



**NRC Citizens Advisory Committee
Meeting Minutes
May 15, 6:00 – 8:00 PM
Nisqually Tribe Natural Resource Office**

Present:

Phyllis Farrell
Howard Glastetter
Fred Michelson
Robert Smith
Marjorie Smith

Jeaniel Thomas
Glen Thomas
Lois Ward
Kim Bredensteiner, Nisqually Land Trust
Emily McCartan, staff

1. Welcome and Introductions

Phyllis called the meeting to order at 6:04. The agenda was approved, with the addition of an update from Phyllis on her meeting with David on Monday. Howard offered a correction to the minutes from the April meeting, which were approved as corrected.

2. Nisqually Land Trust (NLT) – Kim Bredensteiner, NLT Associate Director

Kim introduced herself. She has worked for the NLT for 9 years, starting as the stewardship coordinator. Her background is in watershed ecology.

Background on the Land Trust: NLT focuses on protecting lands vital to water quality and quantity for wildlife, fish, and people. Projects prioritized to protect properties along the Nisqually mainstem, Ohop, Mashel, and lower watershed. In the upper watershed, the focus is less on aquatic habitat and more on protecting or regrowing mature forests for protected species (spotted owls and marbled murrelets). These priorities inform the funding sources NLT seeks. Significant funding sources include Endangered Species Act (ESA), Salmon Recovery Fund (SRF) Board, Puget Sound Acquisition and Restoration (PSAR), and county conservation funds, as well as private funding for conservation. These funding programs are directed towards certain types of property (SRF and PSAR funding is targeted directly to property valuable for recovery of steelhead and Chinook. Federal ESA funding is used significantly in upper watershed for owl and murrelet habitat). NLT does not currently focus on Mazama pocket gophers or other prairie species, but might get involved if the right opportunities came along. These factors need to be considered when discussing public access.

Public Access Policy: The NLT Board adopted a public use policy in 2016. Kim circulated the policy along with definitions and FAQs. On most properties, the issue is not that the NLT doesn't allow public access, but rather that it doesn't actively pursue amenities for public access. NLT sites are categorized as Open, Undeveloped, or Restricted. All of the open/undeveloped sites allow low-impact, daylight use. Any trails are unmaintained. It's a possibility that the NLT could take on trail projects in the future, but doesn't currently have the capacity. The NLT owns just over 7,200 acres, including Community Forest

lands. Annual budget is \$800,000-\$900,000 for staff and maintenance; doesn't include acquisitions, which are considered capital funds. There are 6.5 staff members, including an AmeriCorps member.

Jenial asked what kind of maintenance is done, if not trails? Maintenance includes gates and fences, controlling invasive weeds/noxious weeds (as required by state/counties), restoration plantings, and cleaning up garbage dumped along rural roads. Restoration projects often work with partners (NIT, NREP, SPSSEG) to install plantings along the river and streams where property was previously cleared to restore riparian forests. Ohop Valley phases are one major restoration project through SPSSEG (remeandering stream, planting 180 acres in the floodplain). NLT also does some ecological thinning in forested properties, which removes middle-range trees to encourage a 2-canopy system and faster forest maturation. There is no clear-cutting on NLT properties, and they work with ecological forestry team at Northwest Natural Resources.

Restricted Properties: Include a life estate property and caretaker residences. The Mount Rainier Gateway property is also partially restricted – it was acquired with USFWS funding for endangered species protection, which requires that anywhere in a certain distance of old growth or mature forest be closed from human activity during the summertime, for spotted owl and murrelet nesting and breeding season. (Marbled murrelets are endangered waterbirds that nest inland on platforms in old growth trees in spring and summer. 2015 estimates found about 7,500 in WA.) Kim circulated a map with Gateway property access. Mt. Tahoma Trails Association has an overnight cabin in that area, and trails are open in the winter for skiing and snowshoeing. Fred stated that habitat zones can move depending on where birds are nesting.

