

Snoqualmie Watershed Forum
MEETING SUMMARY
November 16, 2011
Meeting 7:00-9:00 pm
Carnation City Hall

MEMBERS PRESENT:

Elizabeth Walker	City of Duvall Councilmember, Forum Chair
Charles Peterson	City of Snoqualmie Councilmember, Forum Vice-Chair
Jim Berger	City of Carnation Councilmember
Cindy Spiry	Snoqualmie Tribe
David Burger	Stewardship Partners, Non-profit Representative
Derek Young	Citizen Representative
Kent Renno	Citizen Representative
Isaac Cunningham	Citizen Representative

MEETING PROCEEDINGS

Introductions and Minutes

- The Forum approved the September 21 meeting summary in current form.

Updates and Announcements

Yvette Lizée-Smith (Watershed Coordinator) and Perry Falcone (Project Coordinator) gave the following updates:

- *Presentation by local governments:* At the next Forum meeting (Jan 18, 2012) staff from the 4 valley cities and Snoqualmie Tribe will give a special presentation reviewing some of the actions their governments are undertaking to support salmon recovery. We had planned to hold this presentation in November, but have moved it to January to accommodate today's discussion on King County policy R-648.
- *Status of 2012 Forum Budget:* Effective mid-November, King County and Snoqualmie Tribe have confirmed their cost share contributions towards the Forum's 2012 annual budget. We have also secured a King Conservation District grant that will help offset 90% of the cities' fees. It is our understanding that the 4 cities have budgeted to cover the remaining 10% of their fees in 2012. We expect final confirmations from the 4 cities in December when they officially pass their 2012 budgets.
- *Tolt River Corridor Study:* The Flood Control District is about to start its Tolt River Corridor Study. The roughly \$260K study will identify potential projects to protect and improve human safety and habitat functions along the lower 6 miles of the Tolt River. In 2010, the Snoqualmie Forum agreed to contribute \$10K towards the study so it would include analysis of habitat restoration opportunities in this high-priority recovery area (vs strictly focusing on flood risk reduction). Janne has been involved in the project steering committee that has

inputted on the study scope and contractor selection. Project management will be provided by the FCD. The study will be a win-win for flood protection and salmon recovery efforts. Postcards about the study will be mailed to all streamside landowners along the lower reach of the Tolt River.

King County – Draft 2012 Comprehensive Plan

Yvette advised the Forum that King County had released its Draft 2012 Comprehensive Plan for public review. Comments are due by December 23, 2011.

The draft 2012 Comprehensive Plan includes a wide range of amendments across King County's full range of services and programs. Yvette touched on some of the changes proposed by programs in King County Department of Natural Resources and Parks (see handout 3a for a list) but also noted that the list was far from all encompassing. She added that the Forum would be discussing proposed revisions to one particular policy (King County policy R-648) under the next agenda item.

In closing Yvette encouraged those interested in learning more about the 2012 Comprehensive Plan amendments to view the full document online at:

<http://www.kingcounty.gov/property/permits/codes/growth/CompPlan.aspx>.

Restoration and Flood Reduction in the Agricultural Production District

Following on the previous topic, Yvette explained that King County's Draft 2012 Comprehensive Plan includes a proposed revision to county policy R-648. This policy lays out the conditions for implementing habitat restoration and flood risk reduction projects in King County's Agricultural Production Districts (APDs). Given the policy's possible impact on salmon recovery and flood projects, staff felt it important to discuss it at today's meeting.

Background on R-648 Policy Revision

To give background on this topic, Yvette introduced Joanna Richey, the Assistant Director of King County's Water and Land Resources Division – the division that houses the county's salmon recovery, flood district, floodplain management, and agriculture programs (among other programs). Joanna gave an overview of the history and intent behind the Policy R-648 revisions. Below are some highlights from her presentation.

- The R-648 policy revisions were undertaken for a number of reasons including to clarify some undefined terms and address implementation challenges encountered under the existing 2008 policy and code.
- The policy encourages that, where possible, habitat restoration projects and flood risk reduction projects in the APD be sited on lands that are unsuitable for agriculture production. If such sites are available then there is no adverse impact on agriculture and hence no need to offset adverse impacts. However, it also recognizes that some projects may need to be sited on active agricultural lands due to the geographic location of specific structural or functional

attributes that are critical to the project's success. An example might be that a specific and critical habitat restoration project may require a specific reach of river where spawning gravels are located and where the only riparian land is in active agricultural production. In such an instance King County will ensure improvement actions to offset adverse impacts.

