

## Meeting Minutes – Nisqually Watershed Planning Unit

September 19, 2018 – 9:00 a.m. – 12:00 p.m.

Yelm Community Center

### Present:

Lisa Dally Wilson, Dally Environmental  
George Walter, Nisqually Indian Tribe  
Megan Kernan, WDFW  
Grant Beck, City of Yelm  
Lois Ward, NRC CAC  
Cindy Wilson, Thurston County  
Tom Kantz, Pierce County  
Julie Rector, City of Lacey

Jesse Barham, City of Olympia  
Justin Hall, Nisqually River Foundation  
Mike Gallagher, Dept of Ecology  
Abby Gribi, Town of Eatonville  
Emily McCartan, Nisqually River Foundation  
Gary Bahr, Dept of Agriculture  
Gary Stamper, Lewis County

### 1. **Introductions, Agenda, and Minutes**

The agenda and prior minutes were approved.

### 2. **Planning Unit Working Agreement Next Steps**

The Working Agreement is an addendum to the existing watershed plan, not a new MOA/MOU (the intent is that it does not need to be approved by elected). It is currently written with a 5-year duration, to allow the Planning Unit to reconvene under the same framework for ongoing adaptive management as implementation begins. Thurston County has offered comments incorporated into the current Draft Agreement. Pierce County is still working on which official should sign it and may have small edits from legal team. PU members agreed that we would work under this initial Draft Agreement until those edits come through: version 9/10/18 v.8

### 3. **Sub-Basin Map Approval**

Ecology is consulting with staff biologists about combining Muck and Prairie Tributaries into a single sub-basin. Mike will follow up in the next week about whether that change is approved so that the counties can use the final sub-basins for reporting their projections. Using larger sub-basins make planning and regulation easier and the two basins are ecologically similar. PU members conditionally approved the sub-basin map, pending Ecology's final sign-off on combining Muck and Prairie.

### 4. **Press Release/Outreach Update**

The Nisqually Indian Tribe's communications officer has been out this week so George hasn't gotten a chance to put this out yet. George will send out a draft next week. The main message will be that stakeholders have until the end of October to join the group for voting purposes. The release will include the Citizens Advisory Committee information session (date TBD).

## 5. **Funding Sources**

All the funding comes from the Department of Ecology:

- \$50,000 grant to the Nisqually Tribe to coordinate the PU (George, Emily, and GIS support).
- Additional \$150,000 available for contracting for project-specific needs (Lisa's contract, with about half of funds remaining for additional contract work if needed).
  - Proposal submitted for a \$4,000 contract to Washington Water Trust to reevaluate work they did in 2010 study and identify approximately 10 water rights that might be viable mitigation. The proposal has been submitted.

PU members agreed that we do not need additional subcontractors at this time, with the possible exception of more GIS capacity from TRPC or another source. Further extensive technical analysis that would require subcontractors cannot be completed within the timeframe for this addendum, but could be done in the future by extending the initial grant or other means.

## 6. **Watershed Plan Addendum Schedule**

Timeline with Ecology Due Dates:

- Ongoing – Briefings and technical feedback from other County stakeholders
- 10/31/18 – Work Group write-ups due
- 11/21/18 – Final written components due
- 12/7/18-12/20/18 – Finalize working draft of Addendum
- 1/1/19 – *Ecology Review of near-final working draft to assure it meets interim guidance*
- 1/1/19 – Concurrent preliminary review of final working draft by Implementing Governments (Counties/Tribe, including Planning Commissions, Master Builders, Health Departments, others as necessary)
- 2/1/19 – *Ecology Adoption of Addendum (doesn't require county adoption first)*
- Adoption by Implementing Governments

County representatives advised that doing a concurrent review might mean that county governments have changes to the draft Ecology approves. The introduction submitted to Ecology will note that this is a draft addendum yet to be approved by implementing governments and still to go through a public process. If necessary, Ecology could resolve County-requested changes through rulemaking (including public process) to address County concerns in ways that meet criteria for net ecological benefit. Counties would likely prefer an approach that allows them flexibility in implementing mitigation strategies that meet Ecology's net ecological benefit goals.

Mike indicated that Ecology would likely accept County approval of the final plans up to two months after February 1. Health code changes may also extend approval

and implementation timeframe for the Counties. The law (ESSB 6091) states that if the Planning Unit governments don't adopt a plan, Ecology would go to rulemaking.

Ecology grant applications will open 10/1-10/31 for first-year bond projects. These will happen every year for the next 15 years (\$20M/year). Ecology anticipates more grant applications than funding available in this first year.

