



**Meeting Minutes
Nisqually River Council Meeting
August 21, 2020
Online Meeting**

Attendees:

Council Members:

Dan Calvert – Puget Sound Partnership
Amy Cruver – Pierce County
Terry Kaminski – City of Yelm
Darrin Masters – WDFW

Glynnis Nakai - BFNJNWR
Kevin Skerl – Mount Rainier National Park
David Troutt, chair – Nisqually Indian Tribe

Citizens Advisory Committee Members:

Phyllis Farrell
Howard Glastetter

Paula Holroyde
Ed Kenney

Guests:

Chris Barnes – City of DuPont
Jeff Barney – Pierce County
Lisa Ceazan
Rachel Collins – National Park Service
Yanah Cook
Chris Ellings – Nisqually Indian Tribe
Lloyd Fetterly – NLT/NSS

Karen Fraser
Martin McCallum – NLT
Linda Murtfeldt
Eric Rosane – Nisqually Valley News
Shannon Shula – Thurston County
Ashley Von Essen – Nisqually Indian Tribe
Jeff Zahir

Staff:

Julia Fregonara – NRF
Justin Hall – NRF
Emily McCartan – NRF

Sheila Wilson – NRF
Joe Kane – NLT

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

David called the meeting to order at 9:04am. The minutes from July's 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 did not meet this month.

Chair Report – David Troutt

David attended a tour of the BFNJNWR with the director of the USFWS National Wildlife Refuge System and discussed the important partnerships with the Refuge. David is also part of an intergovernmental group working with the Governor's Office on riparian recovery strategy. The existing approach to protecting these areas from development, agricultural use, and other impacts isn't working to keep them functional for salmon – temperatures and water

quality are a problem in many areas. Incentive-based programs have been fairly successful in the Nisqually watershed, but they have not been as effective everywhere, so establishing new rules through Ecology, Natural Resources, and WDFW, including increasing buffers and other ideas, are being discussed. David continues to work with USGS and the South Sound Military and Communities Partnership (SSMCP) on preparing a legislative request for the next steps on I-5 improvements in the Nisqually delta floodplain. Emily will circulate information to join a meeting with USGS on their modeling work on September 4. The Nisqually Tribe is considering a partnership with the Seattle YMCA to acquire the large Mineral Lake property as the site for a future Y camp, with the remainder to be put into conservation management. The YMCA does not have the funds to purchase the entire property, which could otherwise be developed. On behalf of the NRC, David will be attending a meeting of the Thurston County Planning Commission on September 2 to discuss the Council's letters and position on allowing recycled asphalt (RAP) storage in the Nisqually sub-area. The NRC's 2017 and 2019 letters stated that onsite research and monitoring should be conducted to evaluate the risks of leachate from RAP in this area, and that other proposals, such as Holroyd's application to mine below the water table, significantly heighten the risks of storing RAP. The Nisqually Tribe is not opposed to RAP, but wants safeguards to protect tribal residents, the river, and the lower valley.

Discussion:

Holroyd's request to deepen their gravel mine below the water table was initiated 10 years ago. Lakeside has stated they aren't aware of Holroyd's plans. Valley residents are very concerned about the risks to groundwater and connected lakes from deepening the pit, especially if RAP is permitted nearby. The Nisqually Tribe is more concerned about risks of mining below the water table. RAP, if covered with appropriate BMPs, is safer if the adjacent gravel pit does not reach groundwater.

How are agriculture interests and private landowners represented in the Governor's Riparian Task Force, particularly with respect to a potential Puget Sound-wide standard for buffers? The Governor's direction to his cabinet was to look at site potential tree height as the standard everywhere. The group is aware that it would be complicated to implement in practice. Current law doesn't require restoration on private property. The key issue is encouraging agricultural landowners to embrace improved salmon habitat on their properties? Current incentives have not been sufficient in many places. 80% of the systems in Puget Sound, all of which have ESA-listed salmonid species, are out of compliance on temperature. Salmon populations have declined such that treaty tribes not are not able to fish in most of the systems. It may require difficult changes to how we live on the landscape, but if changes are not made, salmon populations and Southern Resident Killer Whale populations will not survive. The task force is not deemphasizing incentive programs and David is an advocate for more funding for PSAR/SRFB projects that offer opportunities for collaboration. Other opportunities such as USDA's Conservation Reserve Enhancement Program could help with changes to ensure gains are long term (it takes 60 years to fully see streamflow, water temperature, and ecological function restore from riparian plantings, and farmers are currently compensated once and can opt out after 10 years.) However, the scale of the restorations needed in other watersheds (e.g., Skagit Chinook recovery calls for 3,000 acres restored in estuary) is beyond what can be accomplished with incentives alone. This is

the most challenging issue for salmon recovery, but these discussions are progress. Strategies should need to tie into climate change funding, and other funding shifts, such as moving to improvement of environmental baseline through capital projects, incentivizing carbon markets, etc.

