

**Chambers-Clover Watershed (WRIA 12)
Watershed Restoration and Enhancement Committee
Meeting Summary**

Please send corrections to Rebecca Brown (Rebecca.Brown@ecy.wa.gov) by November 30th.

Committee website:

https://www.ezview.wa.gov/site/alias_1962/37324/watershed_restoration_and_enhancement_-_wria_12.aspx.

Next Meeting: December 17, 2018, 1:00 pm-4:00 pm, Steilacoom Town Hall

Meeting Information

Thursday, November 1, 2018

1:00 pm to 4:00 pm

Steilacoom Public Library

Agenda

	Topic	Time	Action	Handouts	Lead
1.	Welcome	1:00 pm	None	- Agenda	Chair
2.	Introductions	1:10 pm	None		All
3.	Overview of Streamflow Restoration Act (ESSB 6091) and Committee Purpose	1:30 pm	Presentation and discussion	- Streamflow Restoration Act (ESSB 6091) Overview - ESSB 6091 map	Chair/ Mike Gallagher
4.	BREAK – Ten minutes	2:30 pm			
5.	Breakout session: share expectations for Committee and Plan	2:40 pm	Activity and discussion		All
6.	Next steps	3:30 pm		-Documents distributed following meeting	Chair
7.	Public comment	3:45 pm	None		Chair
8.	Close	4:00 pm			

**all handouts are available on the Committee website*

Committee Representatives and Alternates in Attendance

Name	Representing	Name	Representing
Don Stanley	Lakewood Water District	Clancy Moody	Chambers-Clover Watershed Council
Dan Cardwell	Pierce County	Tiffany Odell (alternate)	Pierce County
Matt Curtis	WA Department of Fish and Wildlife	Julian Close (alternate)	Puyallup Tribe
Char Naylor (alternate)	Puyallup Tribe	Paul Loveless	Steilacoom
Cal Taylor	Tacoma	Desiree Radice (alternate)	Tacoma

Name	Representing	Name	Representing
Greg Volkhardt (Alternate)	Tacoma	Jeff Dickison	Squaxin Island Tribe
Jessie Gamble	MBA Pierce	Rebecca Brown	WA Department of Ecology

Committee Members not in attendance: City of Lakewood, Pierce Conservation District

Other Attendees

Name	Representing	Name	Representing
Jeff Hansen	HDR	John Koreny	HDR
Tom Kantz	Pierce County	Josie Cummings	Building Industry Association of Washington
Angela Johnson	WA Department of Ecology	Mike Gallagher	WA Department of Ecology
Jeff Johnson	Water Co-Op of Pierce County	Mike Noone	WA Department of Ecology
Megan Kernan	WA Department of Fish and Wildlife	Burt Clothier	Pacific Groundwater

Presentation on ESSB 6091/RCW 90.94

Presentation available on committee webpage.

Breakout Session on Expectations and Concerns

Comments from breakout groups, generally grouped by topic. Flip chart images included at end of document.

Expectations	Concerns
Process	
Close coordination with WRIAs 10 and 12.	Challenging to resolve issues because of varied opinions.
Learn from WRIA 11's efforts.	Unclear mandate.
Adaptive management—opportunity to fix assumptions.	How to fix our assumptions.
Keep plan broad.	Entrenched positions.
Reaching jurisdiction consensus (agreement)	Time commitment—resource benefit vs. return.
Come to agreement on interpretation.	
Reach consensus on plan.	
Don't lose focus on impacts from permit-exempt wells.	
Results	
Achieve better (improved) hydrographs (water in the dry season).	
Data, Science, and Information	
Quantify how much water is available.	Growth assumptions.
Data availability.	Unknown water availability.

