

Dungeness River Management Team Meeting

October 8, 2008

Dungeness River Audubon Center

Notes prepared by Melissa Coughlin

Team Members/Alternates in Attendance:

Steve Tharinger, Clallam County
Cathy Lear, Clallam County (alt)
Scott Chitwood, Jamestown S'Klallam Tribe
Cynthia Nelson, WA Department of Ecology
Virginia Clark, Dungeness/Quilcene Planning
Les Jones, Dungeness/Quilcene Planning (alt)
Al Moore, Riverside Property Owners
Mike Jeldness, Water Users Association
Bob Caldwell, Water Users Association (alt)
Walt Blendermann, Sports Fisheries

Don Hatler, Conservation Dist. /Sports Fisheries (alt)
John Cambalik, Puget Sound Partnership
Allison Lutz, North Olympic Land Trust
Joe Holtrop, Clallam Conservation District
Judy Larson, Protect Peninsula's Future
Robert Brown, Dungeness Beach Association
Michael Blanton, WA Department of Fish and Wildlife
Tom Martin, PUD# 1
Laura Dubois, City of Sequim

Others in Attendance:

Merrill Hannah, Clallam County
Ann Soule, Clallam County Environmental Health
Frank Needham, City of Sequim
Stan Peters, Advocate for ducks
Robin Berry, Graysmarsh
Elizabeth van Sickle, Property owner, resident
Steve Rankin, Streamkeepers

Sam Gibboney, Consultant
Evan McLean, Sequim Gazette
Ann Seiter, Consultant
Welden Clark, Dungeness River Audubon Center
Powell Jones, Dungeness River Audubon Center
Melissa Coughlin, Independent contractor/note-take

2:10 P.M. Meeting called to order.

I. Introductions /Review Agenda / Approval of 09/10/08 Meeting Notes

- Chairperson Tharinger called the meeting to order and introductions were made.
- Agenda for today's meeting was discussed. Cynthia Nelson and Frank Needham needed less time than allocated for their topics, Ann Soule wanted to add announcement on aquifer recharge feasibility study.
- September DRMT meeting notes were reviewed, Virginia Clark moved to accept notes as submitted and Robert Brown seconded motion which passed unanimously. (Hannah Merrill mentioned to note-taker that she, Sam Gibboney and Ann Seiter were missing from "Others in Attendance" list).

Public Comment:

Ann Soule spoke on the aquifer recharge feasibility study.

- Three sites/scenarios need to be chosen for inclusion in the full aquifer recharge feasibility analysis. Ann will schedule a morning meeting to discuss possible locations in two weeks. Would like DRMT representation at meeting.
- Mike Jeldness thought that there was DRMT representation at TAG meetings and wanted to know who attends the aquifer recharge technical advisory group (TAG). Ann answered: PUD, groundwater people, Shawn Hines (along with other J'SKT representation), Dave Nazy (DOE), hydrologists, Robin Berry (Graysmarsh), Joe Holtrop (Clallam Conservation District), Gary Smith (Water Users), consultants and others. Ann would like to extend invitation to this meeting to additional City and DRMT representatives.
- Ann Soule will send out meeting information when meeting place and time is set.

Judy Larson commented on implications of City biosolids issue from August DRMT meeting:

- Judy wanted to know if DRMT had a response about the issue and wanted to know where comments were to be sent.
- Steve Tharinger listed concerns: how are biosolids disposed, what is the toxicity makeup, permitting, disposal sites, management, etc.
- Judy Larson would like to include this topic on list of upcoming agenda items for DRMT meetings.

Scott Chitwood noted the Ducks Unlimited project upstream of 3 Crabs:

- Includes recently acquired property by WA Fish & Wildlife and Dungeness Farms. The project reconnects Meadowbrook Creek with Dungeness River. Steve Tharinger added that the Conservation District is working on the project. He added that if you reconnected south you'd lose the water system north of Sequim-Dungeness Way. Steve thought that project should be a topic for the Conservation District when they speak next at future DRMT meeting.

II. City of Sequim Follow-ups – Frank Needham, City of Sequim

- Frank addressed Team on the reclaimed water system design grant.

