

## **WRIA 9 Salmon Recovery Manager Report**

November 6, 2019

### **Workshops held for the Salmon Habitat Plan Update**

Policy and Programs for including in the updated Salmon Habitat Plan were revised/edited based on workshop feedback and Implementation Technical Committee approved revisions at its October meeting. Individual habitat project meetings held with 19 partners who identified 167 possible projects. Projects will be tiered based on evaluation of recovery benefit by team of three experts (Kollin Higgins, King County; Tyler Paterson, Tacoma Water; and Paul Schlenger, consultant).

### **Watershed Restoration & Enhancement Committee (WREC)**

Matt attended meetings of the WREC on June 25, July 23, September 24, and October 23. Department of Ecology staff presented WRIA 9 salmon recovery priorities at the September meeting to help evaluate alignment with potential WREC funding opportunities. Matt is WRIA 9's caucus representative on the WREC, which was formed to address the Supreme Court's Hirst Decision (water allocations/permitting requirements).

### **Clean Water, Healthy Habitat**

On September 9<sup>th</sup>, I participated in a day-long workshop on King County Executive's "Clean Water, Healthy Habitat" initiative (pursuant to Executive Order LUD-12-2-EO): <https://www.kingcounty.gov/~media/operations/policies/documents/lud122eo.ashx?la=en>. A key purpose of the workshop was to enroll employees from several departments in a new trajectory toward achieving clean water and healthy habitat, an interdisciplinary value held by WRIA 9. Abby Hook, who worked on the WRIA 9 Salmon Habitat Plan Update while a consultant, was hired by the King County Department of Natural Resources and Parks to manage the initiative.

### **Site Visit of Downey Farmstead Habitat Project**

On September 9<sup>th</sup>, WRIA 9 staff met onsite with Kent staff to see the construction progress and talk through next steps for funding. Despite a huge amount of excavation that has been done, Downey has over 200,000 cubic yards of soil to be excavated before channel work can take place, and prior to planting and placement of wood. The footprint of the site was impressive and progress has been steady. Despite our fundraising efforts, Downey is still short approximately \$4 million to complete the project as designed. Earth work is complete for the season as we prepare for the 2020 grant round. The City of Kent intends to pursue both PSAR large capital funding and Floodplains by Design with the support of WRIA 9, and potentially a direct request to the Legislature in the supplemental budget. Melissa Dahl is the new Downey project manager, replacing Matt Knox who joined King County earlier this year.

### **NOAA Damage Assessment, Remediation, and Restoration Program**

The NOAA Trustees hosted WRIA staff were hosted at their regular meeting on September 18<sup>th</sup> at which we overviewed habitat project list development for the Salmon Habitat Plan update. This initial conversation sought to share information about WRIA 9 salmon recovery and the Natural Resource Damage Assessments (NRDA) to assess and restore natural resources after oil spills, ship groundings, and hazardous releases in the Duwamish River. It was very helpful to learn about the habitat restoration

mitigation that is progressing through NRDA. We discussed synergistic opportunities among the trustees and WRIA 9 to accelerate and amplify Duwamish River habitat restoration. The trustees hope to have funding in the near future for restoration, and plan to release a request for proposals for the funding. We agreed it is mutually beneficial to more closely align and coordinate NRDA with WRIA 9 salmon recovery.

#### **Meeting with newly elected King Conservation District (KCD) Supervisor**

On September 18<sup>th</sup>, I met with Kirsten Hauge, newly elected KCD Supervisor, to brief her on the past, present, and future of salmon recovery in WRIA 9.

#### **WRIA 9 and 8 Local Integrating Organization (LIO)**

The LIO met on September 25<sup>th</sup> at the Tukwila Community Center. We learned that in August the Puget Sound Ecosystem Coordination Board was asked to support elevating the status of LIO's to enable greater influence on the Puget Sound Action Agenda, provide more capacity support, and revise the LIO funding model. The Near-Term Action (NTA) selection process was described for selecting the LIO's top three ranked NTA's for funding (submittals due December 2). A large part of the meeting was devoted to shoreline armoring. Joe Burcar, Department of Ecology (DOE), reported that DOE is recruiting two new shoreline compliance positions and will soon be recruiting for several technical positions to develop guidance and provide technical assistance for evaluating the need for hard armoring. Sydney Fishman, DOE, has created a soft shoreline web application that showcases over 40 projects (many within King County and WRIA 9). Sydney also reported on her recently finished research project to evaluate how several Puget Sound local governments implement shoreline stabilization regulations in their updated Shoreline Master Programs with regard to emergency armoring requests.

