drought and climate change.

Funding source: Funding is needed either through legislative appropriations, grants, pooling of resources by committee members and other stakeholders, or other means. Individual projects and construction components will have to be funded with a market-based approach.

6. Water Conservation Education

Proposed implementing entity: Ecology and counties; with support from conservation districts and non-governmental organizations.

Recommendation: Ecology should partner with counties and conservation districts to develop and implement outreach and incentives programs that encourage rural landowners with PE wells to (1) reduce their indoor and outdoor water use through water conservation best practices; and (2) comply with drought and other water use restrictions.

Purpose: Raise awareness of the impacts PE well water usage has on (1) groundwater levels and (2) the connection to streams and rivers. Supplement water offset and restoration projects.

Funding source: Funding is needed either through legislative appropriations, grants, pooling of resources by committee members and other stakeholders, or other means.

7. Water Conservation Statewide Policy

Proposed implementing entity: Ecology and/or local governments

Recommendation: Implement mandatory water conservation measures in unincorporated areas of the state during drought events. Measures would focus on limiting outdoor water use, with exemptions for growing food.

Purpose: Reduce water usage in key sub-basins, especially during drought; reduce impacts on stream flows; and increase climate change resilience.

Funding source: Funding is needed either through legislative appropriations, grants, pooling of resources by committee members and other stakeholders, or other means.

8. Beaver

The WRIA 15 Committee recognizes the benefits that beaver can play to the landscape and for streamflow. The Committee recommends a package of proposals as additional tools for jurisdictions and landowners to help manage beavers.

Map and protect likely beaver habitat: The Committee recommends a pilot project with Kitsap County to identify potential easements to purchase and protect as beaver habitat. The Committee recommends combining mapping and modeling to understand both the

Commented [VMSJ(1)]: New. Need catchy title.

water holding potential and beaver habitat suitability of selected areas. The Committee recognizes that easements would be purchased on a voluntary basis and that certain areas of the WRIA need to be protected for drinking water.

Education & outreach: The Committee recommends a partnership between local organizations to develop and implement an education and outreach program to landowners regarding beavers and beaver management. The partners could also reach out to entities to address known concerns (e.g., tree loss, hazard trees, encroaching on farmland, change of vegetation, flooding) associated with beavers and discuss management options.

Monitoring & research: The Committee recommends developing a monitoring program for beaver habitats which may including collecting information on fish passage, groundwater levels, vegetation types, permits, BDA vs natural beaver habitat. Streamflow and habitat benefits should be quantified where possible to help define the benefit from a surface water / habitat perspective (e.g, temperature, streamflows, salmon, riparian vegetation, etc.). Implementing entities could include local jurisdictions, Tribes, federal or state agencies.

6.2 Adaptive Management Recommendations

The WRIA 15 Committee recommends an adaptive management process for implementation of the WRIA 15 watershed plan. Adaptive Management is defined in the Final NEB Guidance as *“an interactive and systematic decision-making process that aims to reduce uncertainty over time and help meet project, action, and plan performance goals by learning from the implementation and outcomes of projects and actions”* (Ecology, 2019b).

Adaptive management will:

- Help address uncertainty.
- Ensure that the goals of this plan are being met.
- Provide more reasonable assurance for plan implementation.
- Provide information to improve implementation of streamflow restoration projects and actions.
- Track implementation costs and developing grant funding opportunities; and
- Adaptively manage emerging plan implementation needs.

Commented [SG2]: Reformat of this intro to put all points in bullets.

Commented [SG3]: Given the different interpretations of the intent of the law, this sentence was controversial.

1. Project, Policy, and Permit-Exempt Well Tracking

The WRIA 15 Committee recommends tracking the growth of permit-exempt (PE) wells in the watershed as well as the projects and policies that were planned to offset the impacts of these PE wells. This data will allow the Committee to determine whether planning assumptions were accurate and whether adjustments to plan implementation are needed.

Commented [SG4]: The plain text requirements of the plan discourage use of words such as “important” and “essential” If it is recommended it is clear that it is important (or essential) to the Committee.

- A. The WRIA 15 Committee recommends tracking the following information on an ongoing basis:

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- New building permits issued that include permit-exempt wells.
- Status of implementation for each project included in the plan.
- Status of policy recommendations included in the plan.
- An ongoing list of new PE wells in the WRIA since the enactment of RCW 90.94.
 - The lists of building permits and projects will be organized by subbasin, and if feasible represented on a map that includes subbasin delineations. Counties are encouraged to provide parcel or other geographic information in their reports to Ecology to support mapping by subbasin.