- Department of Ecology invited communities across the state to apply for \$1 million grant towards water reclamation and distribution facility.
- City of Sequim was chosen for grant. City must match 25% (DOE 75%).
- Although the grant was awarded in May of 2008, no one really went to work on it with Jim Bay retiring and other staff changes at City (Sequim). The new staff is becoming involved. Confusion around actual cost of building a system (which costs around \$14 million), and some language modification. DOH helped explore some of the open issues like what would happen to water if it was put into the district system.
- Grant scope was modified: Instead of building the system, use grant money for the design portion only.
- Need grant extension, not able to deliver design in 2008. Approval of design manageable by early 2010.
- City-wide application of 1 ½ million gallons of reclaimed water. Uses may include: augmenting streamflow; enhancing irrigation system; recharge of critical aquifer (modeling with engineering and choosing test sites).
- Surface storage, allowing water to leak to aquifer. Aquifer Recharge TAG involved in helping suggest best location for surface storage. Some sites not viable (property owner not agreeable, funding issues). Need to survey additional sites, waiting for engineer. Have interviewed three engineering firms, one has been recommended to Council, need to meet with TAG. Federal officials are also involved.
- Open question: what will happen if you add 100,000 gallons of reclaimed water to irrigation channel?
- Judy Larson asked if the new park was a possible site for surface storage. Could create a wetland for storage and treatment. Frank Needham answered that WRIA 17 is an issue as 1/3 of the City is in WRIA 17. Legal and delivery matter.
- Walt Blendermann began a discussion on Class A water – drinking water?
- Frank Needham said the water would be treated with ultraviolet light.
- Tom Martin asked if there was a grant for increasing treatment capacity. Frank answered that they are increasing capacity today – Steve Tharinger recommended coordinating with TAG.
- Ann Soule suggested presentation with Peter (Schwartzman, with PGG) to illustrate capabilities of modeling scenarios.
- Cynthia Nelson asked if other people would be able to run modeling scenarios.
- Judy Larson asked how much reclaimed water the City is using now, and out of amount of water used today, how much is reused. Frank couldn't answer.

III. Rule Priority Date Follow-up – *Cynthia Nelson, WA Department of Ecology*

- Cynthia Nelson referred to the e-mail that Sarah Ferguson had sent the DRMT with regards to not voting today on the rule priority date. Currently the DOE is looking at legal ramifications with Attorney General and other attorneys.
- The Instream Flow and Management Rule would be adopted 180 days from date of filing. Under the Watershed Planning Statute, if you reach agreement on the instream flow after funding was provided the priority date is two years after the money was received. There are issues with that.
- Are we going to a 2000 priority date with a formal vote from the Planning Team (team at the time of signing) to move forward, or the adoption date?
- Robert Brown asked if the County was working to establish procedures for the priority date. Steve Tharinger stated the DOE is directed by the statute to help with Rule. The DOE has hired a consultant to establish mechanisms for a water exchange. Robert suggested a briefing to the DRMT which Steve thought was a good idea; however nothing has been developed at this point, perhaps the beginning of next year. (Cynthia Nelson thought it might be sooner).
- Cynthia Nelson said one piece that needed to be developed is an explanation on how the water exchange will work for the mitigation process and another piece would be a guidance document (for County people and general public). An M.O.U. between the County and the Department of Ecology will also need to be drafted (to clarify formal parts of jurisdictions and what people need).
- Legislation pertinent to this that will go in this session is “Changes to the Yakima Water Banking Statute”. The statute changes requested were to clarify for watersheds outside of Yakima to have an opportunity for water bank with description of process and criteria to qualify. (Legislation currently limits it to Yakima). Would like feedback to legislators and DOE.

