

# **Snohomish-Stillaguamish LIO Executive Committee Meeting Summary**

*Thursday, September 27, 2018*

*1:00 p.m. – 4:00 p.m.*

*Snohomish County Campus, Admin West, 3A00*

## **LIO EC Members**

Joan Lee (for Christie True), King County  
Erik Stockdale (for Gregg Farris), Snohomish County  
Allan Giffen, City of Everett  
Terry Williams, Tulalip Tribes  
Jason Walker, City of Duvall  
Pat Stevenson, Stillaguamish Tribe  
Monte Marti, Snohomish Conservation District

## **Participants**

Ron Wesen, Ecosystem Recovery Board Representative  
Erin Murray, Puget Sound Partnership (PSP)  
Perry Falcone, Snoqualmie Watershed Forum  
Beth leDoux, King County  
Cindy Dittbrenner, Snohomish Conservation District  
Paul Crane, City of Everett  
Ann Bylin, Snohomish County  
Keith Binkley, Snohomish PUD  
Stacy Vynne, Ecology  
Ingria Jones, Ecology  
Erik Stockdale, Snohomish County  
Gretchen Glaub, Snohomish County  
Sono Hashisaki, Springwood Assoc./Tulalip Tribes  
Laura Blackmore, Puget Sound Partnership  
Peter Murchie, US Environmental Protection Agency  
Sean Edwards, Snohomish County  
Kathleen Pozarycki, Snohomish County  
Chrys Bertolotto, WSU Extension

## **LIO Support Staff**

Jessica Hamill, LIO Coordinator, Snohomish County  
Alexa Ramos-Cummings, Snohomish County

## **Introductions and Announcements**

Co-Chair Erik Stockdale opened the meeting, introductions followed, and the agenda was reviewed. There were no members of the public present and no public comments.

Erik announced that the next steps of the business plan include preparing a rate increase ordinance for County Council consideration.

## **On-going Business & Updates**

### Approval of April meeting minutes

The LIO Coordinator asked Executive Committee (EC) members if they would like any changes made to the 4/26/18 meeting notes. No changes were requested and the meeting notes were approved by consensus.

### Membership

A letter of interest in EC membership was submitted by Monti Marti with the Snohomish Conservation District (SCD). The letter was sent out for review by email and indicated Monte's interest in becoming an EC member. No comments or concerns received in response to Monte's request.

EC members commented that they feel it's appropriate as Monte also represents the NRCS in addition to SLS and that information could integrate into the planning work that we're doing right now. Others added that it would be valuable for the SCD to be a member. One member mentioned that he thought the intent at the inception of this Committee was to include the federal agencies and as a representative for NRCS that could be beneficial. Others added that Snohomish County appreciates his interest in joining and thinks his inclusion would be valuable. Some members commented that it could be helpful to develop a process for such member changes for inclusion in the LIO bylaws. The request for membership was approved. LIO Coordinator to draft process to recognize new members and send for review.

### **Streamflow Restoration Grants & WRE Process Update**

Ecology is in the process of establishing a Watershed Restoration and Enhancement (WRE) Committee for WRIA 7 right now as part of the process for responding to ESSB 6091 (the "Hirst fix"). Stacy Vynne and Ingria Jones, with the Department of Ecology, provided a high level overview of the legislation, an update on the WRE Committee status, and an overview of the Streamflow Restoration grant program.

Snohomish County Planning & Development Services department is assessing a \$500 fee for well permits, of which, \$150 will be retained by the county and \$350 will go towards Ecology's grant funding source.

Ecology is in the process of establishing the WRE Committee to create the mandated WRE plan by the June 2021 deadline. The legislation has outlined requirements for WRE Committee member designation. Staff are conducting a solicitation to fill the 3 non-specified member organization seats.

The plan itself should consider the next 20 years of projected consumptive water use in the basin and what projects will be needed to offset this to achieve net ecological benefit. In June, the interim RFP and net ecological benefit guidance was released. Ecology is in the process of finalizing guidance for defining 'net ecological benefit'. A draft is under review now.

