



Meeting Minutes
Nisqually River Council Meeting – Annual Retreat
July 17, 2020
Online Meeting

Attendees:

NRC Members:

Terry Kaminski – City of Yelm
Glynnis Nakai – BFNJNR

David Troutt, chair – Nisqually Indian Tribe
Rene’ Skaggs – Pierce Conservation District

CAC Members:

Phyllis Farrell
Howard Glastetter
Paula Holroyde

Ed Kenney
Karelina Resnick
Lois Ward

Guests:

Jesse Barham – City of Olympia
Jeff Barney – Pierce County
Annette Bullchild – Nisqually Indian Tribe
Yanah Cook – Love Abounds
Jeanette Dorner – Mid Sound Fisheries EG
Chris Ellings – Nisqually Indian Tribe
Cathy Hamilton-Wissmer – JBLM

Julie Rector – City of Lacey
Brian Sullivan – Nisqually Land Trust
Joe Kane – Nisqually Land Trust
Tom Kantz – Pierce County
Martin McCallum – Nisqually Land Trust
Ashley Von Essen – Nisqually Indian Tribe
Jeff Zahir

Staff:

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 9:02am. Minutes 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 by Zoom on Tuesday. Members discussed several regional issues beyond the watershed, including the proposal for a major airport hub in south Thurston County. It does not appear likely to advance at this time. Members shared updates on Thurston County Shoreline Management Plan and Mineral Lands Review, as well as Recycled Asphalt, which several members attended on Wednesday.

Chair Report – David Troutt

The Thurston County hearings examiner remanded the proposal for a road in the LDS camp in the Nisqually Valley, recommending a more thorough evaluation of a bridge due to

floodplain and other and environmental concerns. This was the Nisqually Tribe's preferred option. The Tribe has offered to help fund a bridge, with no response yet from the applicant.

David and others at the Nisqually Tribe met with Patagonia leadership this week to discuss forming a potential partnership. The meeting was an unexpected outcome of the Patagonia-produced anti-hatchery film *Artifishal*, which had portrayed footage of Nisqually hatchery and salmon tossing programs in ways that the Tribe felt misrepresented the science and goals of the programs. After Patagonia reached out to Cascadia Law Group, which also represents the Nisqually Tribe, regarding a federal lawsuit on an unrelated issue, Cascadia encouraged Patagonia to meet with the Nisqually Tribe to come to a better mutual understanding. It is anticipated that meetings will continue to discuss partnership possibilities, including on communications and outreach and in carbon sequestration and the Community Forest. They may also help bring other local corporations into the conservation efforts in Puget Sound.

Staff Report – Emily McCartan

The Nisqually Land Trust, on behalf of Northwest Natural Resources Group, requested a letter of support for a grant proposal to the Wildlife Conservation Society, funding three experimental forestry techniques in the Community Forest to assist with mitigating climate change impacts. Because of the short turnaround, the letter was approved by the executive committee. It will be circulated for members to review.

Thurston County provided an update via email on the proposed policy to allow RAP in the Nisqually Subarea. The Planning Commission held the first work session on the policy on July 15, with a second session scheduled for August 5. There is still plenty time for public comment. The Planning Commission will hold a public hearing before making a final recommendation to the Board. That hearing date has not been scheduled yet and is TBD. All of the public comments made so far, including letters submitted by the NRC, are available online at: <https://www.thurstoncountywa.gov/planning/Pages/comp-plan-cp11-home.aspx>

Nisqually Land Trust – Joe Kane

Joe announced the NLT has hired Jeanette Dorner as its new executive director. Jeanette will be starting half-time in early September and full time in October. Jeanette has a long history with the Nisqually Watershed and shared her enthusiasm for being part of the watershed's strong culture of partnerships once again.

NLT has signed contracts for a carbon project offering credits on the voluntary open market with the Community Forest and Bluesource. Bluesource will handle the sale and NLT will have the option to refuse buyers if needed. It will take up to a year to do measurements and calculate the credits. It is one of first 4 projects in the state and it is hoped will help support a paid staff position for the Community Forest. Title for current Community Forest lands should be transferred to the Community Forest soon. The Healey property in the Wilcox Reach, the longest remaining unprotected stretch of undeveloped shoreline on the Nisqually mainstem, is moving towards closure after a long process. Joe has had the opportunity to connect with Hancock staff about the challenges and protection needs for timberland in the upper watershed, and has begun some positive conversations.