IV. Other Watershed Planning follow-ups – Cynthia Nelson, WA Department of Ecology

- Hardcopy forms for operational requests from the Department of Ecology were handed out to interested people. Steve Tharinger asked who was eligible to apply. Cynthia answered: government, WDFW, Tribes, etc.
- A few months ago Cynthia had asked for a list of favorite projects to move forward. Short turn-around to get it in front of legislature. Operating budget requests are due December 5th. Deadline for capital budget is December 31st – need to coordinate with EMMT.
- Steve began listing: gauging, major funding for irrigation efficiencies, aquifer recharge. Important that Conservation District gets information so they can get in applications for projects.
- Don Hatler asked about upper limit for request, and if it would it cover Atterberry Project. Cynthia didn't know.
- Steve Tharinger reminded all about the economy. The state's ability to bond capital budgets is reduced. Less money available state-wide. Huge budget proposals are usually less successfully funded.
- Cynthia Nelson thought an economic feasibility assessment for Atterberry may be funded, where \$9 million for the project is unlikely.
- Categories for capital budgets: Infrastructure projects like irrigation efficiencies; Water storage feasibility studies – further work like analysis of cost/benefit for Atterberry. Research into smaller storage sites on east side of river.
- Steve Tharinger asked the minimum acreage required for feasibility. Mike Jeldness said the Atterberry Project is 30 acres. Main cost is acquisition. Won't have to line with expensive material as it is closed and pressurized there. There may be another site on east side of river.
- Cynthia Nelson talked about water acquisition to use for late season leases. There is a small amount of money that may be used to request water (buying water) for the water bank.
- Water system: aquifer recharge program.
- Steve asked who would coordinate and bring potential projects forward. Cynthia had already reviewed existing project list(s) and said the DRMT should look over the list we have. Steve suggested that the Team make priority decisions at November DRMT meeting and different sponsors can fill in the application forms for submittal prior to December 5th deadline.
- Cynthia again reminded that the EMMT must be part of the process.
- Steve suggested people think about projects they would like highlighted. Cynthia will e-mail the list of projects from the last few cycles. Rush process last year, enough time this year to give consideration.
- Don Hatler said that the Conservation District will submit application for Atterberry feasibility study.
- Steve asked which projects are currently funded. Cynthia Nelson said the County Water Conservation Project (out of operating funds) can spend funds until the end of June (water conservation implementation). Other funded projects: late season leases, buying water rights for bank, irrigation infrastructure (piping funding), aquifer recharge feasibility study, water quality implementations, stream gauging (very well set here). Cathy Lear assumed it was not necessary to reapply to keep current gauges (Cynthia agreed).
- Mike Jeldness thought Dungeness Irrigation Project had finished the statutes of that project: asked if the funding came from the DOE. Don Hatler replied with regard to design status, Anchor (Bob Montgomery) is finishing with design in Seattle. Plan should be ready any time now. Husseman Grant funds some irrigation pieces.
- Discussion concluded with Steve adding projects prioritization to November DRMT agenda.

V. Puget Sound Partnership Update – John Cambalik, Puget Sound Partnership Nelson, Washington Department of Ecology

- Before John Cambalik began, Steve Tharinger announced that Senator Murray (4th ranked U.S. Senator) will be at Pioneer Park at 7^{P.M.} tonight as a guest of the Democratic Club.
- John Cambalik thanked everyone for attending the Puget Sound Partnership Ecosystem Coordination Board meeting.
- The Science Panel met on October 7th on the same issues/initiatives.
- Locally – Strait workgroup identified 31 initial strategic priorities for the Strait Action Area and 30 specific High Priority Actions including: funding Clean Water District for Sequim-Dungeness, Carlsborg UGA wastewater treatment plant, implementing the North Olympic Peninsula Lead Entity (NOPE) 3-year Workplan, implementing WRIA 18 Implementation Plan (whenever it comes out), updating and implementing Stormwater Management plans for City of Sequim and Clallam County.

- Working on capacity building – technical assistance for outreach and education program management.
- Steve Tharinger reported the timeline for the Agenda and Initiatives – Leadership Council will review on November 11th. Draft will be released to public on November 6th. Public comment from November 6th – 20th. There will be a comment facility on the PSP website.
- Finalize text week of November 19th Leadership Council will approve Action Agenda on November 21st.
- Cathy Lear – County will be updating the Shoreline Master Program 2011.
- Task Force: Hired contractor to look to enhance capacity locally to implement locally. Goal is to provide a set of recommendations for Leadership Council and then on to Legislature for action.
- Partnership Initiatives: Activities must start. Can include: Capital projects, policy projects, regulatory projects, incentive programs, education and outreach, monitoring. Pared down from list of 4,000 then reduced to list of 900 and then to 100.
- Cynthia asked about the over thirty high priority cases. John said they came from a variety of sources, plans, workshops in Action Areas. Cynthia asked if any were from the NOPLE 3-year Workplan. John answered the plan was called out in its entirety. Cynthia suggested that it might be a source of ideas for project priorities for Watershed Implementation Grant.
- Release of Action Agenda soon.

