



**NRC Citizens Advisory Committee  
Meeting Agenda  
September 11, 2018 6:00 – 8:00 PM  
Nisqually Tribe Natural Resource Office**

**Present:** Lois Ward, Bob Smith, Marjorie Smith, Ed Kenney, Karelina Resnick, Fred Michelson, Jeaniel Thomas, Glenn Thomas, Emily McCartan (staff)

**1 Welcome and Introductions**

Lois called the meeting to order at 6:10.

**2 CAC Admin and Upcoming Agendas**

At the request of the Nisqually Water Planning Unit, the October CAC meeting will be an opportunity to learn more and comment on water planning in the watershed and the Planning Unit's work to mitigate exempt well impacts on streamflow under SB 6091. Other members of the community are welcome to attend as well.

Other upcoming meetings will focus on presentations from the Community Forest, Thurston County staff regarding mineral lands, and orca/salmon recovery.

CAC members are invited to attend a potluck with the 2018 Nisqually Stream Stewards on Thursday, Sept. 20, from 6:30-8:30 at the Yelm Community Center. Stream Stewards are about to start their year-long commitment of 40 hours of volunteering, and this will be an opportunity for CAC members to share their experiences and opportunities to get involved in the watershed.

**3 WRIA 11 Water Planning Unit**

Emily recapped the Hirst decision and Streamflow Restoration Act.

Next month's CAC meeting will bring in George Walter (and others, TBD?) to explain the technical background on the issue and why it needs to be addressed – the goal is to make sure that wells are not draining the rivers for fish and other water rights. Nisqually is one of the first two watersheds to have a planning deadline, and that gives us a first bite at funding available for projects. Lois worries that we will somehow buy off on something that won't be good 20 years from now. Mitigation could come in the form of purchasing unused water rights, other topics. If we had 10 more people show up to the CAC, where will we fit here? Do we want to advertise this public meeting to other groups to get citizens to come? Karelina noted that we should include people from Lewis and Pierce County. Lois stated that the Deschutes WRIA might also be interested in having a representative. Ed agreed this would be a good idea. Phyllis and Lois should have a contact there. Who should we reach out to? Lois also noted that there is preliminary talk about metering. Citizens should stop watering grass (Karelina). Bob noted that not all rural well water used is consumed; a lot of it is restored to the ground

or surface water system through septic systems. Shallow wells vs. deep wells are also being discussed. Fred stated that there is a lot of septic systems in Thurston County. They used to do an excellent job of educating everybody in Thurston, cost a lot of money. Those septic systems percolate pretty well and pretty fast. The County may not have realized how fast the septic comes down to well systems and aquifers, which is another concern. Concerns about water quality is another issue. Fred and Bob were on water planning for 10 years. Fred does not know how much more water Lacey got. They got 8 new water rights. Do not know how much more water Olympia got in the transfer to the springs on the Nisqually aquifer. The Tribe signed an agreement with Olympia to get a significant amount of water per day more. Fred does not know how much water these people are authorized. This information should be available – George would know. It's a lot. Wells are a drop in the bucket compared to what went out the door in 10 years since the municipal water changes. Would like to know the water budget for the river. Bob stated that they have taken water out of a spring that was going into the Sound, and now it's into the well field – don't think it's a lot more water, but supposedly it's the same source. Fred: Ecology found that it would affect the river by 4 something cubic feet. It took a long time to calculate that and figure out how to mitigate it. Howard noted that at one time, Lake St. Clair started filling with water. The change of wellfield. Lois feels it's critical to have Kevin Hansen in October.

Emily will make the link available for meeting minutes from the Planning Unit.

#### **4 Member Issues**

*Thurston Mineral Lands* – Karelina noted that gravel mining is an issue in Eatonville as well. Gravel mine built next to a school. We lost and are polluting the kids, as well as wells and fish. It's very important to do something.

Ed: current delay is about negotiating the buffers. 1000 yards from a park (dog park, wildlife area, etc). 16 wells are affected now by current mining activities. If the change in designation of mineral lands goes through, it would be over 1000 (info in Kevin's report.) The gravel companies say this doesn't make sense and want to reduce it for some kinds of parks. They want it to be case-by-case, determined by a hearings examiner. The environmental groups feel that would be too much to send someone to each hearing and want a more general ruling. It's back in committee and Phyllis is participating. Pierce County is case by case now – Thurston is moving that direction. Lois distributed a report Phyllis compiled for the Sierra Club. It gives a pretty good overall picture. Jeaniel noted that we're all worried about private wells but letting gravel mines do whatever they want. Ed noted that it's very different in Nooksack – tons of vacation rentals and other developments drawing up tons of water. Fred stated that the miners will wear you out with new requests over a long period of years. Lois – bottom line, public hearing probably in October. We ought to try to be there. Karelina recommended having something written and someone to speak. We don't know if the CAC would. Fred noted the tribe usually does not provide input until things get really serious, and then things go to court. Haven't been to any mineral lands meetings yet. Lois – keep in mind the

practice of mining within rivers and creeks. It's less regulated in WA than in OR, ID, CA. Lot of interest in panning for gold and whatever else in our streams, not many rules to prevent it. Keep an eye out for information about that. Fred noted that many years ago, had to fight a huge gold mining company over wiping out a mountain in Okanogan. Great citizen initiative to fight them over it, but it's been polluted the whole time and the pollution will stay there. Ed noted that coal mining may still be at least partially active.