Nisqually River Foundation – Justin Hall

The Foundation is preparing to apply for a Payroll Protection Program loan. Staff participated in a short training through the UW-Tacoma on combatting racism in the nonprofit sphere, and are beginning to work on steps around diversity, equity, and inclusion (DEI) internally and in public programs.

Nisqually River Education Project – Sheila Wilson

41 teachers participated in Summer Institute for Teachers, representing a wider geographic range because of the flexibility of the virtual event. Teachers were able to do outdoor service projects at various socially-distanced sites. COVID adaptations are ongoing, with modifications to ALEA grant for fall tree plantings because school field trips will likely not be possible. Hanford McCloud may work with NREP through the No Child Left Inside grant to produce a video introducing families to the Nisqually State Park site. Sheila will also participate in Huckleberry Camp through the NCLI grant.

3. 2020 Salmon Habitat Ranked Project List

Ashley Von Essen, Lead Entity Coordinator

Summary of 2020 Funding (6 applications submitted)

Total 2020 SRFB Allocation: \$375,000

Total PSAR Allocation: \$1,400,000

Total Allocation: \$1,775,000

Total request: \$1,471,697

Total match: \$2,522,650 (secured and unsecured)

Project grand total: \$4,051,195

Project ranked list:

1. Nisqually Watershed Riparian Stewardship

Sponsor: Nisqually Land Trust

Grant Request: \$186,038

Project Match: \$33,600

Stewardship support for riparian plantings along the Nisqually mainstem, Upper Ohop Creek, and the Mashel River. 8 worksites, covering 10 miles of shoreline and 380 acres of riparian habitat, will receive removal/disposal of plant protectors and other debris, invasive weed control, and additional plantings.

2. McKenna Reach and Brighton Creek Protection

Sponsor: Nisqually Land Trust

Grant Request: \$206,860

Project Match: \$36,600

Permanent protection of 17+ acres in the Brighton Creek watershed (Purchase of 7.56 acres containing .15 miles of Brighton Creek, and landowner donation of 9.65 acres in Nisqually.) Easement portion of the original proposal was eliminated due to concerns from SRFB Review Panel.

3. Middle Ohop Protection Phase 5

Sponsor: Nisqually Land Trust

Grant Request: \$164,510

Match: \$49,450

Permanent protection of three parcels totaling 5 acres and a permanent conservation easement of an additional 1.5 acres in a critical spawning reach on Ohop Creek, between river miles 5.6 and 6.2. These parcels are all a part of the Middle Ohop Valley Restoration Designs, also up for funding in this grant round (project 5).

4. *Lower Ohop Protection 2020*

Sponsor: Nisqually Land Trust

Grant Request: \$440,680

Match: \$78,000

Permanent protection of 11.4 acres in what is to be the 4th phase of the Lower Ohop Restoration project. Contains .13 miles of Ohop Creek shoreline. Original proposal also included a second site, which was removed due to lack of landowner interest.

5. *Middle Ohop Valley Restoration Designs*

Sponsor: South Sound Salmon Enhancement Group

Grant Request: \$129,000

Match: \$0

18-month design-only grant for restoration options on two specific areas area in the Middle Ohop, between river miles 4 and 6 (approx.). Project will produce 2 sets of preliminary designs with the goals of improving spawning and rearing habitat, stream complexity and habitat diversity.

6. *Powell Creek Protection Project*

Sponsor: Nisqually Land Trust

Grant Request: \$261,370

Match: \$2,325,000

Permanent protection of 240 acres of undeveloped, mature Douglas fir forest, including .95 miles of Powell Creek and its tributary Elbow Lake Creek with late-run coho and steelhead spawning/rearing habitat also used by Chinook, chum, and cutthroat. Property scheduled for clear cut timber harvest in 2020-2021. Project match from Ecology's Streamflow Restoration grant—application pending.

7. *Wilcox Reach – North Shoreline Protection*

Sponsor: Nisqually Land Trust

Grant Request: \$83,239

The "Healey property" project protects 174 acres and nearly 1 mile of undeveloped Nisqually River mainstem, just upstream from Wilcox Farm. Project still in need of additional \$125,000 in funding to make NLT whole. This project is a great need quickly and cannot wait for 2021-23 PSAR allocation next summer due to an outstanding loan/accumulating interest on the property. NLT approved an amendment last month to move unused SRFB funds to this project. The Lead Entity is also seeking an additional \$41k from PSAR Return Funding, which is pending. No rapid response funds were available.