VI. Flood Plan Follow-up – Ann Seiter and Sam Gibboney, Consultants

- Sam Gibboney discussed plans for fall 2008 Public Outreach: Want to talk about upcoming storm season. Need to check against local calendars, but possibly November 12th at Sequim Library or Pioneer Park. Open House format from 4-7 P.M.
- Vote put to DRMT – November meeting will begin at 12:30 so everyone can attend the Flood Planning Open House and Public Outreach.
- Sequim Mayor Laura Dubois suggested considering holding it at the Transit Center instead of library (small) or Pioneer Park. Transit Center is well lit, with lots of parking and convenient to those coming by bus. Located at the corner of 2nd and Cedar.
- Content for meeting: Main themes not much on plan, yet. Season coming (November) will be draw for meeting. Flooding on Dungeness looks different than flooding at other places, will speak about erosion, history and areas of concern. Terminology and changes in different places. Public safety message. Where do you get accurate information: websites: accurate to the minute, radio.
- Possible raffle for metal weather radio or raffle for emergency preparedness kit to attract people to event. Hoping for large turnout.
- Emergency preparedness – Bob Martin from Clallam County.
- Planning for before, during and after flood events. Drawing on other organizations' information on preparedness.
- Channel Migration and Floodplain 101: what this is, how to avoid further development in the channel migration zone. J'SKT report on channel migration zone is out now. Informal setting, open-house no sit-down presentation. Byron Rot will speak on the channel migration zone. People can stay as long as they like, ask questions.
- Advertising for event: media display ads, coverage e-mail and list-serve. Elizabeth Van Sickle suggested advertising in Sequim This Week. Flyers were suggested. 3-Crabs homeowners were suggested target. Add information to peninsulaevents.com. Frank Needham suggested adding announcement to newsletter at the end of the month from City of Sequim. He also suggested a small, targeted mailing to property owners along the Dungeness River.
- Judy Larson asked if tsunami planning was in the scope of the plan. Sam Gibboney answered that the river only is covered in scope of plan. Clallam County will cover Tsunami in their plan. Judy explained that tsunamis can create a flooding condition along the river. Sam answered that just parcels in flood hazard area, channel migration zone and FEMA 100-year floodplain pertain to scope of plan.
- Tom Martin asked about FEMA court case Shawn e-mailed DRMT. Ann Seiter said it was in the newspaper – a biological opinion issued by NOAA, that the existing flood insurance program may not be compatible with requirements. FEMA has to look at flood insurance program and evaluate what they will do about it. FEMA will ask communities with salmon species in rivers to make their areas more salmon friendly. Protect home and property and restore salmon habitat may make it more difficult for river property owners to get insurance. FEMA must reply to the biological opinion.

Insurance about recent NOAA biological opinion concerning the national flood insurance program: <http://www.nwr.noaa.gov/> - look under the What's New tab.)

- Ann Seiter began her presentation with a handout, "Channel Meander Hazards" and PowerPoint presentation "Dungeness River Flood Plan Update".
- FEMA: 100-year floodplain
 - Based primarily on elevation above floodplain
- Channel Migration Zone: Based on historic and potential lateral movement of channel:
 - Historic channels +
 - Erosion hazard areas +
 - Avulsion hazard areas (river takes a shortcut and cuts through a new channel)
- Ann pointed out areas at risk and high erosion areas on maps in her presentation.
- Channel Meander Hazard Area: Term used in Critical Areas Ordinance
 - Channel migration zone.
 - Flood – water can go up and sideways.
 - FEMA map 100 year floodplain based on elevation. Channel meander zones are based on dikes and sideways movement.
- General recommendations (under discussion)
 - Review Critical Areas Code provisions related to buffers and standards for consistency
 - Update maps for Channel Meander Hazard areas
 - Proactive program for enforcement in high risk areas
 - Property disclosure requirements
 - Fund acquisition of high risk parcels
 - Land acquisition strategy for high value habitats and parks
 - Technical assistance for property owners
 - Emergency management outreach and preparedness

Team discussion on recommendations began.

