



Meeting Minutes
Nisqually River Council Meeting
December 20, 2019
Yelm Community Center
Information: 360.438.8715

Attendees:

NRC Members:

Dan Calvert – Puget Sound Partnership
Amy Cruver – Pierce County
Gary Edwards – Thurston County
Sheila Marcoe – Dept. of Ecology
Amber Martens – JBLM

René Skaggs – Pierce Conservation District
Kelly Still – WDFW
Andrew Reed – DNR
David Troutt, chair – Nisqually Indian Tribe

CAC Members:

Phyllis Farrell
Howard Glastetter
Paula Holroyde
Fred Michelson

Bob Smith
Lois Ward
Marjorie Smith

Guests:

Roger Andrascik – NLT/NSS
Jeff Barney – Pierce County
Jeremy Badoldman – Nisqually Indian Tribe
Lloyd Fetterly – NLT
JW Foster – City of Yelm
Tara Donohoe – NRCS
Rod Gilbert – JBLM
Cathy Hamilton-Wissmer – JBLM
Ed Humble – Sierra Club

Jennifer Johnson – Thurston Public Health
Joe Kane – NLT
Matthew Pahs – Dept. of Transportation
Etsuko Reistroffer – NLT/NSS
Jim Reistroffer – NLT/NSS
Bob Stevenson
Maya Teeple – Thurston County
Ashley Von Essen – Nisqually Indian Tribe

Staff:

Brandon Bywater – NRF
Justin Hall – NRF
Emily McCartan – NRF

Maya Nabipoor – NRF
Sheila Wilson – NRF

1. Call to Order, Introductions, Approval of Minutes and Agenda

David called the meeting to order at 9:13am. Minutes from the November meeting were approved, as was the agenda for the day.

2. Committee Reports and Updates

Advisory Committee Reports:

Citizens Advisory Committee – Phyllis Farrell

The CAC met on December 12 and discussed updates on issues including Thurston County planning, federal aquaculture permitting changes, and biosolids. Ed is working with Sierra Club to include biosolids on their legislative agenda. The CAC has requested an update from

City of Yelm wastewater on their treatment plant, which they have been following for several years. Howard noted that he has a letter for WSDOT regarding traffic flow suggestions if construction occurs on I-5 in the Nisqually Valley in the future.

Chair Report – David Troutt

David continues to work regionally and locally on a new strategy for funding watershed and salmon recovery plans. There is acknowledgement that the current competitive funding model is inadequate to meet the need. Discussion includes funding to fully implement existing plans in the Nisqually and potentially other pilot areas around the state. David testified on behalf of Lead Entities at the recent SRFB meeting on the need for more funding to support staff doing this important work.

Staff Report – Emily McCartan

Emily is working with WRIA 11 Planning Unit stakeholders on grant development for streamflow restoration projects (next grant round opens in late January). The Nisqually River Foundation received a \$10,000 Powerful Partnerships grant from Puget Sound Energy for 2020, which will include some public outreach on PSE sustainable energy programs and resources, including an upcoming presentation to the NRC. The Bureau of Reclamation WaterSmart planning process is also continuing with end-of-year reporting and strategic planning for next year's NRC agendas and stakeholder outreach needs. Emily and other staff participated in the Nisqually Tribe's Youth and Community Center Christmas Parade on Wednesday, which will hopefully become a new continuing tradition.

Thurston County Subarea Plan – Maya Teeple

The Nisqually Subarea Plan update is still on hold. Staff changes may occur in the new Background research is still continuing on legal and best management practices for recycled asphalt. The Board will then determine whether they need a Phase III of research or to bring the revised RAP proposal directly to the Planning Commission, probably in March 2020. Briefings are open to the public (no public testimony is taken). Mineral Lands will be before the Planning Commission in February.

Allied Program Reports:

Nisqually Land Trust – Joe Kane

NLT received a grant from the Oregon Community Foundation to build a climate-informed conservation plan. The grant was highly competitive and will serve as a template for other land trusts doing climate planning. NLT is wrapping up a great planting season (Jim Reistroffer leads volunteer hours with over 1,000 hours).

Nisqually River Education Project – Sheila Wilson

NREP's winter field trips began with visits to McLane Creek to view chum salmon spawning (231 students total). Salmon tossing is happening over the next month with a small number of classes in the Eatonville area. Hatchery returns were low so there are fewer tossing trips. NREP has also helped with a habitat restoration project to plant prairie plants on the Nisqually Middle School campus. Lot of grant applications in process: NOAA BWET, NOAA Environmental Literacy Grant, and EPA Environmental Education. NREP was invited by North Thurston Public Schools to be part of a Native Student STEM program, part

of an ongoing effort to decolonize the curriculum. The after-school program will work on STEM with cultural and natural resources from a tribal perspective.

