

WRIA 11 (Nisqually Watershed) Annual Report

June 1, 2021 through May 31, 2022

Streamflow Restoration Act

Washington State Department of Ecology (Ecology) adopted the Nisqually Watershed Management Plan Addendum on February 1, 2019. As part of the adoption order, the Nisqually Planning Unit is required to submit an annual report that outlines the status of implementation actions.

I. Plan implementation actions to date

Since the adoption of the Plan Addendum, the Nisqually Planning Unit has continued to meet to coordinate submission of streamflow restoration grants, work with a technical consultant to develop detail around conceptual offset and habitat restoration projects, address funding needs (including the development of a long-term funding strategy), and track the number of new permit exempt wells in the watershed. These activities have been funded through carryover from Ecology's planning grant, in-kind allocation of staff from Planning Unit member entities and administrative funding allocated by the Nisqually Indian Tribe.

The Planning Unit is continuing to work on a draft Interlocal Agreement to provide longer term funding for operation of the Planning Unit and implementation of actions and projects in the Watershed Management Plan and the Addendum to the plan prepared in response to the Streamflow Restoration Act.

2018 Streamflow Restoration Grants:

In the 2018 Streamflow Restoration Grant cycle there were four implementation project grant applications submitted from the Nisqually Watershed. Of these, two were funded. The status of these grants, that were actually awarded in 2019, is as follows:

- **Busy Wild Creek Protection (WRSRP-2019-NiLaTr-00080)**
In April 2021, the Land Trust acquired 960 acres of forest containing the headwaters of the north fork of Busy Wild Creek, including 2.9 miles of Busy Wild Creek. This property was transferred to the Nisqually Community Forest in July 2021. The grant was closed at the end of December 2021.
- **Riparian and Floodplain Habitat Protection (WRSRP-2019-NiLaTr-00010)**
This grant partially funded eleven acquisition fees leading to the permanent protection of 418 acres of fish and wildlife habitat, including 1.35 miles of Nisqually River shoreline, 1.9 miles of Ohop Creek shoreline, and 0.38 mile of Lackamas Creek shoreline. Two permit exempt wells were decommissioned with grant funding. The grant was closed at the end of December 2021.

2020 Streamflow Restoration Grant Applications:

Eight streamflow restoration grant applications were submitted to Ecology from within WRIA 11 for the 2020 funding cycle. The grant applications are listed below:

Nisqually Land Trust

- **WRSRP-2020-NiLaTr-00019 - Prairie Tributaries Water Rights Phase 2**
Washington Water Trust and Blue Water GIS have completed a draft of the detailed water rights analysis and received feedback from watershed partners about the prioritized list of water rights. The memo describing 10 potential water rights projects is in process.
- **WRSRP-2020-NiLaTr-00028 - Lower Ohop Protection**
The Nisqually Land Trust is working with the Department of Ecology on a scope change for this project to support pre-acquisition activities for three properties along the Middle Ohop. The Land Trust was unable to proceed with acquisition of the Lower Ohop property originally identified in this project because the landowners' plans changed and they have decided not to sell their property at this time. Prior to requesting a scope change for this project, the Land Trust explored other conservation project options with the landowner and reached out to other landowners along the lower reach of Ohop Creek.

Nisqually Community Forest

- **WRSRP-2020-NiCoFo-00131 - Nisqually Watershed Mashel River and Tributaries Protection**
This project did not get funded. However, if funds become available, this project will still be viable as the acquisitions targeted in grant applications can still be pursued.
- **WRSRP-2020-NiCoFo-00130 - Nisqually Watershed Powell Creek Protection**
This project did not get funded. However, if funds become available, this project will still be viable as the acquisitions targeted in grant applications can still be pursued.

Nisqually River Foundation

- **WRSRP-2020-NiRiFo-00125 - Muck Creek Watershed Restoration Strategy and Project Prioritization**
The Nisqually River Foundation has contracted with the Department of Ecology. Working with the South Puget Sound Salmon Enhancement group we held a RFQ and selected Anchor QEA as our contractor on this project along with Coho Resources as their subcontractor. Work on this project was somewhat delayed as we worked through the QAPP and the Cultural Resources requirements but we are now proceeding forward with data collection. Prior to the onsite data collection work progressed on the literature review and on project mapping and collection of already existing data.
- **WRSRP-2020-NiRiFo-00007 - Project Development & Implementation of WRIA 11 Streamflow Restoration Plan**
This project did not get funded. We are still seeking funding to support the continued activities of the Nisqually Water Planning Unit.

Thurston County

- **WRSRP-2020-TCOPED-00046 – Lackamas/Toboton/Powell and Thompson/Yelm MAR Feasibility Study**

The scope of work negotiations are complete. Both Thurston County and the Department of Ecology are working on obtaining signatures to finalize. Thurston County will begin work on this soon and release an RFQ.

- **WRSRP-2020-ThCoWR-00133 – Hidden Forest Stormwater Managed Aquifer Recharge**

The scope of work is still being negotiated between Thurston County and the Department of Ecology. There were situational changes that required edits to the scope of work and it is expected to be finalized this summer.

