



Meeting Minutes
Nisqually River Council Meeting
December 17, 2021
Online Meeting

Attendees:

NRC Members:

Jesse Barham – City of Olympia
Amy Cruver – Pierce County Council
Glynnis Nakai - BFNJNR

Rene Skaggs - Pierce Conservation District
David Troutt, Chair - Nisqually Indian Tribe

CAC Members:

Phyllis Farrell
Paula Holroyde

Ed Kenney
Lois Ward

Guests

Roger Andrascik – NLT/NSS
Jeff Barney – Pierce County
Chris Ellings – Nisqually Indian Tribe
Lloyd Fetterly – Citizen
Brian Footen – EarthViews
Karen Fraser - WA State Senate (Ret.)
Tara Galuska – WA State RCO

Sela Kalama – Nisqually Indian Tribe
Dani Madrone – American Farmland Trust
Etsuko Reistroffer - Stream Steward
Fraser Shilling – UC Davis
Larry Stickney - Pierce County Council
Juliana Tadano - Puget Sound Partnership
Ashley Von Essen – Nisqually Indian Tribe

Staff:

Jeanette Dorner – NLT
Julia Fregonara – NRF
Justin Hall – NRF

Nantz McMillen - NRF
Tristan Olson - NRF
Sheila Wilson - NRF

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

David called the meeting to order at 9:03am. Attendees introduced themselves. Minutes were approved, as was the agenda for the day.

2. Committee Reports and Updates

Advisory Committee Reports:

CAC Report - Phyllis Farrell

The committee did not meet this month, but will resume meetings again in January.

Chair Report – David Troutt

This year the Chum salmon are returning in larger numbers than predicted. A live fish count of 157 fish was recorded in Yelm Creek with a goal for over 300 live fish to come. They have not yet been in Muck Creek, but the fish are there. The run is earlier than in past years.

The Governor announced his Salmon Recovery Bill. Working groups have been formed and David is serving on the funding subcommittee. On Tuesday the Lorraine Loomis Act was proposed to honor her legacy (Former Chair of NWIFC) as she passed away in August. David will pass along a bill to Tristan and it will be provided to Tribes for review and substantial updates. The I-5 project received press coverage from Tacoma News Tribune (TNT) and Daily Olympian. It is a great piece on the complexity of the delta crossing with only a few inconsistencies. TNT editorial board supported the project as well. Looking to expand partnership and support for the project and have given presentations to multiple CEOs. Businesses and Real-estate should want to get involved.

Regarding the 6PPD tire dust issue, a team was formed with Ed & Jen McIntyre to move this forward. Congresswoman Strickland's office is involved, but industry says it may take 10 years, Nisqually Indian Tribe is taking the lead on this and wants it resolved later in 2022. Will plan to work with the new Mayor of Eatonville once he takes office in January. Dani Madrone, who serves on the transportation board of the Thurston Regional Planning Council (TRPC) offered support.

Will Federal funding facilitate the I-5 project? The rules for distribution will be decided in May or June with the new round of funding not necessarily focused only on shovel ready projects. Construction is planned for 2023 – 2025. Legislative Transportation Committee allocated \$5 million dollars for preliminary construction and allotted right of way in Nisqually area acquisitions. Project will focus along the corridor starting with Nisqually and heading south towards 101 as funds allow. The Governor is looking to increase stormwater treatment along roads with the Nisqually Reach project being applicable to the I-5 corridor at large. More updates to come.

Allied Program Reports:

Nisqually Land Trust - Jeanette Dorner

The winter newsletter has been sent out highlighting the recent Ohop creek acquisitions and carbon reverification project. Forests produced carbon credits than predicted as trees increased in size. In upcoming news, NLT will acquire habitat lands from the Buddhist Priory near Brighton Creek. They will keep the lands on which they hold their retreats, but in total NLT will purchase 265 acres of land including 715 feet of shoreline. Part of this floodplain acquisition is also the forest land across the road which will be recognized and preserved as a Woodpecker refuge. Formal announcement to come.

Volunteer fall and winter tree planting push went well with another push to come in January (Anderson Island & Powell Creek). Tree tubes pulled in Ohop recently. Salvaged pollinator

plants to create more diversity among prairie restoration on land near Powell Creek. Traditional in-person auction is planned for March 26th – Covid permitting.