## 7. **Work Group Reports**

### ***Water Forecasting***

Counties are working on consumptive use numbers (have a good sense for indoor, still working on outdoor). There will be a range due to variety of land use patterns in different areas.

Lewis County:

- Projected connections to one permit-exempt well: 145-181, through 2040.
- 10% consumptive use indoor for 150/day – 15 gpd consumptive per connection. Outdoor use is 80-90% consumptive.
- Don't expect a lot of outdoor use because it's mostly forestland.
- Upper Nisqually doesn't need mitigation (no instream flows established). PU could consider it de minimus impact at their discretion, due to very limited development and almost no available water rights.
- Ecology requires mitigation where instream flows have been set (Nisqually Mainstem). It's not clear how this applies to tributaries downstream of the hydroprojects, which were determined to be already over-appropriated and closed for surface water rights in the 1970s. Mike will look into it and get back to us.

Thurston County:

- Range: 1,822-2,149. Most coming out of Yelm UGA (1,033 in Thompson/Yelm). If Yelm got water right for deep well in that area, it would reduce their estimates by half.
- Alternate calculations were based on historical trends – the trend may be moving toward more permit exempt wells than Group A and B connections. Estimates are not currently broken out by year.

Pierce County:

- Pierce analysis focused on legislative direction to provide healthy streams for salmon, affecting new permit-exempt domestic wells after 1/1/18, including new connections to old wells. Affected cities/towns include DuPont, Eatonville, Roy; plus small communities (Alder, Elbe, Ashford, Upper Nisqually, McKenna, LaGrande) and JBLM.
- Used historic trends for building and well permits per sub-basin over last 26 years. Prairie Tributaries + Muck is the biggest area for growth: 1,600 wells drilled for 8,347 building permits.
- Population trends from PSRC Vision 2040 show 6% rural area growth, 13% for small cities.
- Projected CFS: 7,481. Class Bs probably account for about 5%, using up to 5,000 gpd, (single family wells use up to 3,000 gpd).

- Still reviewing Health Department GIS data to need to determine number of potential connections. Funding appears to be tied to number of connections.

### ***Natural Resource Projects***

The Nisqually Land Trust and Salmon Recovery Habitat Work Group identified a preliminary list of projects from the current Four-Year Work Plan. These would provide benefit by (1) purchasing water rights associated with potential properties and/or (2) planting, restoring, or protecting forest stands from harvest/development. Most of these are larger-scale ideas that would need to be narrowed down as specific opportunities become available. Stormwater plans like Eatonville give best current opportunity for immediate impact. Eatonville and the Tribe's Salmon Recovery Program have discussed submitting a grant for implementation of the 2013 Stormwater Management Plan, but need technical support for drafting. Other near-term projects could include Powell Creek Protection (Manke) property purchase. Lisa and Emily will work with the Salmon Recovery Program for a project list that includes any immediate project ideas and a write-up of priorities by sub-basin that crosswalk salmon recovery and water quantity priorities. In addition, Thurston and Pierce Counties have some potential identified projects (floodplain management, water rights, fish passage improvements, reconnections, decommissioned wells). How to identify flow benefits for any of these projects, particularly longer-term ideas, will be a main challenge.

### ***Other Strategies***

George distributed a handout with a refined list of potential strategies and requested feedback and additional ideas from the group. They propose mostly micro-mitigation strategies. Additional proposals:

- Accounting system for decommissioned wells
- Yelm is progressing on deep aquifer well, which would substantially expand system capacity in the Yelm/Thompson system, and actually replenish surface aquifer from wastewater filtration system over time. Could look elsewhere for similar opportunities.
- Many different mitigation potentials in Yelm. Lisa will work with Grant to write up in a way that applies to the Addendum.
- Water Trust will also have some additional options. Lisa will work with Rance and Allison to get the sub-basin numbers and direct the Water Trust to focus its study based on where we're seeing growth in both counties.

Hone list by next meeting working with county designees, by sub-basin.

## **8. Mitigation Discussion – Legal/Consumptive/Actual Use**

NIT expects mitigation standards to be based on the ceiling for legal use, not actual use. Some of the natural resource projects on the table would provide substantial ecological benefit to the watershed meeting that standard. Ecology suggests showing a range of consumptive use based on average daily use (legislators may not have realized they were setting a higher standard for water mitigation by setting a

3,000gpd limit in watersheds affected by ESSB 6091). The PU could also recommend a lower legal limit, implemented through Ecology rulemaking.

**9. Scheduling Work Group Meetings**

Forecast – 10/2 or 10/9

Habitat – TBD

Other – TBD

CAC/Public Information Session: TBD (week of 10/8)

*Next Planning Unit Meeting: Wednesday, October 17, 9:00am – 12:00pm, Thurston PUD*