Staff report – Emily McCartan

Retreat updates: Emily is preparing an updated draft of the Nisqually Watershed Stewardship Plan, as requested by the NRC at last month's retreat. It will be circulated for review and input prior to September's meeting. Emily has attended the Thurston Planning Commission work sessions on RAP and will attend the upcoming meeting on September 2 at which David and Lakeside representatives have been invited to speak. Emily is also working on a number of online outreach activities. The Nisqually Watershed Festival will be held virtually this year (on September 26), and the NRC's web and social media pages will be the primary platform for sharing events and activities.

Letters inviting Olympia, Lacey, and DuPont to become NRC members are in process. Chris Barnes, DuPont City Councilmember, introduced himself to the NRC and shared his interest in helping the city be more involved in salmon recovery and NRC issues. Sequalitchew Creek in DuPont is a historically salmon-bearing stream, and the city is working with JBLM and CalPortland on restoring flows to the creek and estuary/wetlands

Thurston County Subarea Plan – Shannon Shula, Thurston County

The full Subarea Plan update will not be on the docket for primary consideration until 2021. RAP is moving separately and two Planning Commission meetings this month have discussed consultant report and background aquifer conditions, and current regulation, facilities, and BMPs. The next meeting on September 2 will have presentations by David Troutt and Lakeside to answer commissioners' questions, and depending on the outcome of that meeting, a public hearing could be scheduled for October. Could have a public hearing in October, depending on the discussion on 9/2.

Discussion:

RAP and the Subarea Plan were on parallel tracks and are now separate. Staff availability is limited and required prioritizing the three regional subarea plans instead of doing them concurrently. The NRC's position continues to be that does not make sense to look at RAP divorced from the overall plan, which was carefully written to balance a number of issues, including the related concerns about subaquifer mining and RAP runoff. If the RAP prohibition is removed prior to the subarea plan consideration, then the subarea plan will not be able to evaluate these concerns holistically as needed to protect water supply and critical resources.

Allied Programs:

Nisqually Land Trust – Joe Kane

NLT hosted a successful online panel discussion with Joe, Chris, and David on salmon recovery, attended by over 70 people. They will have a similar panel on the community forest coming up soon. NLT's auction is being held online from 9/19-9/27, with a main Zoom event on Saturday, 9/26 featuring a conversation with new executive director Jeanette

Dorner. The Land Trust is also in discussions with the YMCA and Nisqually Tribe about the Mineral Lake camp proposal. Following discussions after the Mashel landslide in February, NLT and the Nisqually Tribe are working with Hancock on a potential habitat acquisition in the Busywild basin. Healey property acquisition is scheduled to close next Friday. The NLT Board moved to put a “register to vote” button on the NLT website. Elections matter for land trusts.

Nisqually River Education Project – Sheila Wilson

Sheila introduced Julia Fregonara, NREP’s new education program coordinator. Julia served two previous AmeriCorps terms as the education coordinator for the Greys Harbor National Wildlife Refuge, working with BFJNNWR staff. She also did an AmeriCorps term in environmental education in West Virginia. NREP is working on interactive strategies for water quality monitoring when schools will not be meeting in person. Because teachers are extremely taxed this year, expect that fewer will participate in WQM. Sheila shared a draft list of prioritized sites for testing, starting with mainstem, Mashel, Ohop, and McAllister sites. Eliminate total solids and BOD tests. An online teacher workshop was held for the NOAA BWET grant, which will also sponsor water quality monitoring training and several professional developments for teachers throughout the year. Sheila is developing several videos for the virtual Watershed Festival and outreach materials for the No Child Left Inside grant, and planning a large social media recruiting effort for fall tree planting (with social distancing and sterilization procedures) with small community groups, since student field trips are not possible. No student salmon tossing field trips this year.