Kayla Jenkins hired as the new office assistant – used to work for the Foundation staffing river council, Wildlife Refuge AmeriCorps, and Mt. Rainier Park experience. The NLT Board met last night and approved Kelsey Hulse of Puget Sound Energy as a new member.

David mentioned how when the land trust was formed only 3% of mainstem Nisqually was under protection and now 81% is under permanent protection with the goal being 90%. This is a remarkable and unique accomplishment that has been achieved by working with willing landowners in the area.

Nisqually River Education Project – Sheila Wilson

Julia hosted live salmon viewing sessions at McLane creek to 154 students so far this year. Nantz & Layne dissected salmon with students over Zoom and in-person, including a session where middle schoolers had their own salmon. A snowshoeing field trip was cancelled this month, but rescheduled for January with Wa He Lut and the community center. The Watching Wildlife program is set to continue and the Student Green Congress will take place virtually the week of March 14th.

Submitted an EPA environmental education grant focusing on fostering the next generation of tribal leadership in natural resource careers. It is competitive with only 3 grants awarded in the Pacific Northwest region. David mentioned the annual reach of the program is to hundreds of teachers and thousands of students. The YMCA closed with the landowner for the camp and education center. Permitting to come fairly soon in the new year with funding to follow.

Nisqually River Foundation - Justin Hall

Budget draft has been prepared and the Foundation Board will meet today to approve it regarding the NRC, NREP, Community Forest, Water Quality Unit, and contract employees. Total income is 1.4 million, total expenses are 1.2 million. Foundation is good at giving and managing grants. The End of Year letter will be sent out this month as an appeal to donors, thank you to all who gave during our November Give Local campaign. Met with the Nisqually Indian Tribe and State Parks about the Nisqually State Park, possible location for NRC meetings, and Tribe was looking into natural food gardens. Jeff Barney mentioned a potential small grants program of \$13,000 with Pierce County and Tacoma Public Utilities for teachers, field trips, plantings, etc. They manage other watersheds and their funding can only be used in Pierce County, but we are trying to match those funds.

Nisqually Community Forest - Justin Hall

Snow is falling and the gates have been put in place without locks. Currently reviewing the proposal for the carbon project. Carbon credits are resold to others through a broker, there are limits of who we will and will not sell to. Through year eight we have buyers. Met with David and the Nisqually Indian Tribe to discuss how we will manage land individually and together. Will meet early next year to flesh out management plans.

Salmon Recovery Program – Ashley Von Essen & Chris Ellings

Ashley: The grants for 2022 have been started, seven proposals came in at the end of November. Over \$3.5 million dollars requested of which \$1.5 million is available to allocate with potentially more to come. Working with Tristan to get on the calendar to present on those projects. Beginning of the grant round is exciting to see the new ideas.

Would like to allocate remaining \$48,000 of 2021 grant funding to the Mashel River Design Project. The project was about \$30,000 away from being fully funded and now that the NLT has had their projects funded, the remaining \$48,000 could easily be absorbed into this Mashel River Design. Ashley is happy to forward project specifics along to NRC. South Puget Sound Salmon enhancement group is in charge of the project, but because they were short of funding, they could only design and not assess. They are contracting with Herrera design firm, but the assessment would be done in house.

Vote called for NRC approval of fund allocations to enhance the assessment and design of this project, seconded and approved.

Chris: Second year of Christmas tree and cedar bow placement will take place in an effort to use traditional ecological knowledge to jump start the herring population (key part of the environment) off of the Nisqually delta. There has been a loss of sediment as well as a loss of eelgrass and bull kelp forests. After New Year's a sign will be put up at the office and you are welcome to throw your tree there to be used for the study. A reminder will be sent to Tristan and forwarded to NRC, please do not send it out to expanded lists. David mentioned the project continues on in Chuck Blacketer's name, a Tribal Elder who passed away two weeks ago.

Stormwater pilot project on the Ohop is currently navigating a permit structure which has only been done two or three times before. We are working with the WA Department of Transportation to find the best time to install the project along Highway 7, looking at an early January window. Once it is in place, if there is a safe way to view it, we will work with the NLT to let people know. Would have liked for it to have been installed during the dry season to catch the first rush of chemicals, but we will still be able to see if it is actually removing

the toxins of copper and 6PPD entering the system. Will it treat both lanes of highway 7? Yes, the storm water gets funneled into one location before entering the Ohop, so hoping to catch it all in one place.