Expectations	Concerns
	Don't know where permit exempt wells and impacts are.
Funding	
	Water rights costs and availability.
	Projects identified by committee won't be identified or funded.
Projects/Recommendations	
WRIA 12 is ripe for restoration. Should partner with other watersheds to provide restoration opportunities because the number of permit-exempt wells is small.	Upper watershed most sensitive to impacts.
Capturing "excess" water for water deficit time offset.	Targeted restoration → Habitat potential
Catalyst for habitat restoration (dam) and fish passage.	How "targeted" will the "in-place" be?
	In time limitations and need.
	Water quality/groundwater quality.
	Mitigation timing relative to consumptive use.
	Not mitigating in time/kind/place.

Discussion Summary

Wells

Questions focused on the legal basis of water use in the state. The WA Legislature set up a surface water right appropriation process in 1917, and a groundwater appropriation process in 1945. Water is owned by all the people in state, and a water right gives an entity (private, public, or individual) the right to beneficially use the water. The legislature allowed new wells, and directed Ecology and the committee to come up with a plan that offsets twenty years of consumptive use of permit exempt domestic wells and improves instream resources (water levels, fish habitat, etc.).

Ecology is interpreting domestic permit-exempt wells to include indoor use and outdoor watering (1/2 acre of a non-commercial garden). The law does not address commercial or irrigation exemptions (5,000 gallons per day). Ecology will not change the program's focus on permit-exempt wells unless the Attorney General's office directs Ecology differently.

Pierce County is kicking off a coordinated water system plan soon. Where permit-exempt wells are allowed, there are provisions for them to be abandoned.

Process

The Squaxin Island Tribe disagrees with Ecology's interpretation of the law—specifically the target of 20 years of consumptive use of domestic permit exempt wells. Other committee members were concerned that the Squaxin Island Tribe's disagreement with interpretation would threaten the required approval of all committee members. The Squaxin Island Tribal representative reassured the committee that although they interpret the law differently, it doesn't mean they won't agree to the plan. The Squaxin Island Tribe wants to do more than the minimum requirement. The law doesn't constrain the plan to look at 20 years of permit exempt wells, but at a minimum it must offset that amount. The law also

requires the plan to achieve a net ecological benefit, which could include habitat restoration and other projects that go beyond the minimum requirement.

All members of the committee must approve the plan before Ecology will adopt it. If the committee does not approve the plan by the deadline, Ecology will send the plan to the Salmon Recovery Funding Board for recommendations. Ecology will consider the recommendations, and then may begin rulemaking, based on the unapproved plan, plus those recommendations. The Chair will keep track of points of disagreement and contention along the way, so in the event that the plan is not approved, there will be a record of what the issues were. This process is not like the old watershed planning process because there is a contingency for if a plan isn't approved.

There were several comments in regards to the 90.82 watershed planning process. The Puyallup representative raised concerns over ground rules for voting. The December and January (if needed) meetings will address the committee charter, which will include ground rules, voting rules, etc. This planning process has a short timeline, spending two years on voting rules is infeasible. The Chair expects the vote will be one committee member, one vote. The plan has to be approved by all committee members. Other concerns included the expected time and resource commitment, which is monthly meetings (~3 hrs) for the next 6-8 months, then reassess. Plus participation in workgroups and subcommittees.

Ecology invited the Nisqually Tribe to participate in the planning process. They have not committed yet. Joint Base Lewis-McChord may be interested in appointing a non-voting representative to participate in the committee. They could be an excellent resource for information and projects. Once the WRIA 11 planning process is finished, there will be an opportunity for them to share their results and lessons learned with WRIA 12 Committee.

Projects

Comments were made regarding water for water projects, and projects that infiltrate stormwater into the groundwater, and how special attention needs to be paid to water quality. Ecology Water Resources is working closely with the Ecology Water Quality Program to make sure that projects are not affecting water quality. However, water quality standards do not address emerging, rare, and legacy pollutants, such as PFOS, pharmaceuticals, and PCBs. Reclaimed water is more difficult to discharge because of pollutants not treated in the systems. Water quality impacts from existing septic systems. May want to look at the Spanaway NPDES permit requirements.