As for the planning and project development exercise, some commented on the importance of not just moving water around, but capturing water higher in the watershed. Currently, it doesn't seem like there is a way to move projects like this forward. Stacy responded that the Committees can go beyond the limited terms laid out in the legislation. Ecology is open to out-of-the-box water offset projects. The plans will be reviewed before they're approved so Tribes and others will have opportunities to raise concerns about projects proposed. Ecology is discussing mechanisms for Tribal coordination to ensure that no projects with adverse impacts to (or are out of alignment with) treaty rights and other Ecology guidelines are funded.

An EC member discussed a desire to work with the PUD on offset projects, but there's uncertainty in terms of how that would work with the WRE Committees if they're being led by Ecology. Stacy responded that Ecology wants to ensure that the Committees are integrated and collaborative with the other Committees in the basin (LE, LIO, etc.). Integration with existing efforts will be an ongoing conversation. The WRE Committees will be forming new, unique Committees rather than potentially burden/distract from an existing, high-functioning Committee. Another factor was that none of the existing basin Committees had all of the required memberships from the legislation.

An EC member asked about whether groundwater well tracking/mapping and growth projection work will be done by the local governments or Ecology. Stacy responded that there is potential for some local government engagement and financial support available for that type of planning work. Also, Ecology has support for compiling/consolidating the final WRE plans so they may end up taking on that role.

For forming the WRE Committee, Ecology staff reported that they've reached out to the entities specified in the legislation, including but not limited to: WDFW, the largest irrigator, and the largest water purveyor. They're exploring the idea of a small cities caucus to support their participation. Ecology has solicited for nominations for the three unnamed seats and extended the deadline (to Oct. 2nd) as not a lot of nominations were received. Organizations can self-nominate. After, there will be a survey to those that have elected to be on the Committee to vote on the nominated seats. Oct. 25<sup>th</sup> will be the first WRE Committee meeting. A second meeting will likely follow in December. The idea is for the Committee to meet monthly initially, with less frequent meetings planned in the future. The Committee roster is well laid out and there could be opportunities for subcommittee structures within that. They'll be exploring that as they get started.

An EC member asked whether climate impacts would be considered in this planning process. Some questions posed included the following: As glaciers are melting, will there be projections into the future to plan for 15 years from now since projects will likely take that long to complete? Farming land base is shrinking and farmers are relocating due to sea level rise and coastal squeeze. Where do we move them? Add the increasing population on top of climate change and these are really complex issues. Will there be guidance for this future, long term planning? We need a concept of the land use to figure out how water needs to be moved. There needs to be changes in zoning in response to the reality of sea level rise and accompanying erosion in the future.

Some EC members commented that Ecology is supposedly striving for a locally-driven process, yet the sideboards are so narrow, they're unsure how we will get at the large questions like the implications of climate change on water supply. Stacy responded that the legislature doesn't mandate considering climate change, but she's pretty confident all (or most) of the Committees will assert that this is a critical consideration. She added that Ecology has legal limitations when it comes to asking Committees to answer questions not mandated in the legislation.

Another EC member asked about prioritizing projects that address consumptive use within the new Streamflow Restoration Grants program. What if an instream project addressed consumptive use and water quality related issues? Would a project like that compete well? Stacy explained the project priority tiers.

First/high priority projects = water for water *in* kind/time/place (water rights acquisition, water storage, altered flow management).

Second/lower priority = water for water *out* of kind/time/place.

Third/lowest priority = typical salmon/habitat restoration projects; need to quantify the benefit to stream flows to be competitive.

Peter Murchie added that USGS is doing a lot of science work that could help inform these plans.

Stacy informed the group that \$14 million is available in grant funding this year (\$300 M total over 20 years). There is a video that breaks down the guidance and walks you through the application. The video is available on Ecology's website. WRIA 7 is a priority watershed since it's impacted by the legislation and going through the planning process. There is no min/max amount limitations this year for projects. There is also potential for phasing projects. Also, there is no match requirement this year. Ecology anticipates that a lot of projects applying for other funding sources will be submitted this round.

Feel free to reach out to ecology staff with questions/suggestions.