Nisqually River Foundation and Nisqually Community Forest – Justin Hall

The Nisqually Watershed Festival will be a virtual live event on Saturday, September 26. Additional events and activities will happen online for the week prior. Justin is working on improving how NRF tracks grants and expenses on a monthly basis. The NRF received a PPP loan, which will fund salaries through the end of this year.

The Nisqually Community Forest is officially a landowner: the properties have been transferred from NLT. Harvest is in progress with thinnings on lower slopes, using some new techniques. The Forest is working with NLT on validation and finalization of the sale of 19,000 carbon credits. Community Forest is helping the Nisqually Tribe with their Clean Water Revolving Fund loan, now in its final stage of the process to secure the loan and then move on to identifying a purchase.

Salmon Recovery – Chris Ellings and Ashley Von Essen

Chinook returns are beginning, which brings many tasks that are made more challenging by COVID (monitoring harvest, operating hatcheries, continuing colonization with relocating fish, field restoration work). These responsibilities are legal mandates and tribal and state harvests are tied to making sure that they happen. No volunteers or school groups will be able to help this year. Planning how to do this safely is time-consuming and will be a big commitment from staff. Chris is part of a team working to update the regional chapter of the Puget Sound Chinook recovery plan. The success or failure of Nisqually Chinook recovery depends on the regional effort. Chris will be leading a section with WDFW on population growth and human infrastructure. Puget Sound has experienced record economic and

population growth since Chinook were listed. That has limited our ability to recover the habitat that fish depend on. Infrastructure inhibiting salmon recovery needs to be addressed in the updated plan.

All SRFB projects cleared the grant round, and funding is approved for allocation in September. Hope that the 2021 legislative budget includes PSAR. The Salmon Recovery Portal is the state's public platform tracking salmon recovery projects (<https://srp.rco.wa.gov/site/220>). Nisqually Lead Entity is working with WDFW and RCO to pilot using this tool to track projects in the Nisqually Streamflow Restoration Plan. WDFW has funding to do data entry, and Emily and Ashley will be doing quality assurance and control.

2. Nisqually to Paradise Corridor Visitor Use Management Plan

Rachel Collins, National Park Service

Mount Rainier released a video showing a family of wolverines (mother and two kits) in the Park for the first time in 100 years.

Mount Rainier's Park Planning team is working with NPS Denver Service Center's park planning to work on visitor use management planning process, to address increased visitation and promote good experiences for visitors and for Park neighbors. The Nisqually Corridor goes from the Nisqually Entrance to Paradise, which includes remarkable natural and cultural resources. The road itself is a cultural resource with historic designation. Public input on this plan is important: comments are open until Oct. 5 at <https://parkplanning.nps.gov/document.cfm?parkID=323&projectID=95095&documentID=105822>. Key questions are: What experiences do you find most important in this area? What issues interfere with your desired experience?

Mount Rainier has seen a 31% increase in visitation between 2008 and 2018. 70% of annual visitation occurs between July and September. Most concentrated in a small number of destinations, including at Paradise. Issues include:

- Roadway congestion on Hwy 706 and Paradise Road – critical wait times in the park and outside the park.
- Quality of visitor experience at scenic viewpoints and on trails – define what makes a high quality experience and make them sustainably accessible.
- Parking lot congestion and high facility use.
- Protection of culturally significant assets – road is part of National Historic Landmark District; need to preserve its integrity while mitigating for high usage.
- Visitor-caused impacts to meadow and other natural resource environments – social trailing and trampling created by high use.
- Other issues identified by visitors and stakeholders in public engagement.

Project goals:

1. Examine current and potential visitor opportunities and develop long-term strategies for safe access, experiences, and managing use

2. Incorporate best practices for managing visitor use to protect resources and promote high quality experiences. Interagency Visitor Use Management Council best practices framework at is at visitorusemanagement.nps.gov.

Expected outcomes are not specifically defined yet: the goal is to develop strategies to protect and preserve the resources, even if visitation levels increase substantially. There will be multiple phases following this initial public outreach to understand the issues, goals, and needs.