Nisqually River Foundation and Community Forest – Justin Hall

Justin has been representing the River Council and Community Forest with the Nisqually Water Planning Unit and is preparing several grant projects. Statewide community forest legislation is still in process, with the potential for a capital budget proviso for a pilot this year. The annual budget for the Nisqually River Foundation is completed, supporting 5 major programs (NRC, NREP, Planning Unit, Community Forest, contract employees for partner agencies) with 27 funding sources. Assessment of carbon potential in Community Forest looks very positive. The NLT Board voted last night to approve the official transfer of the current three sections to the Community Forest.

Salmon Recovery – David Troutt

There has been a disturbing downward trend in chum salmon in Puget Sound over the last 5 years. South Sound chum seemed to be less affected, until this year. Late chum returns were the lowest recorded by the Nisqually Tribe, less than half of the forecast. The Tribe hoped to catch 3,000 fish, and closed the fishery after catching 39. Escapement goal was 18,000, but total run is closer to 7,000. Muck Creek and Yelm Creek are critical for Nisqually chum production and were dry until yesterday's rains. Hopefully the rain will enable chum to spawn and recover. The trend is alarming and monitoring will continue. Restoring freshwater habitat is critical to buffer salmon populations against ocean conditions.

2. 2020 Salmon Recovery Project List

Ashley Von Essen, Lead Entity Coordinator

Salmon Recovery Funding Board (SRFB) funds for 2019 were awarded yesterday, totaling \$26.1 million statewide. This year's (2020) grant timeline is shorter as a result of changes in state process and funds will be awarded next September. 2020 is a "big" year (SRFB and PSAR). Total allocation for Nisqually is expected to be around \$1.8m. The Lead Entity received nine Letters of Intent submitted totaling \$2 million, with \$4.1 million match (total project costs \$6.2 million).

Projects:

Baird Cove Protection (NLT)

- \$400,000 requested
- Would protect 88 acres on Johnson Point, including a pocket estuary with oldest forest on Thurston County shoreline. Important fish rearing habitat. Submitted in both WRIA 13 and 11, the ultimate goal being to see the site protected. Significant match from Thurston Conservation Futures and national Coastal Conservation grants.

McKenna Reach and Brighton Creek Protection (NLT)

- \$231,700 request
- Would protect 240+ acres, including purchase, landowner donation, and conservation easement on undeveloped forestlands. Sulvert replacement on Brighton Creek could open chum habitat.

Powell Creek Protection (NLT)

- \$261,662 requested (applying for 2020 Streamflow Restoration grant for \$2.6 million)

- Protecting 240 mature forest scheduled for clearcut timber harvest.

Lower Ohop Protection – Property A (NLT)

- \$424,712 requested
- Permanent protection of 11.44 acres, eventual next phase of restoration for Lower Ohop Creek. Currently developed rural residential parcel.

Lower Ohop Protection – Property B (NLT)

- \$311,337 requested
- Purchase 5 parcels (29 acres) along Ohop Creek in area platted for subdivision development. Heavily timbered slope.

Middle Ohop Protection Phase 5 (NLT)

- \$122,000 requested
- Permanent protection of 5+ acres on Ohop Creek including critical spawning reach.

Middle Ohop Instream restoration Design (SPSSEG)

- \$120,700 requested
- Design-only planning work for reach to be protected in phase 5, severely degraded habitat from land-use practices and dredging, critical for Chinook spawning.

Nisqually Watershed Riparian Stewardship (NLT)

- \$85,000 requested
- Stewardship support for previously planted NLT sites (invasives removal, tube removal, additional plantings, maintaining properties.)

Mashel Reach 7 Stewardship (SPSSEG)

- \$100,000 requested
- Controlling poison hemlock infestation in a previously planted SPSSEG restoration site. Need funding to treat for 4-5 years if possible. Could be combined with other NLT stewardship project.

Funding for long-term invasives control is a major challenge. Nisqually Cooperative Weed Management Area has knotweed control as a major priority, but eradication is so difficult that the goal in some areas is to control enough to allow other species to grow. Chemical control, including glyphosate, is one of the only ways to kill knotweed.

Next steps for project selection is site visits with SRFB Review Panel in February. Ranked project list will be presented to NRC in May. Final comments from review panel will come in July and August.

It was moved and seconded to approve the project list. The motion was approved.