Discussion:

The McKenna Reach/Brighton Creek protection project was revised to focus just on the riparian area, removing the portion targeting protection of upland areas, in response to SRFB concerns. SRFB criteria are focused on riparian areas due to an effort to implement a consistent policy statewide, which may not make the most sense as a good use of funds or strategy. Salmon recovery efforts are supposed to be built around local priorities, and strategies and real estate markets are not the consistent statewide. The Board did not disagree when Nisqually made these points, but in part because of the new schedule and COVID, challenging the criteria was not feasible this year. Other options will be pursued for the upland portion, which will ultimately result in the same outcome but likely with a less efficient use of SRFB funding.

Ashley asked for NRC approval of the ranked project list. The motion to approve the list was adopted.

4. Elections

Rene' nominated David Troutt to continue serving as NRC chair for 2020-2021, and Phyllis Farrell to continue as vice chair. Both nominations were seconded. The NRC voted to approve both nominations.

5. Nisqually River Council Membership Updates

The City of Olympia and City of Lacey have been proposed as NRC members due to their participation in watershed planning through the WRIA 11 Planning Unit, city water supplies in the Nisqually Watershed, and community interest in the watershed's services and recreation destinations. City staff members Jesse Barham (Olympia) and Julie Rector (Lacey) have been part of the recent WRIA 11 streamflow restoration efforts and conveyed interest and support for joining the River Council from staff in both cities. Leadership and city council approval would be needed to as a next step. It was moved, seconded, and approved to invite Olympia and Lacey to join as members of the Nisqually River Council. Emily, Justin, and David will meet with city staff and leadership to approve membership with the city governments.

Members suggested additional possible new members including NOAA Fisheries, USDA-NRCS, and City of DuPont. David will reach out to DuPont city leadership to determine their interest. Members are encouraged to submit additional ideas to Emily, who will prepare a summary list to share with the NRC in August.

The Nisqually Land Trust is currently a non-voting participant in the NRC. It is worth discussing whether the NLT (and/or other NGOs) should have voting membership or other formal means of participating in NRC decisions.

6. Watershed Planning and Governance

The Nisqually WRIA 11 Planning Unit is the intergovernmental group responsible for developing and implementing water use plans for the Nisqually Watershed under watershed

planning laws (RCW 90.82 and 90.94). The Planning Unit has identified unmet needs for permanent, stable administrative and funding support in order to successfully implement watershed management plans, including the 2019 Streamflow Restoration plan to offset permit-exempt well development. Following discussions with both the Planning Unit and the NRC, Emily presented a draft proposal to move forward with incorporating the Planning Unit into the NRC and pursuing governance and funding updates with member agencies to support the ongoing planning and implementation needs for water planning, as well as for salmon recovery, habitat restoration, long-term sustainable communities, and other NWSP goals. The proposal is framed in three stages and all specific elements would be developed and revised in cooperation with member governments.

- 1) Merge the Planning Unit with the Nisqually River Council as a permanent standing committee, reporting to the NRC.
 - Expand NRC membership to include all members of the Nisqually Planning Unit (City of Olympia, City of Lacey, Thurston PUD would join the NRC).
 - Develop Interlocal Agreement establishing scope, funding contributions, and governance procedures for watershed planning and implementation activities under RCW 90.82 and 90.94 to be conducted through the NRC, with the Nisqually Indian Tribe continuing in its role as lead agency.
 - Establish funding and staffing mechanism through the Nisqually River Foundation, as the administrator of the NRC, for watershed planning and implementation activities under RCW 90.82 and 90.94.
- 2) Update NRC membership and governance policies, including a mechanism for financial support from NRC members.
 - Determine contribution levels or scale for government and non-government members.
 - Develop bylaws governing membership, voting, and funding contributions for NRC members.
- 3) Update Nisqually Watershed Stewardship Plan to reflect current NRC priorities and membership goals.
 - Include updates to governance section.
 - Discuss updates to goals and indicators.
 - Establish priorities for 7-year planning and implementation objectives.

Discussion:

The WRIA 11 Planning Unit has successfully accomplished a lot, and there is value in seeing it continue. Making the Planning Unit part of the NRC would give more standing and support to requests for funding from member governments. Financial support from member governments would not be expected to cover the NRC's entire operating budget, but would provide a base level of support and demonstrate members' commitment to the value they receive from having a strong watershed council to facilitate shared efforts and obligations. Member contributions would likely strengthen the case for funding requests from outside sources, including the state budget and external grants. Concerns to address in a final agreement include the fairness and equity for members who may be contributing at different levels. Current member governments who may not be willing or able to contribute financially should not be excluded from the NRC. Due to COVID, fiscal outlook for everyone is much more constrained now than it was when these conversations began last year. Safeguards

should be in place so that member contributions do not unduly influence NRC decisions about projects or other matters.

