

WRIA 9 Watershed Ecosystem Forum Meeting Summary

Renton City Hall

February 12, 2015, 4:02-6:33 p.m.

Members/Jurisdictional Staff Alternates Present		
1.	Councilmember (CM) Marlla Mhoon, Meeting Chair	City of Covington
2.	CM Bill Peloza, Co-Chair	City of Auburn
3.	Brian Anderson	The Boeing Company
4.	Al Barrie	Mid-Sound Fisheries Enhancement Group (MSFEG)
5.	Jay Covington	City of Renton
6.	CM Bob Edgar	City of Burien
7.	Michael Garrity	American Rivers
8.	Matt Goehring	WA Dept. of Natural Resources
9.	CM Shawn McEvoy	Normandy Park
10.	Kathy Minsch	City of Seattle
11.	CM Erika Morgan	City of Black Diamond
12.	Joan Nolan	WA Dept. of Ecology
13.	CM Dana Ralph	City of Kent
14.	James Rasmussen	Green Duwamish Alliance
15.	Stewart Reinbold	WA Dept. of Fish & Wildlife
16.	CM Dennis Robertson	City of Tukwila
17.	Gordon Thomson	US Army Corps of Engineers (Corps)
18.	Greg Volkhardt	Tacoma Water
Additional Alternates Present		
19.	Chris Andersen	City of Auburn
20.	Antonia Jindrich	MSFEG
21.	Mike Mactutis	City of Kent
22.	Ron Straka	City of Renton
23.	CM Nancy Tosta	City of Burien
Other Attendees		
24.	Hannah Anderson	City of Tukwila
25.	Dale Blaha	US Forest Service/UWFP
26.	Judy Blanco	Forterra
27.	Bill Brosseau	Earth Corps
28.	Adam Cushman	Master Builders Association
29.	Ryan Larson	City of Tukwila
30.	Carol Lumb	City of Tukwila
31.	Tyler Patterson	Tacoma Water
32.	Steve Roemer	City of Burien
33.	Jean White	King County
34.	Olivia Wright	King County
35.	Bruce Wulkan	Puget Sound Partnership
36.	Karen Bergeron	WRIA 9 Habitat Project Coordinator
37.	Linda Grob	WRIA 9 Administrative Coordinator
38.	Maureen Judge	WRIA 9 Communications Coordinator
39.	Elissa Ostergaard	WRIA 9 Planning & Stewardship Coordinator
40.	Doug Osterman	WRIA 9 Watershed Coordinator

WRIA 9 WEF Meeting Summary

February 12, 2015

Meeting Chair Marlla Mhoon opened the Watershed Ecosystem Forum (WEF) meeting, and asked everyone to introduce themselves.

1. Public Comment

Al Barrie complemented Maureen Judge, Communications Coordinator, on the WRIA 9 Wire newsletter and video.

2. Approval of Meeting Summary

The Watershed Ecosystem Forum unanimously approved the meeting summary for the November 13, 2014 meeting.

3. Duwamish Gardens Project Update and Funding

Karen Bergeron, Habitat Project Coordinator, reported that the City of Tukwila is requesting approval to use an additional \$250,000 in Puget Sound Acquisition and Restoration (PSAR) funds to cover unanticipated costs for Duwamish Gardens project construction. The Salmon Recovery Funding Board (SRFB) grant manager supports this request. The money will be borrowed from the Mill Creek-Leber project, which is not ready to go this year.

Ryan Larson, Tukwila, explained that after the city bought the property in 2008, we were approached by the property owner to the north about purchasing a small triangle piece, and in return selling a larger piece to the city that will extend the project downstream. The Army Corps of Engineers (Corps) required we do additional scoping for the land exchange, and we also did a \$90,000 contract amendment for additional work on cultural resources. The city agreed to change the property design to avoid the cultural resources site and retain selective materials. He said we had to reduce off channel habitat slightly, and excavated 30,000 cubic yards of material to create one acre of habitat. The Chinook Wind property is the adjacent parcel, and is being considered as a mitigation site by King County (KC).

Discussion:

- James Rasmussen asked about the cultural resources that were found. Ryan Larson explained that there were diminishing cultural resources. The tribe is involved, and a person has to be on site the whole time we are excavating. James inquired if “diminishing” means there were some cultural resources. Ryan replied in the affirmative.
- Elissa Ostergaard, Planning and Stewardship Coordinator, explained that the tribe prefers that the resources be left and not dug up. Ryan Larson added that the tribe will be welcome on site during the excavation.
- Marlla Mhoon commented that, combined with Chinook Wind, Duwamish Gardens is a spectacular project.