3. Interstate 5: Tumwater to Mounts Road, Mid- to Long-Term Strategies

Matthew Pahs, WSDOT Principal Senior Planner

WSDOT study began in 2018, with direction from the Legislature to look at US101/1-5 interchange, strategic plan for the Nisqually River bridges, regional congestion relief options, and ecosystem benefits for Nisqually River Estuary for salmon productivity and flood control. The study area is from Exit 99 to Exit 116 (Mounts Road). Modeling area included all of Thurston County and part of Pierce County for regional congestion effects. WSDOT consulted with partners to develop study goals, including Nisqually Tribe, Intercity and Pierce Transit, cities and counties, TRPC. Goals are to:

- Improve travel times & reliability
- Increase the ability to move all people and goods, as well as manage the corridor capacity as an asset
- Improve accessibility
- Protect and enhance the environment
- Improve redundancy/resiliency (major concern of public input, because there is no real alternate route if I-5 is shut down. Only 3 roads connect Thurston and Pierce County – 10 lanes of traffic total).

Modeling scenarios included operations, land use, travel demand management, transit, hard shoulder running, HOV conversion, interchange improvements, and capacity expansion for HOV and general purpose use. Performance measures included travel times and reliability, equity and accessibility, greenhouse gas emissions, and resiliency of alternate routes. Followed a “practical solutions approach,” starting with lower cost strategies (turn lanes, incentives to reduce use, etc). With no changes, model shows intense congestion by 2040.

Strategies were ranked based on how much effect the model showed they had on traffic:

1. Land use (concentrated growth in urban centers and corridors)
2. Transit
3. Travel demand management
4. Operations
5. Hard shoulder running
6. Interchange improvements
7. HOV conversion
8. Capacity expansion – HOV (would include bridge construction on Nisqually Delta)
9. Capacity expansion – general purpose (not recommended – very costly and large negative effects for greenhouse gas emissions)

This study does not address specifics of construction for any scenario. Second phase of study would include environmental studies, including stormwater runoff impacts, river migration risks, and other factors. A failure at the Nisqually Delta from flooding or other causes would make it the highest priority solution, but expense means it is more likely to be a long-term solution. The directive for the short-term was to focus on less costly solutions, because budget is a major issue. Consultant selection for the next phase is expected in January.

Open Houses will be held on January 8 and 9 in Olympia and Lacey. Online comment submissions: <https://www.wsdot.wa.gov/planning/studies/i5/tumwater-mounts-road/home>.

Discussion:

- Would federal funding be available for implementing these solutions? – Yes, any built projects would require a combination of state and federal funds.
- Where does this project fall in the state’s priority list for all transportation projects? – Not known now. The Legislature makes the ultimate determination.
- Is the current Nisqually Bridge being monitored for safety, and will it be a higher priority to fix it if there is a high risk? – Hope the next phase of study will address the channel migration and help refine understanding of those issues.

- The Tribe’s work with USGS on the delta and channel migration is being built into the study. WSDOT has a different mission than salmon recovery agencies, but the Tribe is working with them to try to get the goals working in parallel. NIT is going to pursue federal and legislative avenues for prioritizing the bridge as well as WSDOT priorities.
- Does Orca Recovery Task Force, and importance of Nisqually Estuary for salmon and orca recovery, impact this process? – David noted that the estuary is hugely important, nursery for stocks from throughout Puget Sound. It should be woven into the policy process for transportation. Impact on treaty rights with a transportation project is also something to consider. Delta impacts should be a higher priority, from the Tribe’s perspective.
- Does the railroad bridge constrict I-5 expansion east of the Nisqually River? – There are two bridges (owned by BNSF and Sound Transit), who would be responsible for expanding them on their own schedule. WSDOT could replace it for them if freeway expansion goes forward. No funding for passenger rail.
- WSDOT doesn’t have a lot of control over land use strategy, which is the highest ranked priority. How will that go forward? – WSDOT is working with TRPC and other partners to encourage implementation of 2040 plan
- The report will include the impacts of the railway accident which closed the freeway in 2017 as a case study of the “worst case scenario.”
- WSDOT will not at details of designs until after next study phase. Current study identifies what the long-term problems are as the first step in planning any solutions.

4. Protecting Water from Chemicals of Concern

Jennifer Johnson, Thurston County Public Health and Social Services

Household activities affect water quality, and clean wastewater is important for replenishing aquifers, the source for surface and drinking water. Chemicals of concern get into wastewater from stormwater runoff, septic systems, and wastewater from municipal sewers. From wastewater, chemicals get into lakes, rivers, streams, and Puget Sound. Some chemicals can cause immediate health effects if they are in drinking water or swimming water. Long-term effects are being studied, including cancer, reproductive health issues, and other conditions that may result from long-term exposure. Runoff from yard chemicals (fertilizers) contributes to algae blooms.