By consensus, members present indicated support for moving forward with this proposal. Emily will communicate this to the Planning Unit as a first step. The NRC will be updated regularly about the status of this effort and have substantial opportunities for input and approval as specifics are developed.

7. NWSP Update and Strategic Plan

The Nisqually Watershed Stewardship Plan was first created in 2009 and has not been formally updated since 2011. The NRC requested that staff produce a current update of the NWSP document, incorporating revisions to the goals and indicators made in 2019, and reflecting new membership, proposed updates to include the Water Planning Unit and other governance updates. A draft will be shared for discussion and input with the NRC this fall.

8. Diversity, Equity and Inclusion

The Nisqually River Foundation has developed a draft statement for feedback (circulated prior to the meeting). The important national conversation following the killing of George Floyd brings to light a need to address systemic racial inequalities in our watershed community as well. Civil rights activism is an important part of the legacy of the Nisqually River Council, which exists in part as an outcome of activism by Billy Frank Jr. and others. During the Fish Wars, that activism took the form of direct action, arrest, and protest, and when tribal treaty rights were affirmed in the Boldt Decision, Billy led a shift to activism focused around building relationships, educating, and collaborating. We want to continue upholding that legacy by recognizing and addressing injustices in our community today. The NRF looked at statements by member and partner organizations and participated in a training as initial steps, and expects to need to continue working on this on a systemic, ongoing basis. The NRC and other community members are invited to give feedback and input about how to move forward. One step will be creating an accountability plan to help the Council and the community to review in coming years and see how we are doing.

Discussion:

This draft statement was developed internally. Other peer and partner organizations have published statements which were reviewed. Suggest including other groups experiencing discrimination, including women, LGBTQ people, Native women, and others in addition to Black, Indigenous, and other communities of color. The State Land Trust Association is also working on a similar effort. Organizations that are further along in this process have shared repeatedly that the first step for white-led organizations is understanding “what you don’t know you don’t know,” and that statements they drafted internally were different and inadequate compared to those they created after working with an external facilitator who specializes in DEI work. An outside trainer with qualifications to identify blind spots and educate staff and stakeholders is critical: this work can’t be done only internally. It is premature to publish a list of actions until in-depth work with a facilitator is done. The Nisqually Land Trust is discussing extensively with their board and working on including DEI training with a consultant as part of upcoming strategic planning process. Native communities are working to break down the stereotype that they are to be “pitied,” and

encourage a statement that is more diverse and inclusive of different ethnicities, and uses language that is meaningful to this specific community. Many people may claim to be Indian or Native American based on genetic heritage, but that does not mean you are part of the community and culture. This needs to have the voices of people who understand these issues from personal experience, and be inclusive of a broader range.

The NRF will work with the NRC on creating next steps to move forward with internal process and a revised statement, including getting perspectives and input from stakeholders with the Nisqually Tribe and other watershed communities.

9. Communications

At meetings earlier this year, the NRC discussed various initiatives that could help raise awareness in the Nisqually Watershed and throughout Puget Sound and Washington State about the need for investments and personal action for conservation, salmon and orca recovery, and sustainable communities. A committee was proposed to brainstorm ways the NRC can support these messages. David Troutt, Glynnis Nakai, Phyllis Farrell, Sheila Wilson, Lois Ward, Paula Holroyde, and Ashley Von Essen volunteered to be part of the committee. Additional participants will be sought via a follow-up email prior to the first committee meeting. Input from any NRC participant is welcome any time and can be sent to Emily. Some initial questions to consider:

- What is the message we want to get out there?
What is the audience we want to address?
- If we have the opportunity to use the Patagonia message platform, what should that message look like?

Additional actions could include updates to the NRC/NRF website (lead entity webpage for salmon recovery, interactive features for children and adults, profiles of landowner/community stewards to show personal actions in the watershed), as well as a system for notifying community members of public meetings pertaining to the Nisqually Watershed.

10. For the Good of the Order

Pierce Conservation District has submitted a Regional Conservation Partnership Program Farm Plan submitted to NRCS with Forterra and PCC Farmland Trust. Mostly to purchase easements on agricultural lands, with some funds for improving farm practices.

The retreat was adjourned at 12:05pm.

*Next meeting: August 21, 2020 via Zoom
Stay home and stay healthy!*