3. Puget Sound Mapping - EarthViews

Brian Footen

How can we use river “street view” photos from a Photometric/GIS standpoint? Started as FishViews in 2016 (now EarthViews). Vision from the beginning to connect people with Waterways and where they are relative to the waters around them. Wanted the photos to be online and free, so I made sure to publish data in an accessible format. Objective was to provide a more granular view than what was provided through satellite imagery.

To date we have mapped around 2,000 miles of rivers, and a couple more thousand with National Geographics in the Okavango delta.

First place captured was the Elwha River, just above the Elwha dam. On the website you can navigate by clicking on the satellite view or by clicking through the imagery. We were able to capture the salmon coming back upstream. Every 10 seconds, on a raft with the camera above our heads, water quality monitoring gear below, and occasionally an underwater camera as well. The Stillaguamish Tribe worked with us to map river photos. Goal was to use the map to add data and look for what were the cold-water inflows, you can look at those on the site and see the temperature differences. These are layers that the tribe sent to EarthViews and we were also able to mark the different engineered log jams and look at them in depth and from the satellite imagery. Meta data included for each scene is from 2017. The Stillaguamish will be doing this again so we can add how rivers change over time. GoPro now has 360 cameras that anyone can use and send to EarthViews so that it can be uploaded.

Snoqualmie: King County wanted to see how they could monitor salmon recovery through EarthViews and apply to channel migration flow study. Charting feature allows you to look at the different parameters: Survey mile and depth is recorded and you can click on the depth chart to see different areas of the river. Armoring structures were also associated with the depths.

Kayaked through the Nisqually Wildlife Refuge after speaking with Nisqually Reach Nature Center to map the delta.

Discussion

We talked to you several years ago about mapping the Nisqually River, however it goes through the Nisqually Reservation and having culturally significant sites and landforms

being searchable for the public was a concern, especially for guarded and sensitive locations with ancient fishing sites. How are you going about that?

EarthViews reached out to the Nisqually Tribe, but did not hear back. Open to taking down certain sections of the river/delta that they are not willing to have public. Would like to speak more with the Tribe, and Wildlife Refuge as to how this is presented to the public. We want to make sure that this is done properly and decide how best to make it useful to the Tribe and to the public.

Monitoring long term trends in habitat changes over time is a key part of the work. This also functions as a public education opportunity, connecting people to the habitats without having them actually be in the environments.

Seems like a good opportunity for outdoor education, how would you engage with volunteer entities? How do you engage with those entities to get more shorelines done while engaging with science?

The ability to crowdsource data is essential. Puget Sound nearshore campaign has provided presentations to Evergreen, Paddle Projects, Puget Sound Keeper, and the Duwamish Tribe. We are also looking into a grant with a partner organization to use machine learning to analyze changes over time.

You should present for the Puget Sound Partnership.

4. Orca Task Force Recommendations – WA State Recreation and Conservation Office *Tara Galuska*

The Orca Task Force was created through an executive order (18-02) by Governor Jay Inslee to address the Southern Resident Killer Whales (SRKW) severely declining populations and brought together multiple representatives from Tribes, legislators, government agencies, non-profits, and businesses. Engaged with extensive public comments and produced two final reports with recommendations.

Why are SRKW dying? Too much noise, too much pollution, and too few fish. This is a transnational issue as they travel all along the coast. It is all about prey as salmon is their primary diet, there are however new and legacy toxins alike working their way into the SRKW.

Recommendations:

- More salmon
- Less noise and disturbance
- Less pollution
- Fund, Monitor, Adapt,
- Address Climate and Future growth

Budget Update:

2019 – 2021: \$1.1 Billion – Orca Recovery

2021 – 2023: \$1.5 Billion – Orca Recovery (WSDOT Culvert Case increased funding)

2022 Agency SRKW: \$97 Million (Governor's Updated Budget will change these numbers)

Bills Passed 2019 – 2021:

ESHB 157: Oil transportation safety

2SHB 1579: Increase Chinook and other orca prey abundance

2SSB 5577: Reduce vessel noise and disturbance

SB 5918: Whale watching guidelines in boating safety education program

SSB 5135: Toxic Pollution prevention

Bills Passed 2021-2023:

