

**Kitsap Peninsula (WRIA 15)  
Watershed Restoration and Enhancement Committee  
FINAL Meeting Summary**

Committee webpage:

[https://www.ezview.wa.gov/site/alias\\_1962/37327/watershed\\_restoration\\_and\\_enhancement\\_-\\_wria\\_15.aspx](https://www.ezview.wa.gov/site/alias_1962/37327/watershed_restoration_and_enhancement_-_wria_15.aspx)

**Next Meeting: December 2018 TBD, Bremerton area**

**Meeting Information**

Tuesday, October 23, 2018

10:30am to 1:00 pm

1301 Sylvan Way, Bremerton (Kitsap Regional Library East Bremerton/Sylvan Way)

**Agenda**

	<b>Topic</b>	<b>Time</b>	<b>Action</b>	<b>Handouts*</b>	<b>Lead</b>
<b>1.</b>	<b>Welcome</b>	10:30 am	None	- Agenda	Chair
<b>2.</b>	<b>Introductions</b>	10:40 am	None		All
<b>3.</b>	<b>Overview of Streamflow Restoration Act (ESSB 6091) and Committee Purpose</b>	10:55 am	Presentation and discussion	- Streamflow Restoration Act (ESSB 6091) Overview - ESSB 6091 map - WRIA 15 map	Chair
<b>4.</b>	<b>Breakout session: share expectations for Committee and Plan</b>	11:50 am	Activity and discussion		All
<b>5.</b>	<b>Next steps</b>	12:35 pm		-Documents distributed following meeting	Chair
<b>6.</b>	<b>Public comment</b>	12:50 pm	None		Chair
<b>7.</b>	<b>Close</b>	1:00 pm			

\*All handouts are available on the Committee website

Committee Representatives in Attendance

Name	Representing	Name	Representing
Brittany Gordon	WA Dept Fish and Wildlife	Randy Neatherlin	Mason County
Greg Rabourn	King County	Dave Ward	Kitsap County
Mike Michael	Bainbridge Island	Randy Lumper	Skokomish Tribe
Allison Satter	Bremerton	Dan Cardwell	Pierce County
Allison O’Sullivan	Suquamish Tribe	Joy Garitone	Kitsap Conservation District (representing agricultural interests)
Becky Erickson	Poulsbo	Trent Ward	City of Gig Harbor
Joel Purdy	Kitsap Public Utility District	Ellen Ross –Cardoso	Kitsap Building Assoc (representing residential construction industry)
Teresa Smith	Bremerton	Sam Phillips	Port Gamble S’Klallam Tribe
Nam Siu	WDFW (Alternate)	Christy Carr	Bainbridge Island (alternate)
Alex Gouley	Skokomish Tribe (alternate)	Christian Berg	Bainbridge Island (alternate)
Stacy Vynne McKinstry	Department of Ecology	John O’Leary	Suquamish Tribe (alternate)
Mark Dorsey	Port Orchard (alternate)	Tiffany O’Dell	Pierce Co (alternate)
Paul McCollum	Port Gamble S’Klallam Tribe (alternate)	Sandra Staples-Bortner	Great Peninsula Conservancy (representing environmental interests)

Committee Representatives Not in Attendance

Representing	Representing
Squaxin Island Tribe	Puyallup Tribe

Other Attendees

Name	Representing	Name	Representing
Dave Nazy	EA Engineering	Jon Turk	Aspect Consulting
Angela Johnson	Department of Ecology	Ria Berns	Department of Ecology
Emily Dick	Washington Water Trust	Stephanie Potts	Department of Ecology
Megan Kernan	WDFW		

[Presentation on ESSB 6091/RCW 90.94](#)

Presentation available on committee webpage.

Summary of questions and discussion:

Ecology does not know why the legislature decided to reduce the annual average use from 5000 gallons per day to 950 gallons per day or 3000 gallons per day annual average, depending on the basin. Both figures are greater than Ecology's understanding of average domestic daily use. The 950 gallons per day is for domestic use which Ecology interprets to mean household plus up to ½ acre of non commercial irrigation. This gpd limit is an annual average; the 5000 gallon per day maximum still applies. There is no policy to require a standard tracking or enforcement of use. The committee could recommend metering, but no requirement.

The legislation establishes a Foster Taskforce in response to the *Foster* court decision to look at out-of-kind mitigation options (including a project in Port Orchard). The pilot projects are a parallel process, but not directly related to the work the Committee will do.

Ecology has released interim guidance on Net Ecological Benefit (NEB), which is being used to review plans for WRIAs 1 and 11. We are in the process of finalizing the guidance (and accepting feedback through 11/8) – the final guidance will be used to evaluate NEB in our watershed. There were a series of State Supreme Court decisions that made it clear that water must be offset in-time, in-kind, and in-place, which allowed for very little flexibility. This law allows us to broaden our use of projects to offset consumptive use. Ecology will look to evaluate projects, but processes could also be considered.