Open Properties: One 218-acre property south of the river in Lewis County is open access and the only NLT property enrolled in the state's Feel Free To Hunt program. It is surrounded on 3 sides by state and national forestland that's being hunted. It was acquired as part of the other properties in Ashford, surrounded by other forests managed for spotted owl and murrelet. When acquired, it was recently clearcut (20 years old), so it will be a long time before it's old growth, which is why it can be open – but it's being managed for eventual old growth habitat. The other open protected area is along the mainstem in the Powell Creek Protected Area. (Maps are available on the website under Protected Areas). River is actively eroding and moving in that area– the Smiths' property line has changed by about an acre since they bought it!

Undeveloped Properties: The majority of NLT sites are undeveloped, meaning people are welcome to use them for quiet-use activity during daylight hours. There aren't many trails there. The reason is that the majority of funding comes from acquisitions for habitat protection, which means there is not much funding to facilitate public access. The NLT Board is interested in public access, which is why they established the policy, but it will take some time to develop fundraising capacity for public access that matches what they do for habitat.

Phyllis asked if there are problems with the no camping/overnight use policy? There are periodic violations. When a campsite is found, the land steward leaves a notice about the policy and requests that they vacate within 24 hours. Usually they leave and leave all their trash behind. It's a bigger problem near high-density residential areas.

Fred noted the Land Trust has been exploding for the last 10-15 years. Not many watersheds have that percentage of properties preserved, it's an incredible accomplishment.

Phyllis asked how NLT compares in size with the Capital Land Trust. They are fairly comparable in terms of protected lands. CLT has a lot of conservation easements, and NLT does more acquisitions, which has to do with how they were started and the different habitat focus for each of the organizations.

Phyllis asked about how much funding NLT has received from Conservation Futures from Thurston County. Kim estimated it probably totaled a little less than \$1 million for 5 different projects (in comparison, Capital Land Trust has used that program much more extensively). So far Kim haven't heard that it's actually opened up yet for this year, but the Commissioners are discussing it. Phyllis asked that the CAC be kept informed because they are very concerned about it.

3. Officer Nominations for 2018-19

Fred nominated Phyllis for chair. Howard seconded.

Fred also nominated Lois for vice chair. Marjorie seconded.

Phyllis accepted her nomination. She noted that she values the greater expertise that other members have from longer histories with the CAC, but has enjoyed her participation and has learned a lot. She feels like we make a difference here, so it's worth our time and energy to have this avenue.

Lois accepted her nomination, noting that she is happy to be the back-up, but has no interest in becoming chair, now or later. Fred noted that Lois has done a great job running meetings lately and reporting to the NRC.

Phyllis called for additional nominations. Other members present declined to be nominated. Phyllis stated her appreciation and reliance on the background, history, and technical expertise of other members.

Howard nominated Fred as a voting NRC representative. Bob pointed out the importance of remembering that the CAC has three votes – all of the other entities have one vote. Phyllis recalled that we designated Lois, Phyllis, and Bob, with Ed as backup if someone was gone. Her feeling is that we should have three designated voters and one

alternate, with the provision that if a voting member is not there and an alternate is not there, the chair could designate someone else who is there. Appreciate that the Council is very casual, but having a paper trail for who our voting members are is important at times. Fred and Lois were nominated as voting representatives with Bob as an alternate (the CAC chair is also a voting representative).

Emily will circulate these nominations via email to the rest of the CAC list. If a member not present wants to make an additional nomination, they can do so up until the June meeting, when members present will vote.

4. Member Issues

CAC role in NRC: Phyllis reported on her meeting yesterday with David, Justin, and Emily on the role of the CAC. Phyllis conveyed perspectives from last CAC meeting about whether we were making a difference, how we can support the NRC, how NRC can be responsive to our concerns. David reiterated his support for the CAC and highlighted the fact that we have 3 votes by design. They do welcome CAC issues and concerns, even if sometimes they seem a little distant from the mission or function the NRC (example: neonicotinoids – NRC ended up writing a letter to county that made a difference). Regarding issues where the NRC's response may seem lukewarm, David offered assurance that the input is still needed and valuable, but may need to percolate a while for research and studies to develop. Phyllis felt very reassured that NRC and staff are not dismissive of our concerns.