SB 5126: Climate Commitment Act

HB 1091: Clean fuels standard

SSB 5159: Funded payment in lieu of taxes – state lands

SB 5273: Least impactful shoreline armoring

HB 1382: Permit streamlining bill

SB 5381: Fish passage project streamlining

ESB 5330: Commercial whale watching

Federal Update

- Expanded designated critical habitat to Coast in 2021
- Amendment 21 – set a low Chinook abundance threshold for harvest management actions
- Pacific Salmon Treaty funding \$25 million to date for habitat and hatcheries
- New Species in Spotlight Action Plan 2021 – 2025
- New curriculum from NOAA on SRKW
- Five-year ESA review underway
- Science advancements-stranding review, winter prey, Dtags
- Planning underway on boating regulations (was 300 feet back for viewing and, but is currently 400 feet)

We are in an environmental crisis in the Puget Sound and we need to keep going forward.

Goal 1: Increase Chinook abundance

Governor's Salmon strategy is a huge step forward for salmon recovery and there has been an increase in habitat funding, but we are not keeping up with the environmental decline. Nisqually River Chinook are a top priority species in relation to SRKW prey. \$3.7 million in funding will soon be available for projects that have an impact on SRKW. Increasing hatchery production is a high priority (2019 hatchery production: 26,150,200 fish) and the Governor is also looking into the Dungeness Levee setback project to open up the floodplain.

Salmon Strategic Priorities from the Governor's office align closely with SRKW recovery. SRKW eat primarily Chinook, but will turn to Coho, Chum, and Steelhead runs when necessary, with Northern and Southern Puget Sound Chinook still placed as the highest priority (ongoing updates). Studies and regulations to decrease species that prey upon salmon (such as Northern Pike) and increase Salmon prey are also receiving attention so that we may understand our food web better. As part of the Governor's budget there is a \$100 million riparian grant program proposed with the goal to improve current habitat conditions.

Goal 2: Decrease vessel noise and disturbances

Oil Response – quicker and better at hazing whales away from spills

Quiet Sound – Organization working with a variety of partners to think about ways to reduce noise overall in the sound so that SRKW can locate salmon. They just hired a new director as well.

Outreach and Enforcement has been funded and there is a new whale flag you can display on your boat, all in an attempt to educate the public about how to engage with whales and boating (i.e. 7 knots within half a mile of the whale – even at 5 to 6 knots there is an impact on foraging). The State is also using drones to look at whales' conditions in a less intrusive way. The State used these five times this year. K21 passed away. Three pregnant whales currently, all of which are vulnerable.

Goal 3: Reduce exposure of orcas and their prey to contaminants

There is special attention being paid to contaminants that are entering the sound and how they are affecting SRKW as well as what is being classified as a toxin. The 6PPD tire issue also falls under this concern.

Goal 4: Funding and Accountability

The Task Force supports using the Puget Sound Partnership's science framework for the SRKW vital sign, we will be working with them going forward.

Goal 5: Climate Change

Important to understand the impacts of climate change and ocean acidification in our waters through the support of continued monitoring and climate resilient solutions.

Goal 6: Population Growth

Make sure that policies, incentives, and regulations result in net ecological gain

Discussion

Hoping to lean on Puget Sound Partnership and work closely with NOAA to move this important recovery work forward.

How do you go about retrofitting existing infrastructure and practices from a regulatory point of view? And have you looked at local roads and bridges regarding infrastructure that can be put in place?

If you have to fix your shoreline due to hardened armoring or other reasons, there is a new law that makes you select the least impactful shoreline armoring, which is a way of looking at what has already been done and how it can be made more environmentally friendly (WDFW will know when this goes into effect). WA State also has a program called the Estuary Salmon Restoration Program which includes the Shore Friendly Program. We have put money into reaching out to landowners that have hardened infrastructure and offer technical assistance and funding to make it more environmentally friendly. The Department of Ecology also has stormwater/wastewater funding that can be applied to retrofitting infrastructure.

The quickest way to increase prey availability is to crack down on boat noise and traffic, rather than increase hatchery production which has other ramifications. There was a lot of push back from the industry. How should we be approaching this?

The idea to stop viewing whales all together was not received well as it is a large tourism industry. Having a permit process in place for commercial boats and kayakers shows good progress, but we need to make more progress and I think we'll be looking closely at the Department of Fish and Wildlife's adaptive management report that's due to the legislature in 2022.