- Relationship between the Flood Plan and the Critical Areas Plan.
- More work on provisions for the critical areas, unlikely code will be modified.
- Methods of mapping County uses for channel meanders need to be updated.
- Enforcement: no longer waiting for complaints about people building in critical areas, proactive use of air photo or annual survey to determine if building is taking place in critical areas.
- Property disclosures: Immediate notification of hazard area when people are looking at land to purchase (vs. notification at building permit application).
- Conservation District is expanding technical assistance.
- Tom Martin asked if the BOR work was included in the plan. Ann answered that Byron's updated mapping references that work and is included.
- Ann is ready and wants to take draft of goals to public. Gave out draft at last DRMT. Handout "*Dungeness River Comprehensive Flood Hazard Management Plan 2008*; DRAFT 9-9-08 3.0 Goals and Principals for Flood Hazard Management; 3.1 Goals and Principals for Flood Hazard Management in the Dungeness River. Discussion on first and last bullet under "1. Prevent loss of life and property from flooding." Decided to eliminate the first bullet and to move the last bullet to first place, and changed to read: "Flood hazard reduction measures at a particular site should be implemented with careful consideration of the risk to the lives and property of others." After these changes it was agreed to temporarily adopt draft goals and to present as part of public outreach.

VII. Other Business

- Stan Peters introduced himself as an advocate for the ducks. He requested time at the meeting to discuss putting water in the pond at the Voice of America site. Asked if representatives from irrigation districts, Tribe, DOE, City and County were at meeting (agencies are represented at DRMT).
- Stan had reviewed the Conservation Plan from the Department of Ecology. Acknowledges conservation efforts towards water for the fish, but he thinks the ducks have been forgotten. Seven years ago the water was turned off at the pond at Voice of America, prior to that it was in private hands for hunting and then the government took control. Surrounding fields used to be planted by the state. At dusk the migrating ducks would blacken the sky. Ponds would hold 250-400 migrating ducks every evening when they would feed and rest. Local ducks that nested lost their nesting sites. There

was 60+ pair of nesting ducks where now there is a thistle patch. Stan thinks there is enough water for the fish and fowl. Like to see extra water for duck use.

- Stan suggested: 1) in fall when river rises – turn on faucet for the Voice of America pond. 2) when snow melts turn on water for pond.
- Mike Jeldness reminded all about the \$25,000 fine for “turning on” the water. Must have a permit. Need permission from the Department of Ecology. Mike lives on a wildlife refuge, remembers way back when irrigators, Department of Ecology and everyone was fine with the status quo, then the ESA kicked in. The situation is not about liking ducks (or frogs) but the situation is way beyond the scope of this group. It was deemed non-beneficial use of water with status of endangered species. Need a special use permit for off-season use.
- Cathy Lear asked Stan if he had spoken to anyone from Ducks Unlimited. Stan had an unpleasant interaction seven years ago with both the representative from Ducks Unlimited and with then County Commissioner Cameron who had no appreciation for ducks. Ducks Unlimited claimed they didn’t have time for “little” projects. Also spoke with Jack Smith from the State.
- Scott Chitwood suggested that site may not be the best location for suitable duck pond, and asked if Stan would be interested in working with another site, is interest only with fresh water habitat? Suggested Meadowbrook Creek area.
- Cynthia Nelson suggested Stan call Dan Golner from Ducks Unlimited who has come to DRMT asking about projects – his group works facilitating grant applications for wetland (duck environment) restoration. Also suggested speaking to Kevin Ryan from the Dungeness Wildlife Refuge. Once Instream Flow Rule is in place there will be allocations available for special needs.

Public Comment

- No time.

VIII. Meeting Adjourned at 5:10

Handouts:

- From Sam Gibboney: Watershed Plan Implementation / Project Grant Request Packet and Funding Resources Guide” – (for projects starting after June 30, 2009)
- Grant application form: Section 2.1 Operational Grant Request from DOE
- Handout: “*Dungeness River Comprehensive Flood Hazard Management Plan 2008*. DRAFT 9-9-08 3.0 Goals and Principals for Flood Hazard Management 3.1 0 Goals and Principals for Flood Hazard Management in the Dungeness River” - From Ann Seiter.