- Discussions were held with the King County Agricultural Commission in the course of revising the policy. Among their comments, the Agriculture Commissioners highlighted the need for more certainty among farmers. Farmers need greater clarity and certainty about the range of salmon recovery actions that might be required on their properties (including drainage, restoration projects, buffer plantings) so they can make informed investments. The policy revision has additional language highlighting this need for landowner involvement in the project planning process. Joanna explained that King County's ultimate aim is to engage landowners and other stakeholders in higher level reach or landscape scale planning (as opposed to project-by-project) so that options consider multiple projects and multiple properties as well as diverse means to ensure that adverse impacts to agricultural productivity can be offset. She added that this intent towards higher level planning was not well communicated in the current revision, so further amendments might be necessary.

Staff Comments on the Policy Revisions

Following Joanna's presentation, Yvette reviewed the staff analysis on the proposed policy revisions. Some key points:

- Many of the highest priority areas for habitat restoration in the Snoqualmie Valley are within the APD as the APD lands are located downstream of our watershed's two primary spawning reaches (Snoqualmie mainstem below the Tolt and Raging Rivers). Many of these sites also coincide with high-priority areas for flood hazard management.
- The Snoqualmie Watershed Forum has a long history of working collaboratively with valley farmers as well as habitat and flood partners to achieve multiple objectives in a collaborative way. So far, we have managed to navigate the challenges posed by multiple objectives quite successfully in our watershed and we are committed to working with our fish, farm and flood partners to continue to do so.
- It is our understanding that the revisions to R-648 were partially undertaken in response to King County ordinance 2010-0163 with the intent of balancing the County's obligations related to salmon recovery and its goal of preserving productive agricultural soils. We believe the revisions fail to meet this intent. Rather than improving the balance of fish-farm-flood objectives, the proposed revisions have potential to tilt the imbalance even further by adding new burdens for fish and flood restoration projects that could increase costs and delays.
- The proposed revisions also seem to extend the policy requirements to a larger range of flood risk reduction projects than were covered under the previous language – which originally was limited to those floodplain projects that included aquatic habitat restoration elements. *[In response, Joanna explained that the new reference to flood risk reduction projects was added because it was brought to the drafting committee's attention that the previous 2008 policy was using the wrong term for flood projects].*

- Forum staff recommend excluding projects on existing public lands from this policy. [*In response, Joanna explained that King County has not had success in creating codes that manage projects on public and private lands separately and would generally avoid creating policies that differentiate across lands in this way.*]
- Rather than mitigating impacts at a project-by-project level, Forum staff believe it would be more effective/efficient if King County (in conjunction with fish-farm-flood interests) undertook multi-objective assessments of salmon recovery, flood risk reduction and agricultural priorities at a river reach or landscape scale. Such an assessment could seek to identify where projects were sited on the landscape, the level of overlap with productive agricultural lands, other challenges impeding agricultural productivity in the area, and opportunities where we could improve this productivity (e.g. through improved drainage, addition of new lands into the APD, etc). It would also allow more flexibility in developing creative ways to increase success in all three areas.
- While Forum staff agree with the principles behind the policy we have concerns about how these principles will be defined/applied under the code. Without seeing the code that will accompany the policy revisions, we cannot determine their full implication. At minimum, Forum staff recommend that King County maintain the current 2008 policy (without revisions) until the associated code is drafted and we can better assess the potential impacts on projects. But our preferred alternative – rather than refining this policy – would be for King County to work with salmon recovery, agricultural and flood interests to develop a shared multi-objective solution that might replace the policy altogether.

Questions and Discussion

Below are some of the questions raised during the subsequent discussion session and Joanna Richey's responses.

- *Can you give examples of off-setting actions?* The agricultural offsets would likely vary from project to project. Some might be on site, others not, depending on what made sense in that context and what would be of highest benefit. A few examples of offsets (beyond replacing acreage) might include installing farm pads to reduce flood impacts, supporting and facilitating agricultural drainage improvements, and streamlining policies to facilitate actions on agriculture lands.
- *Is all agricultural land in the APD?* In King County, probably 50% of farmed land is outside the APD. For example, there is a lot of farming on Vashon Island, though they have no APD. Within the Snoqualmie Valley, there are no APD-designated lands above the Snoqualmie Falls though farming still occurs in the upper valley. In response to the latter statement, someone asked if Meadowbrook and Tollgate Farms (in the upper valley near North Bend) might be used to offset project impacts. There was no immediate answer to this question, though it was noted that these types of ideas might offer creative options as we begin looking at possible tradeoffs.
- *What types of projects fall under the policy?* The policy and its corresponding code are only invoked if a King County clearing and grading permit is required for the project. Typically small voluntary riparian plantings and noxious weed removal projects do not usually require

a King County permit and thus would not be affected. So far only 3 projects county-wide have triggered the code since the 2009.