Municipal purveyors might have projects that provide benefits to fish, etc. Projects that the group comes up with might tie into municipal supplies to address permit exempt and permitted wells. Pierce County sewers are not there, but there is the potential to look at treated wastewater, which could discharge closer to the source, instead of Chambers Creek and Puget Sound, like it does now. Stormwater management injection wells could also be considered for projects.

Unique Watershed

Committee members pointed out, that WRIA 12 is very urbanized, and most of the WRIA is already covered by Group A water systems. The Tacoma-Pierce County Health Department does not allow permit exempt wells if there is an available water system, so there will not be many wells in this watershed to offset. Habitat restoration projects might be more likely in this watershed. The watershed

geology is more porous than others. Cave fish have been found some wells. The committee must pay attention to the biology, complexity, and history of the basin.

Action Items

- The Chair will schedule the next meeting for early to mid-December. Starting in January, we anticipate having a set day of the month and a set location for future meetings.
- The next meeting will focus on operating principles. Chair expects committee members to review the draft document, provide input ahead of the meeting, and come prepared to discuss at the December meeting.
- Ecology will set up a number of trainings over the next few months to bring everyone up to a similar level of base knowledge to ensure we can have informed discussions and decisions going forward.
- Ahead of the December meeting, Committee members should consider:
 - Formal or informal engagement with other collaborations/committees (e.g. salmon recovery lead entities, local integrating organizations, etc.). What would engagement look like?
 - Is there interest in a new name for the committee?

Flipcharts from breakout sessions

Hopes/Expectations	Concerns
<p>WRIA 12 is ripe for Restoration.</p> <p>PARTNER w/ OTHER Watersheds for Because of limited Resources well impacts</p> <p>= close coord w/ WRIA's 10 & 12 learn from WRIA 11's efforts</p> <p>- capturing "excess" water for water deficit time offset</p> <p>2018.11.14 8:08</p>	<p>Upper Watershed most Sensitive to impacts.</p> <p>Challenging to Resolve Issues B/c Varied Opinions</p> <ul style="list-style-type: none"> - targeted restoration (habitat potential) - how "targeted" will the "in-place" be? - in time / implications & need <p>2018.11.14 8:14</p>
<p>Catalyst For Hab. Restoration + (Dam) & fish passage</p> <p>Quantify How much water is Available.</p> <p>DATA Availability</p> <p>Adaptive Management</p> <p>↳ opportunity to fix the Assumptions</p> <p>Keep Plan Broad.</p> <p>Achieve Better (Inflow) hydrograph. (water in the dry season)</p> <p>EATING the Jurisdiction Consensus Agreement</p> <p>SGS MODEL Presentation.</p> <p>2018.11.14 8:14</p>	<p>Concerns</p> <p>Unclear Mandate</p> <p>Water quality</p> <p>Groundwater Quality</p> <p>\$\$</p> <p>Water RIGHTS \$ Availability.</p> <p>Growth Assumptions</p> <p>- how to we fix an assumptions.</p> <p>Entrenched Positions</p> <p>ENVIRONMENTAL SERVICES BUILDINGS</p> <p>MAP of EXISTING WELLS - well head position</p> <p>WEADY</p> <p>2018.11.14 8:14</p>

Hopes/Expectations	Concerns
<p>Focus</p> <ul style="list-style-type: none"> - Come to agreement on interpretation - Reach consensus on plan - Don't lose focus on impacts from permit-exempt wells <p>2018.11.14 8:21</p>	<ul style="list-style-type: none"> - Mitigation timing relative to consumptive use. - Projects idiosyncratic for applied consumptive use for or funded. - Unknown water availability - Not mitigating in time / place - Don't know where permit-exempt wells & impacts are - Time commitment - Resource benefit uncertain <p>2018.11.14 8:21</p>