Maya Teeple is County staff working on this – Emily to ask her about the upcoming hearing date.

*Thurston Flood Management* – When will we have meeting with TPU? Rains are coming. Howard provided background on proposal to retrofit Upper Nisqually (Emily circulated for comment several months ago). 2006 flood was biggest in the Park's history. Howard commented on the levee redoing. TPU isn't answering our request for questions so he incorporated it here. He recommended the levee be retrofitted to deflect the floodwaters into the middle of the area, building up less sediment behind the dam. Karelina noted that the Park presented on what they saw from retrofitting. Thought it was already accepted. Howard wanted to call attention to TPU's winter policy of holding the level at 1203-5 feet (according to Andrew Kinney in Thurston EMS). In 2006, although there was devastation above the dam, the dam absorbed it all so it was fine below the dam. 2015, drought year, floods with no snowpack in the hills, one person lost their home. Lake was receiving a net inflow of 10,000 cfs which raised the level in 24 hours by 8 feet, bringing up to 2' below capacity. To Howard, it shows the wisdom of keeping the dam 10' below capacity. Why don't they have flood control responsibility? Because it was built in 1945? (*No, bc FERC license was redone in 1997*). Gauges quit working at Alder Lake this summer. Howard emailed NOAA and Thurston County until it was corrected. Howard shared an email he sent to Andrew Kinney and Andrew's response, disagreeing with Howard's perspective. He was clear about what he was thinking, and he doesn't speak for TPU's management practices. In a subsequent email, Andrew told Howard Thurston and Pierce counties were reviewing flood evacuation maps and would have a public meeting eventually to discuss flood and lahar emergency protocols. Lois - where would we like to go with this? Still on NRC radar, will be a long process. Howard monitors FERC correspondence concerning TPU and Alder Lake. Agreement says that Tacoma Power must be above 10' below capacity in summer and fall if possible but can go as low as 37' below capacity after Labor Day. Howard sees 1,197 as a compromise, if they're allowed to go that much lower. Lois acknowledge Howard's hard work on this. We understand what he's talking about. Tacoma Power is under no obligation to accommodate it, even though we all think it's a moral issue. Bob suggested talking to our county commissioners about this issue. Gary Edwards is looking for things to stir the pot with. Where is this group on it? Karelina suggested pushing for a TPU rep to come regularly to NRC. Fred - It's been requested, David can't demand it. TPU does a lot of good for the Tribe, so there is a history there. TPU started dodging Fred when he asked about it. We're capable of asking the right questions. Want to

continue pressing TPU to come to NRC and allow a discussion. Fred believes at least that the more we continue to press on it, the more closely TPU will monitor it, even if they don't lower it, they will do a better job of flood control.

*Manke Powell Creek Complex* – Ariona conveyed to Emily that the Land Trust plans to apply for a grant from the Department of Ecology to support the purchase of the 200 acre Manke parcel scheduled for clearcutting in the Bald Hills/Powell Creek area. The grant is due at the end of October. Ariona will update the group with more information when she has it.

*Sequalitchew Development Proposal* – Ed brought up the new issue on Dupont City Council and Sequalitchew Creek Trail. There is a proposal to change the trail because some families are proposing huge warehouses on top of the site of the first church in Washington State and the old Indian village. Today was the last day of public comment, city planner had a fit about request to extend it, so Ed's friends barely got a comment in and the Tribe probably did not. Would be right next to the Sequalitchew Creek by the City Hall. Suspect it's Weyerhaeuser. 265,000 square feet. Don't know what would go in there. Nisqually Delta Association hasn't had a chance to meet over it, but are trying to get some public concern to delay. Will have to go through City Council/Planning Commission, so Ed will stay updated. Very historic area, but sites are barely marked and not a lot of local citizen energy behind it (hard with a lot of population turnover, old vs. new DuPont). City may want to cover up this area because it's not fully cleaned up to residential standards – it would cover up the lead and contamination to keep the toxics in place instead of washing out into the community. Need to get publicity behind it – news and talk to everybody you know.

*HPA Aquaculture Lawsuit* – Zangle Cove at entrance to Budd Bay. Large aquaculture firm wants to put in a huge geoduck farm in Zangle Cove. People have done a good job of raising awareness of concerns. Lawsuit filed with AGO and DFW to require any of these aquaculture projects to have a hydraulic permit (HPA) from DFW, which they're currently not. Phyllis brought to our attention. Hired a really good law firm, Fred spoke to the attorney and her assistant. Taylor Shellfish is approved to intervene in the suit. October 23 is brief deadline. Goal is to get documents from the state to see if there's anything else in the record. Hearing is December 7 in Olympia court.

## **5 For the Good of the Order**

Phyllis's report has updates on RAP, Thurston HCP, and Thurston Conservation District. A lot of things are on hold with staff turnover. RAP – Bob sees more and more county road projects reusing asphalt on the spot, rather than stockpiling it. Good policy.

Lois also doesn't want to lose sight of plastics – what's the status of the bag ban in Yelm.

Bob noted that he has a grafted apple tree with an apple brought by the English Hudson's Bay company settlers to DuPont.

Meeting was adjourned at 7:58.