Government approval of the plan is up to the jurisdiction – the committee will discuss the appropriate timing for governmental approval (before committee approval of the plan, after committee initial approval). If a tribal government (or any member of the committee) does not approve a plan, the draft plan will go to Ecology and the Salmon Recovery Funding Board for review and input. Ecology will finalize the plan and initiate rule making. Ecology's intent is for the plan and process to be locally driven. Ecology will capture where there is agreement and disagreement on portions of the plan and consider all committee representation perspectives if rule making is initiated.

Committee membership is based on the roster identified in the legislation. The legislation calls for all cities in the watershed to be invited to join the committee. Ecology believes there is a role for cities, but a city may choose not to participate if they do not see any role for themselves. Cities may choose to caucus if that is a more appropriate approach given capacity. The legislation is focused on permit-exempt wells and does not touch water right permitting for municipal water.

For the three interest areas (environmental, agricultural and residential construction), Ecology solicited nominations for groups representing those interest areas and conducted a survey with the representative governments. Based on the survey results, Ecology invited representatives from organizations that had capacity to fill the seats and committed to representing the broader interest. The Committee may choose to invite other interest groups that are not called out in the legislation as non-voting, ex officio members. The committee may consider a subcommittee or workgroup structure to support development of draft products.

Alternates may attend committee meetings if they'd like. It is expected that the primary representative will brief alternates in the case the representative is not able to attend.

Breakout Session on Expectations and Concerns

All comments captured on flipcharts during group activity. See flipchart images at end of document.

Expectations	Concerns
Transparent process	Scope creep
Clear schedule	'consensus' vs 'unanimous'
Develop educational/outreach materials re: law implementation	Maintain focus on consumptive use offset
Director override not used when committee consensus reached	Definition of NEB
Committee participants are active listeners and not "positional"	Time commitment
NEB definition	Potential for future unfunded mandates
New funding source is broad and an opportunity	Consistency throughout watershed committee implementation
Pre-meeting preparation materials to allow for quick learning	No funding guarantee for projects
Better subbasin specific understanding of exempt well impacts	Flows are limiting factor in wria 15 so it will be hard to find habitat restoration projects with NEB
Tribes senior water rights will not be impaired/affected	Allocation of water are being driven by GMA and NEB
If group reaches consensus, ecology doesn't make changes to plan after the fact	Too much process on committee
Find habitat restoration projects that have NEB when flows are limiting	Inefficiencies (with process) and not reaching consensus
Local governments unify with tribes and natural resource groups as senior water rights holders	Heavy lift to participate on multiple committees
Protect, improve and increase salmon habitat	Complications with uniqueness of wria 15-watershed makeup, geology, hydro geology
Meaningful process and participation	How to prioritize subbasins, areas
All voices heard and matter	Why only threatened and endangered species? More salmonids are impacted (e.g. fall chum)
Growth continues/allowed to support county revenue	Plan will promote permit-exempt wells at the expense of municipal expansion
Consider climate change projections	Plan/program may not be sustainable (financially or environmentally) for all
Consider/ incorporate/adapt to new info	Unfunded mandate, not implementable
7 Generations principle applied (even though 15 year planning horizon)	Consistency with comprehensive planning/GMA
Relationships maintained	Too broad, too big in order to keep it meaningful
\$ available to process, not just projects	Long process that falls flat
Aim to achieve the minimum – what we need not what we all want	Lots of different partnerships
Progress timeline – expected v actual	Regulation is meaningful

Expectations	Concerns
Time built in for leadership approval – preliminary decision before taking decision to leadership; ECY staff available for leadership meetings	Lack of \$ for projects
Keep public informed to avoid backlash from certain sector which could slow the process (e.g. ag)	No consensus
Consideration of habitat/landscape projects and policy	Is out of kind mitigation appropriate for kitsap because of small geography
	Does this legislation address the problems
	Business as usual for development
	Timeline
	Will metering lead to increased water use as people realize they aren't using full amount allowed
	NEB – how to measure
	Will the wria 15 plan be held to the same standard as other plans since different hydrology
	Consensus and ability to move things forward

During the reflection on the breakout session, committee members noted a common concern around challenges associated with achieving consensus. Participants were glad to see interest in considering climate change in the planning process and noted a concern about focusing too much on specific projects and not enough on processes. A request was made for Ecology to develop a more detailed timeline with specific benchmarks.

### Action Items and Next Steps

- **Ecology** will provide a means for other staff from representative governments and organizations to comment on expectations and concerns.
- **Ecology** will schedule the next meeting for early to mid-December. We anticipate holding the meeting in the Bremerton area and will send out a survey to identify ideal dates. Starting in January, we anticipate having a set day of the month and a set location for future meetings.
- **Ecology** will communicate with salmon recovery lead entities and local integrating organizations to discuss opportunities and concerns regarding formal/informal engagement in the planning process.
- **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.
- **Ecology** will send out a link to a committee webpage where Ecology will post all meeting related materials. (Sent via email and available at top of this document)
- The next meeting will focus on operating principles. **Committee members** should review the draft document, provide input ahead of the meeting, and come prepared to discuss at the December meeting.

- 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) – necessary? What would engagement look like?
  - WRIA 15 geography – should Vashon Island be retained? Or should Vashon Island be included with WRIA 9 as it is for salmon recovery planning?
  - New name for the committee?

Flipcharts from breakout sessions