Commented [SG5]: Changes based on committee discussion in 10/29/20 meeting

- B. To assess the status of project implementation, the Committee recommends using the Salmon Recovery Portal (<https://srp.rco.wa.gov/about>), managed by the Washington State Recreation and Conservation Office (RCO), to support project tracking.
- The Washington Department of Fish & Wildlife (WDFW), in collaboration with the Washington Department of Ecology and RCO, will coordinate the implementation of project tracking through the Salmon Recovery Portal.
 - Project sponsors are expected to support project tracking efforts and data sharing.
 - Local salmon recovery Lead Entity Coordinators will not be expected to provide ongoing support for project entry, maintenance, or reporting. To improve harmonization of streamflow restoration with ongoing salmon recovery efforts, local salmon recovery Lead Entity Coordinators will be consulted prior to initial data uploads.
 - University of Washington data stewards, contracted by WDFW, will conduct data entry, quality assurance, and quality control. If this approach changes, WDFW will propose an alternative method for completing this task.
 - Entities with representation in the WRIA 15 Committee (or an implementation group, if created) are encouraged to assist as needed with coordination, data gathering and input, and tracking.

Commented [SG6]: Suggested change because participation is voluntary.

Table xx summarizes the entities responsible for implementing the tracking and monitoring recommendation and associated funding needs.

Table xx. Implementation of Tracking and Monitoring Recommendation

Action	Entity or Entities Responsible	Funding Considerations
Track building permits issued with PE wells.	Ecology (via reporting from counties and cities).	The number of building permits and associated fees are transmitted to Ecology annually. No additional funding is needed.
Maintain an ongoing list and map of new PE wells within each sub-basin.	Ecology	Information included with data on new PE wells, provided by local governments. No additional funding is needed.

Maintain a summary of the status of implementation for each project.	Ecology via the Salmon Recovery Portal, with support from WDFW, RCO, and project sponsors	WDFW may need additional funding to support maintaining the Salmon Recovery Portal.
Maintain a summary of the status of each policy recommendation.	<i>[to be completed after policy recommendations are finalized]</i>	<i>[to be completed after policy recommendations are finalized]</i>

Commented [SG7]: Changed in response to WDFW comment.

2. Reporting and Adaptation

The Committee recommends that Ecology provides the data collected above to all entities represented on the committee and other interested parties through annual reporting and a self-assessment as described below. These reports and assessments will help determine whether the plan's recommendations are being implemented and whether they are having the intended impacts.

Commented [SG8]: Suggested edit for clarity

A. The WRIA 15 Committee recommends annual reporting as follows:

- By September of each year, Ecology will prepare an annual report that includes:
 - A list of total building permits issued in the prior calendar year along with the total number of associated new domestic PE wells, using the information provided to Ecology by the local jurisdictions.
 - A brief description of the status of WRIA 15 projects and actions included in this plan (descriptions may be drawn from the Salmon Recovery Portal, if available).
 - If the project as implemented differs significantly from the original description and assumptions included in the plan, the annual report will also include an estimate of changes to the offset benefit.
 - Other implementation actions to date, including any changes in approach since the last report and any challenges identified that may require adaptation in plan implementation.
 - The lists of building permits and projects will be organized by subbasin, and if feasible represented on a map that includes subbasin delineations. Counties are encouraged to provide parcel or other geographic information in their reports to Ecology to support mapping by subbasin.
- The first annual report should include an estimate of expenses necessary for plan implementation and associated funding options. Funding options could include:
 - Local or state fees, including PE well fees
 - Grants
 - State funding
 - Other options
- Ecology will share the report with Committee members and other interested parties.

Commented [SG9]: Changes based on committee discussion in 10/29/20 meeting

- B. The WRIA 15 Committee recommends preparing a self-assessment every five years as follows:
- By September of 2026, and every five years thereafter during the planning horizon period, Ecology will compile and report based on available information from previous reports and partners:
 - All cumulative information required in the annual report.
 - Estimated water offset quantities, consumptive use, and instream flow benefits, realized through implementation of projects and actions identified in this plan.
 - A comparison of each item above to the original assumptions included in the plan and a summation of overall ecological benefit (i.e., greater than expected, less than expected, or about the same as expected).
- C. The WRIA 15 Committee believes a group of engaged stakeholders and tribal representatives are needed to continue collaboration on the implementation of this plan. The Committee recommends continuing to meet as needed, with participation from all interested WRIA 15 representatives.
- Interested WRIA 15 Committee members, or a new implementation group if established, will convene annually via telephone to:
 - Review and discuss the annual report.
 - Share updates on project and policy implementation.
 - Discuss or develop recommendations for revisions, additions, or deletions to planned projects or actions.
 - Every five years interested WRIA 15 Committee members, or a new implementation group if established, will hold a series of meetings to conduct the self-assessment, which includes:
 - Reviewing the five-year assessment report from Ecology.
 - Developing recommendations to adapt projects and actions to meet NEB.
 - Updating data and assumptions.
 - Other items identified by Committee members.
 - Additional meetings may be scheduled as needed.
 - Members should consider:
 - Self-organizing and identifying an organization to coordinate and facilitate meetings.
 - Redefining the WRIA 15 Committee, which could include a new name, charter, and supporting interlocal agreement.
 - Identifying funding mechanisms to provide capacity for the Committee members and facilitator.