#### **Desimone Oxbow Habitat Restoration**

Development of the Oxbow into a warehouse and thousands of parking spaces has been proposed. SEPA and Shoreline permit notices are expected anytime soon. I was interviewed by Lynda Mapes, Seattle Times Reporter, on September 25<sup>th</sup> about the proposal at the Oxbow. A front page, top fold article was featured in the Monday, September 30<sup>th</sup> Times, the day following the Times' multi-page report on "Hostile Waters" that featured the Green/Duwamish as a critically important river for Chinook salmon and orca whale recovery. I sent the Seattle University Oxbow Design Report to the Desimone Trust management company and the real estate company associated with leasing the property. I also met with or had discussions with King County, Port of Seattle, Forterra, Environmental Protection Agency, The Nature Conservancy, and several citizens following the Times article on the proposed development of the Oxbow. All of these entities and citizens indicated interest in "what can we do" to help include salmon restoration in the proposal. WRIA Leadership Team sent a letter directly to Jeff Bezos of Amazon, which is one of the interested businesses seeking increased distribution warehouse capacity at the Oxbow (and elsewhere), to inform him of the need for habitat restoration at the Oxbow. The Oxbow design report was sent to him. Mr. Bezos was asked to be a business community leader for championing environmental considerations when choosing locations for and developing warehouses.

### **Puget Sound Salmon Recovery Council (PSSRC)**

Dennis Robertson and I attended the September 26<sup>th</sup> meeting of the PSSRC held near Kingston at the Jamestown S'Klallam Longhouse. Mindy Roberts, Executive Director of the Washington Environmental Council, suggested that a letter be written from the PSSRC to the Orcas Task Force, emphasizing several factors for the Task Force to include in its second year report. The PSSRC agreed to prepare a letter that includes strong support for significantly increasing investment in restoration and acquisition of habitat in areas where Chinook stocks most benefit southern resident orcas, such as WRIA 9, and "business as usual" means extinction of salmon. The funding subcommittee provided a report on its progress. It was disappointing to learn that advancing a new dedicated, sustainable source of funding to implement Chinook salmon recovery in Puget Sound was nixed due to perceived political issues. Instead, the subcommittee shifted focus on identifying opportunities to improve how existing local funding authorities can more effectively support salmon recovery. The PSSRC, however, decided to not entirely eliminate consideration of new sources of funding particularly on the sub regional basis, such as within WRIsAs and watersheds where there may be more support for creating a new source of funding. The Puget Sound Acquisition and Restoration Large Capital Projects Program (PSAR Large Cap) for next year was summarized. As is the case annually, much of the conversation centered on prioritizing watersheds when evaluating project proposals, a notion that some Chinook stocks are more important for recovery, despite that the Puget Sound Chinook Salmon Recovery Plan does not prioritize watersheds. Moreover, prioritizing watersheds of Puget Sound for funding has been repeatedly rejected by the PSSRC and its predecessor organizations. This go-round, Dennis Robertson was instrumental in the PSSRC nearly unanimously agreeing to strictly limit the re-ordering of projects and retaining authority for approving the list that is sent to the Puget Sound Leadership Council for approval. The latest attempt to prioritize watersheds through the PSAR Large Cap, the "Salmon Benefit Index" (discussed in the July Salmon Recovery Manager Report), was suspended.

### **Our Green Duwamish Stormwater Strategy**

A workshop of the Our Green Duwamish Stormwater Stakeholders group was held at the Tukwila Community Center on October 10<sup>th</sup>. King County staff led an exercise for developing "desired future states" for each goal of the strategic plan, completing this component of the OGD strategic plan. For example the desired future state developed for the goal to reduce priority toxics and other pollutants is: "the discharge of toxics and other pollutants will be reduced to the degree that allows existing and future communities to enjoy safe opportunities for fishing, swimming, boating, and other recreation in the watershed".

### **Seattle Times Presentation on Hostile Waters**

On Thursday, October 24<sup>th</sup>, Matt Goehring and I attend a presentation let by Lynda Mapes of the Seattle Times on "Hostile Waters". The presentation included introductions of all the Times staff involved with the project, from editors to photographers who told the story of how the series of reports on the plight of the southern resident orcas were developed. A video with much historic documentation of the capture of the whales for aquariums across the globe was jolting. The connection of salmon recovery and orcas recovery was very well described. The importance of the Green/Duwamish Watershed for both recoveries was included in Lynda's comments and responses to questions by audience members.