2022 Streamflow Restoration Grant Applications:

One streamflow restoration grant application was submitted to Ecology from within WRIA 11 for the 2022 funding cycle. This grant application is listed below:

- **WRSRP-2022-NiLaTr-00168 - Middle Ohop Protection**

The Land Trust requested funding to permanently protect three properties totaling 84 acres along the middle reach of Ohop Creek. Acquisition of these properties will secure opportunities to expand plans for instream and floodplain restoration along this reach of the creek. (This application was also submitted to the WRIA 11 SRFB/PSAR round)

II. Changes in approach since the last report

There have been no changes in approach since the adoption of the Addendum to the Nisqually Watershed Management Plan on February 1, 2019.

III. Significant implementation challenges that will require a change in approach

The primary challenge the Nisqually Planning Unit currently faces is the lack of implementation funding to achieve the outcomes specified in the WRIA 11 Management Plan Addendum. The primary funding available is a competitive grant process that requires watersheds to compete amongst one another to garner implementation funding, and there is no guarantee that any actions in the WRIA 11 Plan Addendum will be funded. Furthermore, because the WRIA 11 Planning Unit was required to produce a plan addendum under a significantly tighter timeframe than other WRIAs, and was not provided the technical support to further develop or design projects, the Planning Unit requires technical support to develop projects prior to their grant readiness.

The Nisqually Planning Unit member governments continue to put significant time and resources into developing projects and preparing grant applications. The Planning Unit does not currently plan to change the overall approach to streamflow restoration implementation, but availability of funding may require a future change.

A second challenge is merging data across three counties as the WRIA 11 Planning Unit adaptively manages offsets into the future.

IV. Specific information regarding the Tier 1 actions that Ecology relied on in adopting the plan:

In their technical review of the WRIA 11 Watershed Management Plan Addendum, Ecology defined and categorized “Tier 1” projects based on perceived certainty of implementation of water offsets. It should be noted that the “Tier 1 designation” was developed by Ecology and does not reflect the priorities or certainties of the Nisqually Planning Unit. As a condition of adoption, this report provides the status of “Tier 1” projects:

1. Yelm Offset Action 1 – Connect New Development in Yelm UGA to City Water Service (Deep Well): The City of Yelm has submitted a draft mitigation plan prepared pursuant to the Streamflow Restoration Act to the Department of Ecology in support of its water rights application. If approved, and upheld after any appeals of an approval, the City will be in the position of updating its Water System Plan in order to obtain approval for additional connections which could be utilized to implement Yelm Offset Action 1. Implementation of these actions is on-hold pending resolution of the final approval of Yelm’s additional water rights.
2. Water Right Acquisition:
A preliminary Phase I water rights analysis for the Prairie Tributaries Sub-basin was conducted by the Washington Water Trust (WWT) during development of the Plan Addendum. Based upon the results from the Phase I analysis and the relationships within the watershed, the Nisqually Land Trust submitted a 2020 streamflow restoration grant application to work with the Conservation District and others to identify a water right for purchase in the Prairie Tributaries Sub-basin. The memo describing 10 potential water rights projects is in process. (WRSRP-2020-NiLaTr-00019 - Prairie Tributaries Water Rights Phase 2).
3. Yelm Offset Action 2 - Connect Existing Development on Permit-exempt Wells in Yelm UGA to City Water Service and Decommission Permit-exempt Wells:
See #1 above.
4. Managed Aquifer Recharge (MAR) Projects:
Identification of MAR sites and a feasibility assessment of the offset and net ecological benefit each of the sites can contribute are included as portions of three separate streamflow restoration grant applications submitted in 2020:
 - WRSRP-2020-NiRiFo-00125 - Muck Creek Watershed Restoration Strategy and Project Prioritization
 - WRSRP-2020-NiRiFo-00007 - Project Development & Implementation of WRIA 11 Streamflow Restoration Plan

- WRSRP-2020-TCoPED-00046 - Lackamas/Toboton/Powell and Thompson/Yelm MAR Feasibility Study

5. Ohop Creek Phase IV Restoration

- The Land Trust acquired 10.4 acres in the Lower Ohop Creek Restoration area in October 2021. This acquisition was completed as a part of the (2018) Riparian and Floodplain Habitat Protection - WRSRP-2019-NiLaTr-00010 project.
- The Land Trust acquired 35 acres in the Middle Ohop Creek Restoration area in November 2021. This acquisition was completed with funding from (2018) Riparian and Floodplain Habitat Protection - WRSRP-2019-NiLaTr-00010, funds from the Nisqually Indian Tribe, and funds from the WA Recreation and Conservation Office Salmon Recovery Funding Board / Puget Sound Acquisition and Restoration programs.
- The Land Trust acquired 4 acres in the Middle Ohop Creek Restoration area in January 2022. This acquisition was completed with funding from the WA Recreation and Conservation Office Salmon Recovery Funding Board.

V. Permit-Exempt Well Reporting

Counties typically report their permit-exempt wells on an annual basis. This report element will summarize the well count by county for the calendar year prior to the year the report is submitted. Over time, this information can be used to compare to the projections of permit-exempt wells in the Plan Addendum. Offsets will be adaptively managed accordingly.

Permit-exempt Wells by Calendar Year in WRIA 11

County	2018	2019	2020	2021
Thurston County Portion of WRIA 11	19	18	30	30
Pierce County Portion of WRIA 11	11	25	50	82
Lewis County Portion of WRIA 11	1	1	1	4
TOTAL	30	44	81	116