Discussion:

- Is anything off the table for options? – No, we want to hear all ideas. Will put them through feasibility after the next stage, but everything's on the table.
- Are you looking at issues outside the Park? – Congestion on Hwy 706 outside the Park is a significant issue. Please share points or ideas that could help. NPS is collaborating with partners along the corridor about access. In early discussions with stakeholders, hope the park's process can be a foundation for what we can do together about traffic patterns, and distribution of visitors to other regional recreational opportunities.
- This could be an opportunity for the NRC to put together a watershed-wide vision for moving people through the watershed, floodplain through Paradise. Explore mass transit and holistic, integrated solutions. How could transportation be a world class experience that restores ecosystem function? NRC could create a committee to discuss and consider funding options for design work.
- NPS would welcome a letter from the NRC about the objectives the NRC would like to see NPS achieve and issues to mitigate or resolve – we don't have to have the solution to identify the idea.
- NPS is hosting an online public meeting on September 1. Storymap walks through the resources and NPS values for the corridor:
<https://storymaps.arcgis.com/stories/3cc27951027345bcb51779d6a7888d42>, and comments can be submitted here:
<https://parkplanning.nps.gov/commentForm.cfm?documentID=105822>

3. Whales of the Salish Sea

Cindy Hansen, Orca Network

Whales are in order Cetation: suborders Mysticetes (baleen whales, filter feeders, two blowholes, female larger than male, no echolocation) and Odontocetes (toothed whales, one external blowhole, male larger than female, echolocation).

Endangered species of Puget Sound, past and current:

Humpback Whale – feed on small forage fish and krill, both found in the Salish Sea. Not clear if they specialize in one type of prey. They were heavily hunted in the North Pacific. At the end of commercial whaling in the 1970s, only 1,400 humpbacks remained. Whaling-era populations were depleted or extirpated in the Salish Sea and other southern regions. Population has substantially recovered and is now at 20,000 in North Pacific. Baleen whales only eat for part of the year and migrate between feeding ground in North Pacific and breeding ground in South Pacific. Largest feeding populations are found in Alaska, with BC,

Salish, and California populations growing annually. Some populations have been removed from ESA. Three of 14 listed populations feed in Salish Sea. Individuals are identified by unique tail fluke marking. Some are known grandmothers, bringing multiple generations of offspring back to the Salish Sea. Salish Sea is having a “humpback comeback.” Because of population increase, there are also increasing ship strikes and entanglements, including two in last year with Washington State Ferries.

Grey Whale – bottom feeders who eat opportunistically, mostly shrimp and arthropods, sometimes feeding in shallow water close to shore. They migrate 10-12,000 miles round trip every year, from Baja breeding ground to northern feeding grounds, the longest migration of any mammal. The Pacific Coast Feeding Group stays between BC and California, while most travel all the way to the Arctic. 10-12 individuals from the Arctic group, known as the “Sounders,” come into Puget Sound on their way, stopping for a few months in Puget Sound to feed on ghost shrimp before continuing north. They discovered the food source when the Arctic was at low food abundance in early 1990s, and have continued to come back. Individuals are identified by unique spot patterns. Baleen whales are usually solitary, but two individuals who discovered the Puget Sound feeding ground have been a pair seen together for 30 years. Grey whales were delisted in 1994, lost a third of the population in an unusual mortality event in 1999-2000, and recovered again. They are now experiencing another wave of high mortality, with 370 strandings in 2019. Study of remains show the whales are emaciated, but the cause (food availability, disease, something else) is unknown. More whales are showing up in Salish Sea looking for food, and the Sounders are doing well, suggesting the importance of the ghost shrimp food source. Aerial photos show whales fatten up significantly in a month of feeding in Puget Sound.

Orca/Killer Whale – two distinct types in Salish Sea. Transients (Bigg’s), live in small pods and eat marine mammals. Residents (SRKWs) have bigger multigenerational pods and eat fish, relying on Chinook for 80% of their diet. SRKWs are endangered. Individuals are identified by Center for Whale Research orca census (since 1970s) by saddle patch and dorsal fin shape. Salish Sea tribes have great respect for orcas and are very involved in orca and salmon recovery efforts. White culture feared and hunted orcas in early settlement period, seeing them as predators and competition for salmon. During the capture era from 1962-1974, 1/3 of SRKWs were removed or killed. All captured whales have died, except for Lolita/Tokitae, in Miami. Orca Network is working with Lummi nation to bring her back to Puget Sound. Between 1995 and 2001, the SRKW population plummeted from 99 to 78 individuals. They were listed in Canada in 2003 and in the US in 2005. Current population is 72, lowest in 40 years. Threats include vessel disturbance, which disrupt echolocation they use to find food (pandemic has increased boating by people who don’t know how to whalewatch responsibly). The law in Washington requires boaters to stay 300 yards away from SRKWs. New licensing regulations are in development now (public comment period in September). They are also impacted by toxicants, mostly industrial buildup of PCBs, flame retardants, etc., and prey depletion of Chinook. Because of the decline in salmon, SRKWs are not here in the Salish Sea as much as they used to be. Pod structures are changing with more small groups and fewer superpods, because of lack of food. Lack of food also causes reproductive failure, shown in 2018 by J35’s 17-day vigil carrying her dead calf. Calf mortality has been increasing in recent years.