- *Have you looked at Chinook Bend restoration project as a case study?* Yes, Chinook Bend is a good example of a large restoration project in the APD that offered creative tradeoffs for agriculture in the form of compensatory storage and fill for farm pads.
- *Will you be adding in language related to the collaborative planning process into the policy?* King County would like to add language on this higher level intent. Any suggestions the Forum would like to offer would be welcome.

In addition to questions, Forum members and other attendees offered the following comments.

- Agriculture Commissioners in attendance at the meeting offered several comments on the policy and the concept of working together to identify creative tradeoffs and collaborative solutions. Among comments it was noted that:
 - There has been less conflict with restoration projects in the Snoqualmie Watershed than in the Green River Basin.
 - Each farm is different so the tradeoffs and solutions would likely vary project-by-project.
 - Non-acreage benefits like improved drainage, and/or streamlined or relaxed regulations to deal with drainage problems might offer feasible tradeoffs for farmers.
 - It might not always be necessary for the benefits to be contained in the same site or reach. In some cases, improved drainage in another part of the watershed might make more sense than less effective site- or reach-specific offsets.
- Rather than focusing on a policy that offsets for agricultural impacts project-by-project, it might make more sense to identify ways to advance all three objectives of agricultural viability, recovery salmon, and flood risk reduction.
- The agriculture, fish and flood risk reduction context are very different in Snoqualmie and Green Watersheds – the two county basins where farm-fish-flood overlaps primarily occur. Given the different contexts and partnership structures it might make sense to include language in the policy that would allow for the Snoqualmie Watershed to have its own approach that might differ from the Green Watershed.
- Yvette asked if the Forum wanted to submit a comment letter on policy R-648, and if so, whether it was simply enough to say that we preferred keep with the old 2008 policy language while we worked to develop a more collaborative solution with agricultural, flood and salmon recovery partners.
- Rather than rush a decision, Councilmember Elizabeth Walker recommended that the Forum appoint a sub-group to meet separately to more thoroughly discuss the Forum comments. Claire Dyckman (staff to the King County Agriculture Commission) asked if the Forum would like members of the Agriculture Commission to participate in the sub-group discussion. She noted that the Agriculture Commission would be meeting the following day and she could bring this suggestion to them. Forum members supported Claire's suggestion.

Actions:

- a) Staff were asked to coordinate a follow up meeting involving a sub-group of Forum members to discuss comments on the R-648 policy revisions. Suggested participants included Councilmember Walker (Duvall), Councilmember Berger (Carnation), David Burger (Stewardship Partners) and Bill Knutsen (King Conservation District).
- b) The Agriculture Commission will discuss whether to send agricultural representatives to the R-648 sub-group meeting. They will advise Forum staff of their decision later this week.
- c) Once drafted, the Forum comment letter on R-648 will be vetted by Forum members via email so it can be submitted by the December 23 comment deadline.

Snohomish-Stillaguamish LIO

Yvette gave an update on the Snohomish-Stillaguamish LIO proposal.

- As mentioned in previous meetings, the Snohomish and Stillaguamish basins are forming a shared Local Integrating Organization (LIO) under the Puget Sound Partnership coordinating structure. The LIO is intended to coordinate communication, funding recommendations and the prioritization and implementation of local actions within our two basins. Snohomish County, and specifically County Councilmember Somers, has taken the lead on organizing the LIO. At the last Forum meeting, Yvette advised that an alternate leadership structure was being proposed for the LIO that would potentially limit the Steering Committee membership to elected representatives from the two counties, two tribes (Tulalip Tribes and Stillaguamish Tribes) and possibly city representatives. In response, both the Snoqualmie Watershed Forum and the Snoqualmie Tribe submitted comment letters requesting that our organizations each have a seat on the executive steering committee.
- Since the last meeting and the submission of above-mentioned comment letters, Snohomish County has released an updated version of the proposal (meeting handout 4). The latest version of the proposal includes a 2-tier leadership structure comprised of an Executive Steering Committee made up of elected representatives from the two counties, two tribes (Tulalip Tribes and Stillaguamish Tribes), city of Everett, three small city representatives (including one from the Snoqualmie Watershed), and a representative from the Port of Everett. Under this latest proposal, Watershed Forums and the Snoqualmie Tribe would not have a seat on the Steering Committee, but would instead serve on an Implementation Committee (comprised of action agenda implementers) set up to advise the Steering Committee and coordinate actions.
- Speaking to the latest proposal, Yvette acknowledged that it did not align with what the Forum and Snoqualmie Tribe had requested in their comment letters. Yvette explained that both she and Councilmember Walker expressed their disagreement with the latest leadership structure in recent LIO conference calls, but were unable to change the content. As a compromise, Yvette suggested that the Snoqualmie Valley city seat on the Steering Committee be appointed and coordinated through the Forum (provided the 4 cities agreed).
- It was asked whether the Forum should submit another letter. In response Councilmember Walker expressed her desire to move forward. She explained that both she and Yvette had