The Watershed Ecosystem Forum unanimously approved the Duwamish Gardens project funding revision to use an additional \$250,000 in Puget Sound Acquisition and Restoration funds.

4. Implementing the Duwamish Blueprint

Implementing the Duwamish Blueprint

Elissa Ostergaard reported that it will cost approximately \$13 million to purchase and restore the Chinook Wind site. KC has allocated \$1.95 million in Conservation Futures Tax (CFT) funds for the purchase, but additional funding could not be found and the property owner was planning to improve the property and

WRIA 9 WEF Meeting Summary

February 12, 2015

put it on the market in spring 2015 if the county did not make an offer. She said Michael Murphy, KC Mitigation Reserves Program (MRP) manager, has been in discussion with the Interagency Review Team (IRT) about using \$6 million in Sound Transit mitigation funds towards the purchase and restoration. At one of the IRT meetings, the Muckleshoot Tribe representative expressed concern that the mitigation portion of the project not count towards restoration goals in the Duwamish transition zone, because it would be mitigation rather than restoration (i.e. the Chinook Wind project benefits would be offset by impacts elsewhere, and therefore be a no net loss proposition rather than a recovery action).

Elissa explained that the Implementation Technical Committee (ITC) subsequently reviewed policy language in the WRIA 9 Salmon Habitat Plan, and proposed the following policy for ensuring mitigation and restoration work in tandem:

- **Increase the acreage targeted for recovery, and be clear that mitigation-funded projects don't count towards recovery targets in the Duwamish transition zone.**
 - Because only 6 of the 26.5 acres of shallow water habitat in the transition zone by 2015 were built, the approved Duwamish Blueprint set a new target of 40 acres between 2015 and 2025.
 - If mitigation and restoration funding are used for Chinook Wind, the \$5 million of mitigation money would equal 38% of the \$13 million total, so 38% of the shallow water habitat area would not be counted towards meeting the 40-acre goal.
 - MRP staff will track the mitigation funding portion of the project, WRIA 9 will track the salmon recovery funding portion, and together they will track both parts.
 - For purposes of this policy, "mitigation" includes projects implemented through MRP, inclusive of projects occurring under the federally authorized in-lieu fee program

Discussion:

- Dennis Robertson remarked that per the WRIA 9 Plan, 40% of funds should be spent in the transition zone. We want to grab any opportunity that comes along for property in the transition zone. He explained mitigation is for new damage, recovery money is for old damage.
- Greg asked if we would set aside 38% of the acres for mitigation, and the rest for shallow water habitat for monitoring. Elissa Ostergaard explained that the mitigation credits would be largely used to remove the building and impervious surface.
- Kathy Minsch said she wanted to make sure that the WEF is agreeing that the final definition bullet of "mitigation" is KC specific and only for this project.
- James Rasmussen asked if a training facility at the City Light North site is still being pursued by the City of Seattle. At last week's city council meeting City Light staff said it would be 6 acres of mitigation. He said the site is a priority for the Duwamish Blueprint. Doug Osterman, Watershed Coordinator, responded that the Corps is looking at this, and will be coming up with an alternative. James asked to be kept informed, saying the community is particularly amorous of the site. Doug suggested we may want to write a letter to City Light.
- Jay Covington said he thinks he understands the concept, which is purchase the property, use mitigation funds for part of the purchase, ending up with \$5 million to create more benefit than there would be otherwise. He said his concern is just the dollar amount. Restoration of the shoreline is not project specific, and we are using mitigation money not related to Sound Transit next door, while withdrawing money from a mitigation bank. Elissa Ostergaard explained that the oversight committee is making sure Sound Transit gets the mitigation credit.
- Tyler Patterson, Tacoma Water, remarked that the restoration benefit is much greater than it would have been because we couldn't have purchased the property without the mitigation funds.

WRIA 9 WEF Meeting Summary

February 12, 2015

- Ron Straka asked what the value is for Chinook at this site, and whether the benefits we are creating are far greater than the mitigation benefits.
- Stewart Reinbold noted that the Chinook Wind project will not happen without the mitigation funds. This is something WRIA 8 is going to be doing too. He said he understands trying to maximize the habitat, but the purchase wouldn't have happened otherwise. The benefit of this project should be great.
- Ron Straka commented that we are penalizing ourselves. Elissa Ostergaard responded that we are lucky to get the mitigation money in the first place, and if we pull out of this policy we are likely to lose this money.
- Stewart Reinbold said this is expensive property, and if the site gets sold we won't have an opportunity like this again.
- Elissa Ostergaard said 40 acres of shallow water habitat is a stretch target for us. We don't know if we will get there, but it's a goal.
- Dennis Robertson mentioned that he can't share everything he knows about this property owner, but he is not the easiest to work with. He supported grabbing this opportunity as soon as possible.
- Stewart Reinbold commented that we don't like to mix money, but this is so important.
- Dana Ralph said the policy is not project specific, but without the policy the Chinook Wind project doesn't exist.
- Greg Volkhardt said this project would be a test of the policy, and he would be willing to vote for it as a test case.
- James Rasmussen commented that this is an area that has waited for a long time for the mitigation, whatever you call it.
- Bob Edgar said whether we get credit for the 40 acres or not, the salmon don't care.