Commented [SG10]: Additional clarity that participation is not obligatory

Table xx summarizes the entities responsible for carrying out the reporting and adaptation recommendation and associated funding needs.

Table xx. *Implementation of Reporting and Adaptation Recommendation*

Action	Entity or Entities Responsible	Funding Considerations
Annual Reports	<ul style="list-style-type: none"> Local jurisdictions provide building permit information to Ecology. Ecology compiles information on project status, drawn from the Salmon Recovery Portal. Entities provide monitoring data to Ecology for inclusion in reports. Ecology combines monitoring data from within the agency with data provided by other entities. Ecology compiles information into a single report for distribution to the Committee and other interested parties. 	<ul style="list-style-type: none"> Local jurisdictions are already required to provide building permit information to Ecology (no additional funding needed). Ecology staff would compile reports using existing resources. WDFW may need additional funds to manage the Salmon Recovery Portal.
Five-Year Self-Assessment:	<ul style="list-style-type: none"> Local jurisdictions provide building permit information to Ecology. Ecology compiles information on project status, drawn from the Salmon Recovery Portal. Entities provide monitoring data to Ecology for inclusion in reports. Ecology combines monitoring data from within the agency with data provided by other entities. Ecology prepares estimates of the quantity of water, instream flow, and habitat benefits realized through implementation of projects and actions identified in this plan. Ecology compiles information into a single report for distribution to Committee and other interested parties. WRIA 15 Committee convenes to prepare adaptation recommendations on changes to planned projects or actions. 	<ul style="list-style-type: none"> Local jurisdictions are already required to provide building permit information to Ecology (no additional funding needed). Ecology may need funding to complete the estimate of realized benefits. State funding or staff support will be needed to reconvene a group to prepare recommendations. Committee members who cannot participate in meetings using existing resources will need additional funding.

1. Funding

The WRIA 15 Committee recommends ongoing implementation oversight and a process to adaptively manage the plan as new information emerges. The Committee recommends the Legislature provides funding for monitoring and adaptively managing the plan, including:

- Annual tracking of new PE wells and project implementation by subbasin.
- Staffing for the ongoing committee.
- Ongoing committee member participation; and
- Developing a process to adaptively manage implementation if NEB is not being met as envisioned by the watershed plan (e.g. identification and development of alternative projects, etc.).

Table xx summarizes the entities responsible for carrying out this recommendation and associated funding needs.

Table xx: Funding Recommendation

Action	Entity or Entities Responsible	Funding Considerations
Funding of Adaptive Management	Legislature	The legislature should provide funding and authorize plan implementation to adaptively manage implementation if NEB is not being met as envisioned by the watershed plan.

6.3 Other Issues and Recommendations

[Items below will be merged into the plan once they are finalized, possibly into a new section or chapter. They are not intended to be part of the Adaptive Management section, but they did come out of Committee discussions around Adaptive Management.]

1. Assurance of Plan implementation

By approving this plan, WRIA 15 Committee members commit to the following actions to support watershed plan implementation:

[the list below is a series of place-holders for each entity to add text]

Department of Ecology

WA Dept of Fish & Wildlife

King County

Kitsap County

Pierce County

Mason County

City of Bremerton

City of Port Orchard

City of Bainbridge Island

City of Gig Harbor

Kitsap Public Utility District

Kitsap Conservation District

Kitsap Building Association

Great Peninsula Conservancy

Skokomish Tribe

Squaxin Island Tribe

Suquamish Tribe

Puyallup Tribe

Port Gamble S'Klallam Tribe

2. Summary of Ecology Rulemaking

[Insert cross reference to any recommendation in the plan that will require rulemaking.]

2. Summary of Legislative Requests

[Insert cross reference to any recommendation in the plan that will require legislative action.]

Additional Water Resource Information

There were concerns raised about some of this language—and no support offered—so this section will not be included.

Moved to the policy recommendation section.