#### **Implementation Update: 2016 NTAs**

- a. FFF Buffer Task Force (Beth leDoux): Beth gave an overview and update on the project. There are lots of waterways on the farms in the Snoqualmie Valley. If we were to put a 150 foot buffer on all those waterways, farmers would lose a significant amount of farmland (51% in one example; 41% in another). So the task force is exploring variable buffer widths. They're meeting in October and then every other month through 2019. These are all voluntary buffer scenarios. Another project goal is to establish a common language between restoration professionals and agricultural land owners around these project types.

Monte added that on another NTA seeking to work with horse landowners they may need to return funding because they can't meet 150 foot buffer requirements.

An EC member commented that he hopes that political boundary lines won't prevent King County from sharing the results of this work.

- b. Snohomish Estuary Clean-up NTA (Kathleen Pozarycki): Kathleen gave an overview and update on the project. \$50,000 was received from the Sno-Stilly LIO direct award to do a portion of the estuary clean-up (derelict boat removal). The entire project proposal included creosote piling removal, illegal marinas removal, on top of the derelict boat removals. An owner claimed ownership of 3 of the boats and wanted to keep them so that shortened the list. Boats were marked for removal on Sept. 11<sup>th</sup>. The County can take custody Oct. 12<sup>th</sup>. This work has been done in collaboration with the Dept. of Natural Resources and their program for derelict boat removal. This is the first time Snohomish County has done this. The next step is notice to proceed and working with the contractor on the actual removals.
- c. Latino Stormwater Education (Chrys Bertolotto): Chrys gave an overview and update on the project. This NTA seeks to improve water quality in select areas/communities. The campaign is aimed at 30+ year old Latinos as the decision makers in their households. This community is greatly underserved in terms of water quality outreach and education. This work is done through the WSU Extension and Latino Education Training Institute (LETI) program. The goal is to reach 10,000 individuals. Currently, they're focusing on Everett and Monroe areas and developing and testing outreach tools and messages at four different events. Project staff are finding that they're starting at the very bottom of the outreach continuum because

there is no base understanding in these communities. They are working on building awareness and striving for behavior change. WSU Ext. will be seeking Phase 2 funding.

- d. Climate Resiliency in the Snohomish (Cindy Dittbrenner): Cindy gave an overview and update on the project. This NTA was regionally funded (\$200 K). The SLS talked a lot about farm and fish needs, but not really about how they can work together and plan for impacts to agricultural land. This project focuses on what agricultural landowners need to be resilient into the future. Staff have reached out to the agricultural community and asked about their interests and priorities. This feedback was incorporated into an impact assessment to explore: What are the impacts to agriculture? What should we do about that?
- e. Lower Stilly PIC (Sean Edwards): Sean gave an overview and update on the project. The goal is to reduce bacterial pollution impacting shellfish growing areas. Last year, there was a downgrade of a significant acreage in the Port Susan bay area. The project has two target subbasins for monitoring. There is a focus on the Lower Stilly due to proximity to commercial shellfish beds. The team used an established process for ranking the areas.

Monte added that the horse-farm issue that was overcome, to help upgrade the Port Susan shellfish areas last year, would not have been possible this year due to the current 150 foot buffer requirements.

#### Shared Vision and Goals

The new LIO structure encourages integration with LE partners in both basins. An EC member commented that the new approach of integrating with the Stillaguamish Watershed Council (SWC) is going really well so far. The SWC and LIO coordinators are coordinating topics and processes well and participants haven't heard complaints about meeting redundancy or fatigue. Others added they haven't seen a dilution of focus on salmon recovery either which had been a concern. They also noted they haven't seen an issue in lack of expertise when dealing with the other Strategic Initiative topics, specifically shellfish. The SWC members have faith that the same would be true of stormwater. The LIO coordinator reiterated that the interim structure maintains the combined basin LIO via the EC and facilitates integration of the SWC as the implementing body for that basin of the LIO, while the Snohomish LIO and LE remain separate.

The conversation included the following discussion.

An EC member commented that the LIO was created to help address conflicting rules and regulations amongst the different agencies and jurisdictions. It is vital to get everyone on the same page with consistent regulations and rules. Entities need to harmonize and collaborate on measurable outcomes. So the intent was to have decision makers at the table of the LIO.