The Watershed Ecosystem Forum unanimously approved the mitigation policy to include in the WRIA 9 Salmon Habit Plan.

5. 2015 WRIA 9 Legislative Priorities

Doug Osterman reported there have been a couple of changes to the 2015 Legislative Priorities since the WEF last saw them in November. The changes in order of appearance are:

- Bill Pelosa's request to add "including the WRIA 9 project in Normandy Park" to the Puget Sound Nearshore Ecosystem Restoration Project bullet (Federal).
- Tacoma Water's request to add language to the downstream fish passage at Howard Hanson Dam (HHD) bullet, including "Tacoma Water is the non-federal sponsor of this USACE project and would like to maintain the current cost-sharing arrangement for its rate payers, and its partnering ratepayers served by cities and utilities in King County" (Federal).
- Added the \$100,000 request for funds for the Urban Waters Federal Partnership bullet in the State Priorities to the Federal Priorities, and the following language to both: "implementing restoration as defined by the Duwamish Blueprint" and "the funds would be used to restore habitat in communities overburdened or economically distressed along the Duwamish River" (Federal, State).
- Removed "key" pollutants from the Toxic Reduction Bill bullet (State).

Discussion:

- James Rasmussen said the Legislative Priorities do not mention or support the Superfund Cleanup, which will have benefit for Chinook, and is the largest thing happening in the watershed. It also doesn't address toxic load reduction in the Duwamish.

WRIA 9 WEF Meeting Summary

February 12, 2015

- Marlla Mhoon inquired if the WEF would be in favor of Joan Nolan and James Rasmussen working on a statement for the State Priorities and sending it out in email.
- Greg Volkhardt said he hears that the Corps is doing a consultation on downstream fish passage at the HHD from these meetings. He said it's not just a Corps/Tacoma issue, but the Corps also might want to cast a wider net and involve local governments. If a dam has to be built for fish passage, then all the cities have to pay for it. He suggested we add "local governments" to "without additional cost to local governments and regional ratepayers" to the HHD bullet.

The Watershed Ecosystem Forum unanimously approved the changes to the WRIA 9 Legislative Priorities and will wait for the Duwamish Superfund Cleanup addition.

At the end of the meeting, James Rasmussen provided WRIA 9 staff the following verbiage for a new State Priorities bullet:

- **Assure resources to the Department of Ecology to implement the Source Control Strategy, including the Pollutant Loading Assessment process for the Lower Duwamish Waterway Superfund Site.**

6. WRIA 9 Stormwater Retrofit Project: Summary of Findings

Olivia Wright, King County, reported that the purpose/scope of the 2010-2014 Stormwater Retrofit Project, which ended in 2014, was to: estimate the amount and type of stormwater retrofits that would be needed in WRIA 9 to improve stream flow and water quality to fully forested conditions; estimate the costs of retrofits; extrapolate results to Puget Lowlands; account for climate change and population growth; and coordinate with stakeholders and the WEF. Stormwater impacts include: transporting pollutants from watershed to lakes, streams, rivers and Puget Sound; increased flow velocities, erosion and sedimentation; degradation and loss of aquatic habitat; and reduction in numbers and diversity of fish and benthic communities.

Olivia said a retrofit can be many types of projects, including bioswales, cisterns, ponds, rain gardens, etc. She explained we used a modeling approach and scaled it to WRIA 9. We considered climate change impacts using three approaches: changes in daily rainfall volume; changes in the volume of a hypothetical stormwater pond to treat runoff; and changes in stream flashiness. We found we would need approximately a 10% increase in stormwater facility size to mitigate the climate change impact, but the model variability is large. She said we estimated we need an average of 2.5 inches of storage throughout the watershed to improve stream flow and water quality to fully forested conditions. There was a big range based on the amount of impervious area, up to 4 inches in urban areas, and as little as 0.1 inches in rural areas. Flow and water quality would support good to excellent BIBI scores.