This is all a balancing act, but the inability to deal with boat noise could be putting pressure on the prey itself with an influx of production.

Even making oil rigs safer with tugboat escorts increases the boat noise level, however regarding the commercial whale watching there are also transients (marine mammal eating whales) which are increasing in Puget Sound. However, there are complications with that as well.

Ultimately SRKW will persist or not with the fate of Fraser Chinook as it is such a massive driver in the Salish Sea. How is British Columbia moving toward more salmon recovery protection?

They have a large killer whale presence and so it is very much on their radar and a high priority. I can try and get more specifics regarding that, as I cannot speak specifically to their details. It would be nice to have more integrated / transboundary discussions. The Salish Sea Ecosystem Conference is a place where I am pushing hard to have more SRKW discussions.

5. Sustainable Farms and Fields & Farmland Protection

Dani Madrone, American Farmland Trust

Two budget related items we are writing sign-on letters to show support for in the upcoming legislative session.

Sustainable Farms and Fields – Created in 2020 and sponsored by former Senator John McCoy, the initial funding was cut in the beginning of the pandemic. It was based on what farmers said they needed in terms of resources and technical assistance. There was a lot of enthusiastic support for it among farmers, and it supports climate smart agriculture. It is in the Governor's budget for climate change. Ranked as the 5th highest priority for the Governor's budget by the Puget Sound Partnership.

Climate Smart Agriculture means grants administered by the State Conservation Commission available to conservation districts and other public entities to support farmers. Eligible activities include on-site technical expertise, cost-sharing, no-till practices, manure management, cover crop seeds, precision equipment, and more. Riparian buffers and other fish enhancement projects will receive priority. It only works if we protect farmland, it doesn't work if we develop these sites. We should be focusing on this as it is a part of the economy as supply chain issues during the pandemic have shown.

Washington lost 640,000 acres of farmland between 2007 and 2017. Older farmers are retiring and younger farmers are not able to compete with the housing market.

Farmland Protection and Land Access (FPLA) – Easements remove development rights and conserve the farmland which facilitates the transfer of farmland to the next generation of

farmers. When farmland goes on the market a land trust can get the funding from the housing finance commission. FPLA works in tandem with the new revolving loan applications and prioritizes historically underserved farmers. Puget Sound Partnership ranked it as their 2nd highest priority.

Buy–Protect–Sell Strategy: \$7 million dollars is set aside to help land trusts buy the land immediately when it goes on the market, then the land is stopped from being developed, and then it is sold to a new farmer who will hopefully make use of the Sustainable Farms and Fields Program.

Discussion

Is there any provision for farmers who buy the land to practice regenerative farming or anything along those lines?

There is no provision along those lines, but that is something that could come later once the proof of concept is on the ground and the actual land is being protected.

Talking about economies of scale, is there anything supporting alternate distribution and resource networks that support regenerative farming? A way to connect farmers to markets and suppliers?

Sustainable Farms and Fields is designed so conservation commissions can help create that economy of scale. There is also a pretty big movement for co-ops distributing food (i.e. the relatively new South Sound Food Hub) – there is a lot of interest in that and how to support getting farmers to market is a big topic right now.

Regarding site potential tree height for riparian zones on agricultural lands, do these programs support that and will they be targeted towards that goal as it is outlined in the Governor's new bill?

The programs will be aligned with the state because they are through the State Conservation Commission. There are concerns about how that impacts agricultural lands, but we need to find a way to adapt practices so that they support all food systems and we are an environmentally focused organization.

It would be good as part of this acquisition strategy to pay farmers for their loss of annual income as a result of tree height riparian zones. Is there momentum and support for that?

Commodity buffers address that issue and essentially pay the farmer for what they would have been making based on what they were growing there. There is an interest in this and it is already going on in Spokane. It would have to be a voluntary incentive and so it is important to tie it to what is being grown in that area. Hard sell because it requires wider buffers.

6. For the Good of the Order

Rene Skaggs

Pierce County Conservation district is sharing a forester with the Mason County district and kicking off educational webinars on the third Thursday of the month starting in January and going through April. These will wrap up in a field day in Eatonville on the importance of conservation work. Reaching out to the Department of Natural Resources, hoping to tap in to that funding – check out our website.

The meeting was adjourned at 11:54am.

*Next meeting: Friday, January 21, 2021
Online*