HPA Dungeness Concerns: Phyllis emailed about the Dungeness Refuge, near which Jamestown-S'Klallam Tribe is petitioning for a permit for a 34-acre oyster farm on DNR land. The Tribe had historically owned and operated a shellfish farm on the site, which was shut down due to water quality issues for a number of years, and they want to restart the operation now that those concerns have been cleared. Tribal sovereignty can make this a complicated issue, but this is on non-tribal public land, with eel grass and migratory bird concerns. Some local folks say the Tribe has been a good steward, others are concerned about commercial activity on a refuge/public lands. Environmentalists are concerned about disruption from aquaculture activities on forage fish and birds. Hearings and comment period are ongoing for this permit. Members noted that while it probably does not demand immediate action from the CAC because it is not in the Nisqually area, it merits watching to see if it could set a negative precedent for commercial use of public lands throughout the state. Lois also noted that the bigger concern is geoduck, because it may start out as an oyster farm but geoduck is the more lucrative and more plastic-intensive crop.

Zangle Cove Aquaculture Lawsuit: Phyllis sent David Troutt information about this ongoing action yesterday. Local organization Protect Zangle Cove has filed a lawsuit against WDFW over hydraulic permitting (HPA) exemptions. The state is not currently requiring an HPA for commercial aquaculture. Fred noted that geoduck farms pose environmental and aesthetic concerns for storefront homeowners (who mostly do not

own tidelands anymore). Phyllis highlighted recent studies and litigation suggesting that aquaculture has major impacts on habitat, biodiversity, and salmon recovery. Fred stated that county environmental health departments are not equipped to do the necessary level of oversight, and the state should take a more active role.

Alder Reservoir Level: Howard presented a mathematical reasoning for why he believes Alder Dam should be kept at 1,197 feet during the winter, responding to Justin's question from last month's CAC meeting. Thurston County labels the "action stage" of a flood event, when evasive action should be taken, when McKenna gauge is just under 10,000 cfs. Data on page 2 and 3 shows the reservoir raising 3 feet in one day on April 9, 2018, from 1,187 to 1,190, at an average net flow being captured behind the dam of 4,008 cfs (calculating net flow as inflow minus outflow). By these calculations, Howard estimates that a net flow of 10,000 cfs (the action stage at McKenna) would raise the reservoir just over 8 feet in one day. If the reservoir was 10 feet below capacity, this event would raise you into the danger zone of being 2 feet below capacity. This doesn't happen often, but does happen, for example on Dec. 9, 2015, when the reservoir level went from 1,197 ft on December 8 to 1,205 ft on December 9, with flooding that took out several structures in the lower valley. Howard believes that if TPU had taken evasive action earlier during this event, they could have mitigated the flood. He is concerned that TPU seems to try to end with the reservoir at the max, which is dangerous because the storm can change and continue to raise the level. Phyllis asked at what level does I-5 flood in the Nisqually valley? Howard speculated that the 2006 flood, with 16 inches of rain in 36 hours, would have taken out the bridge, if the reservoir wasn't below capacity. Howard believes that the whole river needs to be considered, not just I-5. Fred stated he would like this paper to be presented to the River Council at the June meeting. Phyllis noted that our purpose is to keep the discussion alive – TPU has stated they don't have flood control responsibility, but Howard's point is that it affects people who live in the valley, and it is fair to ask for some consideration of that.

5. NRF Staff Report

Emily reported that registration is open now for this summer's Nisqually Stream Stewards program (Thursdays and Saturdays, August 2-September 29). Please help spread the word. The Thurston County Subarea Plan is accepting public comments via an online form:

6. For the Good of the Order

Lois would like to bring up recycling and plastic pollution reduction at the next meeting. National Geographic article points out how important this is. Phyllis noted plastic pollution is also a big issue at stake in the aquaculture industry. Emily advised the CAC that this issue was timely, as Molly Carmody from Yelm will be discussing efforts to minimize plastic waste at the NRC meeting on Friday.

7. The meeting was adjourned at 8:12pm.