Olivia said we estimate 50% of the project area is projected to have new or redevelopment by 2040, at the rate of ~1% per year. Almost the entire project area will have stormwater facilities in the next 100 years, and the public program can focus on building regional facilities, and road and highway facilities. Public cost estimates to build this stormwater infrastructure in 100 years are ~\$45 million (in 2013 dollars) per year for WRIA 9, and ~\$650 million per year for Puget Sound. Next steps are to use the information to inform (future NPDES stormwater permits, Puget Sound Action Agenda, state and federal funding requests, local capital project planning and funding), review requirements for new and redevelopment, and develop detailed plans, project lists, and predesign. Olivia said that we encourage cities and counties to apply for stormwater grants now.

Discussion:

WRIA 9 WEF Meeting Summary

February 12, 2015

- Marlla Mhoon questioned what a watershed map would look like based on current laws. Dana Ralph said she would be very interested in seeing that.
- Greg Volkhardt commented that it obviously a big dollar amount and he inquired if a cost benefit analysis for best facilities has been done. Olivia Wright replied that we use the model to do that.
- Dennis Robertson reported that he and Doug Osterman recently sat on a committee with Deputy KC Executive Fred Jarrett, and one thing that came out was looking at existing facilities. A lot of new technology is coming out.
- Marlla Mhoon asked where the retrofit project goes next. Olivia Wright said we hope NPDES permits and jurisdictions will use the information.
- Nancy Tosta asked how much we are spending now in real dollars. Doug Osterman said he thinks in the Puget Sound Partnership (PSP) funding strategy they have some numbers.
- Michael Garrity suggested that maybe we could add support of State Senate Bill 5648 to the Legislative Priorities. Kathy Minsch noted that it's part of the water bill, and it's very complicated. Bruce Wulkan, PSP, said the Governor's Budget does have \$74 million for regional stormwater retrofits. Dana Ralph said she is not opposed to the concept, but having not seen the legislation she is reluctant to support adding it to the Legislative Priorities.
- Dennis Robertson remarked that adding things on the fly is not a good idea. He requested that someone put the priority together and send it around in an email.

6. WRIA 9 Implementation Progress Report Update

Maureen Judge announced that the team has been updating the 2011 Implementation Progress Report, and she held up the first finished copy. She said the update includes the Duwamish Blueprint and all our great projects.

7. WRIA 9 ILA Renewal: Management Committee (MC) Recommended ILA

Doug Osterman went over the most recent changes to the draft WRIA 9 ILA, explaining the colored sections on the Renewal Comments document: yellow comments, incorporated into the draft ILA; orange, not included/addressed by existing ILA; and blue, more appropriate to the memorandum of understanding (MOU). The blue section includes some of the KC-recommended language. On page 4 of the ILA, section 2.3, language was added regarding implementing policies and programs. He said he was hoping with approval of the WEF tonight he could clean up the ILA, and by April have the final version at the May 9 meeting for approval to go out to your cities. Meanwhile in March and April he will be going out to all the cities and giving presentations.

Discussion:

- Dana Ralph questioned the rationale for why the MC agreed to not include some of the comment language in the ILA. Kathy Minsch said that the ILA language is updated, but the Renewal Comments document is not. CM Ralph noted that the "mechanism to apply" phrase was left out of section 2.3. Dennis Robertson explained that he doesn't have a problem with that wording. Doug Osterman said he will add "mechanism to apply" to section 2.3.
- Jean White, KC, said she spent time in WRIA 8 as the Watershed Coordinator, and the last time WRIA 8 made a decision on their MOU, they decided it would have the same life span as the ILA, but with an annual vote on budget and work plan.

8. Public Comment

James Rasmussen announced that the Duwamish River Cleanup Coalition put out a factsheet, and he passed copies around. Maureen Judge said she will put a link to the factsheet in the next WRIA 9 Wire.

WRIA 9 WEF Meeting Summary

February 12, 2015

Nancy Tosta reported that at the last South Sound Action Area (SCAA) Caucus Group meeting, they talked about funding opportunities that are out there and how to get the most bang for the buck. She asked if we ever talk about that at WEF meetings. Doug Osterman explained that we have a very specific prioritized list of projects that the WEF was involved with. He said he thinks we are going to come up with a way to involve this group again with Caucus Group project lists. CM Tosta requested he keep on our radar that there is limited funding, and we need to figure out how we can keep the pot together.

9. Wrap Up/Next Steps

Doug Osterman said he will revise the Legislative Priorities and send out them for approval, turn the ILA around, and will be making the rounds to the cities to make presentations.

The next Forum meeting is Thursday, May 14, 4:00 to 6:30 p.m., SeaTac City Hall.