Laura Blackmore noted that PSP recognizes we need a strong local system to support and integrate with the region. Additionally, PSP doesn't have a strong feeling about what the local structure is in order to organize in such way that makes things most efficient and effective to reach these goals. Peter Murchie added that the key is local accountability with governance. There are no specific sideboards in mind for the structure to get there. We just need to think about how to get the ecosystem recovery and salmon recovery worlds to work best together.

The LIO coordinator mentioned that at the recent Action Agenda Coordination Group (AACG) meeting all of the LIOs added tasks to examine their structure within their individual scopes of work. This could be spurred by the WRE planning too, but it's interesting to note this change across most LIOs.

Laura Blackmore added that the upcoming meeting with LIO and LE coordinators will allow for discussing integration in a workshop setting.

Another EC member spoke to the importance of ensuring integration with LEs doesn't detract from stormwater, shellfish, orca, and Puget Sound recovery more broadly. We have to engage private landowners. A smaller scale allows for acceleration of progress (i.e. small/nimble groups like the SWC and Snoqualmie Forum) rather than getting bogged down by a broad swath of issues at the Sno-Stilly combined basin scale or the Puget Sound more broadly.

Someone questioned what the unique role of the LIO is in ecosystem recovery. Should we write letters to force the Hirst process to consider questions they wouldn't otherwise?

Other members commented that the LIO has been effective in contributing to recovery. The 2016 NTA updates demonstrate this contribution. NEP funds are a unique source of funding. Some of those projects would not be getting done if it weren't for the LIO or PSP/EPA efforts.

Another EC member mentioned that we're losing the bottom of the food chain (plankton) so something is clearly wrong in the system. We need to address land use regulations. Without addressing this we don't have measurable targets. Another member responded that taking on harmonization of GMA regulations is challenging to local governments who are tasked with accommodating growth projections and environmental regulations. In lieu of getting bogged down by such a broad topic as "regulatory harmonization", which participants acknowledge has to happen at multiple levels of government (Federal, State, and local), maybe there is value in focusing on a regulatory issue that is more manageable for the LIO scale, such as culverts or buffers.

Laura Blackmore suggested presenting the LIO ecosystem recovery plan priorities to local jurisdictions to show how implementation would lead to salmon and orca recovery and clean water for their families. They might not know about this great plan the LIO spent lots of time creating.

A participant added that bringing local governments together is valuable and involving them in decisions helps to relay/understand the importance of those priorities that were set. Our partners support local level work and understand how critical the timing is around species recovery.

Another EC member noted that cities, like the City of Everett, have to accommodate the majority of projected growth in LIO Counties. This is challenging because many cities are mostly built-out and developers/residents are looking to undeveloped areas where the land is cheaper. Growth projections are not materializing as expected in many instances. The plans shows lots of capacity to accommodate growth, but that's not how it's working out on the ground. Using buffers as an example, implementing 150 foot buffers potentially eliminates space for growing population, and leaves local jurisdictions grappling with potentially conflicting goals. We need standards to protect the resource but there's a tension around where to put the growth and where it actually goes, which puts elevated pressure on the resources and necessitates more protection of those areas. Local practitioners can't control the real estate market and block all growth/development. Harmonization is going to be a tough issue for some to apply a one size fits all approach.

A participant added that partners like the Tulalip Tribes are trying to address harmonization by examining all the laws and regulations that are in place. Then performing an analysis to see what alternatives are available to standardize approaches (i.e. habitat assessments) so there is more consistency. There is potential for the LIO EC to help develop the analytical tools to move the harmonization initiative through the next stage. Another area the LIO EC could add value is related to communicating climate change implications. The LIO has high level technical and policy experts. Perhaps this Committee could help distill information on climate impact forecasts at a watershed scale. The project team could benefit from vetting of models and crosscutting indicators with a high level advisory body like the LIO EC.

The meeting was adjourned at 4:00 p.m.

#### **Action Items and Next Steps**

1. Jessica will follow up with Sono and others with remaining questions.
2. Jessica to draft process to recognize new members and send for review.
3. Jessica will work with Peter and Laura to provide some responses to some of the topics/questions raised by LIO participants and not covered at the meeting.
4. Jessica will work with Sono and Terry to follow-up on the LIO EC request related to climate change. Jessica will work to better understand the request and how it fits within the LIO EC mission.