She also made a solid argument for changing “business as usual”, particularly in local government decision making and land use planning, as essential for recovery of both species.

### **Economic Study of Floodplain Restoration on Community Revenue**

On October 29<sup>th</sup>, American Rivers, with funding from WRIA 9, released a Request for Proposals to conduct an economic study of floodplain restoration. Proposal deadline is November 22<sup>nd</sup>. The goal of the study is to quantify the economic impacts of floodplain restoration on property values and associated community revenue based on land uses in Puget Sound. This project evolved from WRIA 9’s work to develop the “4<sup>th</sup> Alternative” to include in the scope of the Environmental Impact Statement on the Lower Green River Corridor Plan.

### **Lower Duwamish Waterway (LDW) Roundtable**

On October 30<sup>th</sup>, I attended a meeting of the LDW Roundtable in West Seattle. The group approved the Roundtable Operating Procedures and discussed final Steering Committee membership. James Rasmussen said he believes WRIA 9 should be at the table, not only an Observer. The staff of the Environmental Protection Agency which supports the Roundtable said it would work with WRIA 9 on its role in the process. The Remedial Design and Pre-Design Investigation were overviewed, including a very detailed presentation on how toxic sampling locations are identified and how samples are collected and analyzed.

Remedial design planning and Phase I water sampling will take place through early next year. Thirty percent design is anticipated in 2022, 60% and 90% designs in 2023, and 100% design is expected in 2024.

### **Congressional, Legislative, and Related Activity**

As reported we would do in August, we outreached to Congress on the downstream fish passage facility at Howard Hanson Dam and the Green/Duwamish Ecosystem Restoration Project, both projects are the bailiwick of the Army Corps of Engineers. A letter was sent to Senator Murray and Representative Smith requesting the inclusion of both projects in the Defense budget for 2020. The letter was copied to the entire Washington Congressional delegation and many other federal and tribal officials. The letter was followed up by Burien’s lobbyist, Mike Doubleday, who met with several administrators and members of Congress in D.C. in late October. Here is Mike’s report from his visit to D.C.:

In DC earlier this week, I met with staff from Senator Cantwell and Murray’s staff, and staff with Reps. Jayapal, Larsen, and Smith’s offices. As mentioned yesterday, the person who knew the most about Howard Hanson Dam was David Marten in Senator Cantwell’s office. He said he had worked previously with Denny Heck and with Inslee when he was in Congress.

You probably know much of this history. David said the original cost allocation for the fish passage at the Dam was made in 1999, and that that cost allocation – estimate – has now been exceeded. He thought the next step(s) were twofold: get the Corps to suggest raising the authorization for the Dam – a new cost estimate – and secondly, to get OMB (federal budget office), to OK the new authorization.

He said the problem is the Trump administration sees the BiOp as a new regulation, and they oppose new regulations. Further, he said OMB is hostile to ecosystem restoration, and sounds like they are couching their opposition in the new regulation argument.

I asked what the legislative vehicle might be if this issue did begin to move – he mentioned the 2020 Water Resources Development Act. That Act may (or may not) move in 2020 – election year issues – but it’s a good place to begin and concentrate resources. I’ll figure out where the bill will go – which committee(s).

I’ll follow up with people I met today and early next week and hopefully suggest some next steps. Unfortunately, I think we are in a holding pattern until this current administration leaves, or maybe until the Senate flips over, but we can certainly lay the groundwork. The argument that seemed to resonate with people was the orca dying; the sense I got was we could get this to move, but it might take a while.

One thing we could do now is to gather all the press articles about orcas and any on the Dam issue and put them in folder we can share with people – maybe you’ve already done this.

The Dam looks to be in either DelBene’s or Schrier’s district. Do we know which one? We would need to get whoever’s district this is in up to be speed if not done yet.

Thx. I’ll get back to you next after I’ve followed up with DC people.

**Recruitment of WRI 9 Administrative Coordinator**

King County is well on the way to recruit an administrative coordinator for WRIA 9 (shared with WRIA 8 and the Snoqualmie). 102 applications have been narrowed to 34. A decision is expected by mid-December.

Sincerely,



Doug Osterman  
WRIA 9 Salmon Recovery Manager