Chemicals of concern include road salts, oil, heavy metals; weed and bug killers (pesticides); endocrine-disrupting chemicals from personal care products; plastics; and pharmaceuticals. Nutrient pollution is also an environmental health issue caused by runoff introducing fertilizers, animal waste, and septic contamination into the water supply.

Actions to take at home to protect water quality:

- Safe disposal: Secure medications you’re currently taking. Dispose of unwanted medication at safe disposal sites (in Thurston County, law enforcement offices and West Olympia Walgreens). Research shows many people begin taking opioids found unsecured in medicine cabinets. Do not flush medications where they can get into wastewater.
- Look for chemical signal words: caution (ability to cause harm); danger, poison
 - Reduce number of products that say danger/poison

- Dispose of chemicals at HazoHouse for free. Transport securely in a safe container.
- Safe storage: recent survey in Thurston County showed less than 5% of people are properly storing chemicals of concern. Chemicals should be stored up high, out of reach of children, and in a secondary container to prevent leaks or spills. Home floods can become very toxic because of contamination from improperly stored materials.
- Choose to purchase safe or non-toxic cleaning products (caution, warning are safer than danger, poison), reduce single-use plastics, choose safer personal care products without thalites and parabens. Castille soap and vinegar are safe, non-toxic products.
- Outdoor actions:
 - Limit runoff by planting rain gardens and using mulch or compost
 - Maintain vehicles so they don't leak
 - Use slow-release fertilizers to limit nutrient runoff which causes algal blooms
 - Pull weeds by hand, instead of using weed killers
 - Encourage beneficial insects by planting native flowers
 - Maintain septic systems – inspect every year if you have direct access to well water. Pump as needed – usually every 3-5 years. Surfacing sewage is a sign of failure, but in some areas of Thurston County the ground is so porous, septic systems can fail directly to the groundwater without showing on the surface.

Discussion:

- Thurston County HazoHouse is a great resource for safely disposing of household chemicals. There is a swap area to deposit partially-used containers that others could use.
- Gary Edwards is continuing to monitor nutrient issue in Capital Lake and the Deschutes, and look into concerns about timber fertilization practices, which are difficult for agency staff to monitor adequately.
- Many citizens are concerned about waste and toxins affecting our waters from pesticides, biosolids, and chemical applications. Agencies are understaffed and under pressure to allow these practices to proceed, although the EPA has never run risk management on many permitted chemicals. County and state officials are responsible to the public and should continue to pursue with regulators. Need citizen pressure as well. It is important for people to do their part in individual households but there are other factors that also need attention.
- How does Thurston County Stormwater Utility to test outfalls and control? - Stormwater is not treated. The County is working to improve practices, including building more settling ponds with plants that provide some filtration. Don't know if it handles pharmaceuticals. Because it's expensive and difficult to build enough treatment facilities, take personal responsibility to make sure the stormwater you create isn't contaminated. Puget Sound Partnership supports and prioritizes stormwater concerns, including depaving and other methods, but is not a regulatory agency. 80% of stormwater pollution is non-point source.
- What is the status of LOTT's groundwater recharge study? – Results showed there was a need for further study on impacts. We know that pharmaceuticals and personal care products are not treated by wastewater facilities. People can't stop using pharmaceuticals, but could pursue community commitments to dispose of items properly and limit consumption of personal care products.

- Study in the Nisqually and Mashel Rivers showed likely presence of PBDEs in Eatonville wastewater. The suspicion is that we'll find them wherever we look. It is a concern for stormwater systems. Regulation could tackle flame retardants in homes. There is a need for more studies across the region to understand how widespread these contaminants are and inform need for action.

Handouts on safe chemical and pharmaceutical disposal and other resources were available for attendees.

5. For the Good of the Order

Had this been a normal water year, today's precipitation could have produced a flood damaging to I-5.

Pierce Conservation District has three years left on their Rural Conservation Partnership Program (USDA funded) to work with landowners on wildlife enhancement goals in agricultural lands in Puyallup and Nisqually Watersheds (culvert replacement, stream restoration projects, fencing). Information is available at <https://pierced.org/443/Regional-Conservation-Partnership>

*Next Meeting: Friday, January 17, 2020
Billy Frank Jr. Nisqually National Wildlife Refuge*