made numerous attempts to convey the Forum's interests in the LIO calls, but with little result. The benefit and function of the LIO, and its added value to our watershed is yet to be determined. So far all discussions by the LIO group have focused on structural questions. That said, it might be more productive for the Forum Chair and staff to turn attention back to local actions, rather than dedicating additional time to further refining the proposal.

Councilmember Walker invited feedback from the Forum members. Among comments:

- Most members expressed dissatisfaction with the current LIO proposal but also agreed that they could live with it. There was general consensus that – given the LIO value and benefit was yet undetermined – it was more important for Forum staff to focus on advancing on-ground actions than to expend more effort finessing the LIO structure.
- Members also agreed with the suggestion that the valley city seat on the Steering Committee be coordinated through the Forum.
- The Snoqualmie Tribe agreed with the above recommendations for Forum's next steps (from its perspective as a Forum member), but stressed that the Snoqualmie Tribe itself would continue to pursue a tribal seat on the Steering Committee under its own efforts.
- Joanna Richey (King County) added that the county would also have a seat on the Executive Steering Committee and would work closely with the Forum to coordinate messages and priorities once the LIO was underway.

Decision: Forum staff were asked to draft a letter to the Snoqualmie Valley Governments Association (SVGA) informing them of the LIO proposal and inquiring whether SVGA would support the recommendation that the valley city seat on the LIO Steering Committee be coordinated through the Forum.

Forum Business

Patterson Creek Culvert Barrier Removal Project

The Patterson Creek Culvert Barrier Removal Project was discussed at the September 21 Forum meeting as part of the Opportunity Fund grant decisions. At the meeting, concerns were raised that the project would not resolve the underlying upstream alluvial fan problem that is contributing to the fish passage barrier. Thus it would only result in a temporary fix. Forum staff were asked to further investigate the project in conjunction with KCD and to return with a final funding recommendation. In follow up, in early November Perry and Janne visited the project site together with representatives from KCD and Wild Fish Conservancy. They determined that the project was not a fish passage barrier problem, but rather an alluvial fan issue and that the solution proposed under the current grant application would not resolve the problem.

Based on that visit, both KCD and Forum staff offer the following recommendations:

- a) The Patterson Creek Opportunity Fund funding request should not be approved this year. As a next step, Wild Fish Conservancy will be working with the landowner to determine if they can design a project that would address the larger alluvial fan problem. If so, they may submit an application for this revised project under our 2012 KCD grant round.

- b) \$12,000 of the \$30,000 that had been tentatively reserved for the Patterson Creek project will be allocated to the Stewardship partners maintenance grant, which was only awarded partial funding at our last meeting due to lack of funding. The balance of \$18,000 will be split and rolled back into the Forum and KCD funding pools for 2012 (approx. \$9,000 returning to the Forum's 2012 KCD grant round for reallocation).

Decision: The Forum approved the above two recommendations.

2012 Opportunity Fund Grant Round

Perry advised that this topic would be tabled until a later meeting. Staff had hoped to get Forum approval on the revised opportunity fund grant criteria in 2011, but we were not able to meet with KCD staff to negotiate our changes before the Forum meeting. The 2012 Opportunity Fund round will not open until spring so there is still time to review the criteria at a future meeting.

2012 Forum Meeting Schedule

The Forum will hold 6 meetings in 2012 following its standard bi-monthly schedule. All meetings will be on the third Wednesday of the month, except the November meeting which will be held 1 week early due to the Thanksgiving Holiday.

Decision: The Forum approved the 2012 meeting schedule.

Public Comment

No public comment.

Next Meeting

The January 18 Forum meeting will be held at Duvall Community Center, 7:00-9:00 PM.