Transient/Bigg's orcas, however, are thriving. 200-250 documented in Salish Sea, fat and healthy, lots of babies. There are more Bigg's orcas under 6 than the entire SRKW population. Toxicant levels are higher (because they eat higher on the food chain), and they are exposed to same vessel traffic, indicating that the major difference for the two populations is prey availability. Lots of harbor seals and porpoises for Bigg's to eat.

Research and recovery for SRKWs includes a number of techniques for assessing their health, including drone photos and scat collection. Scat (collected with canine assistance by UW Center for Conservation Biology) can show what they're eating, toxicant and stress levels, pregnancy hormones, specific salmon populations. Research shows that starvation is the main cause of stress hormones. When they are starving, boat traffic is more stressful, and miscarriages increase, making it impossible for the population to increase. Restoring fish needs to be the highest priority for recovering SRKWs. The Southern Resident Orca Task Force started by Gov. Inslee issued 49 recommendations, which have been supported by several bills and some funding support, but that has been cut due to COVID.

The public can help by learning and sharing information from Orca Network and 17 partner organizations working to recover orcas and salmon. Dam removal projects can help salmon recovery. Pilchuck and Nooksack dams are being removed now. Removal of the four Snake River dams is controversial – could restore Columbia basin salmon runs to their habitat, but there are a lot of people relying on power from the dams. The proposal to build a new Chehalis River dam as a flood mitigation facility is very controversial because of the negative impact it would have on salmon, and is strongly opposed by Chehalis and Quinault Tribes. The Governor has paused the EIS process and investigation of alternatives.

Signs of hope for SRKWs with two one-year-old calves, and several pregnant females this year, including J35/Talehquah. Biologist Alexandra Morton has noted that “If we lose the Southern Residents, it will be the first extinction where every individual's name was known.” The iconic stature of these whales can be an opportunity to get people involved in helping their recovery.

Discussion:

Are ghost shrimp impacted by pesticides from aquaculture? Pesticide spraying is not currently permitted for aquaculture, and a bill to allow a new pesticide did not pass this year. The industry is trying to work on an agreement to overcome the restriction. It's a concern for grey whales and also for orcas passing through. It affects everything up the food chain.

Why is there a difference between the required boating distance for Bigg's and SRKWs? How do non-experts tell the difference? True that general public doesn't know the difference. Boater education should inform people to assume they're all Residents and to keep a safe distance, or follow cues from whalewatching boats.

Will killing sea lions affect the Bigg's whales that feed on them? Lots of research is being done in this issue, trying to balance the food source for transients with the possibility that removing some pinnipeds may increase the salmon available to SRKWs. Some pinnipeds, especially harbor seals, are eating predators to salmon as well.

Northern Resident orcas are doing better than Southern Residents. Any observations of Northern residents expanding range to take advantage of decreasing SRKWs? Northern residents are also threatened, but are increasing in population, with better access to salmon and less toxicants. Expanding into Swiftsure Bank at end of Strait of Juan de Fuca, where SRKWs spend a lot of time, so they may be overlapping more there. SRKWs are also coming into Northern territory a bit more. They could interbreed biologically, but they don't. They have a completely different language structure and don't interact at all when in the same area.

4. For the Good of the Order

Howard sent information to Thurston County 10 years ago regarding Holroyd's initial application to mine below the water table, and can share the cover letter explaining his concerns.

What happened with Nisqually Sustainable branding effort? It was ended because the Council didn't have the expertise or funding to make it viable.

The meeting was adjourned at 11:42am.

*Next meeting: September 18, 2020 via Zoom
Stay home and stay healthy!*