

Dungeness River Management Team Meeting
September 10th, 2008 - Notes prepared by Melissa Coughlin

Team Members/Alternates in Attendance:

Steve Tharinger, Clallam County
Cathy Lear, Clallam County
Scott Chitwood, Jamestown S'Klallam Tribe
Hansi Hals, Jamestown S'Klallam Tribe (alt)
Cynthia Nelson, WA Department of Ecology
Virginia Clark, Dungeness/Quilcene Planning
Les Jones, Dungeness/Quilcene Planning (alt)
Pete Schroeder, 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)
Joe Holtrop, Clallam Conservation District
Judy Larson, Protect Peninsula's Future
Robert Brown, Dungeness Beach Association
Michael Blanton, WA Department of Fish & Wildlife
Greg Good, North Olympic Land Trust (alt)
Tom Martin, PUD#1
Laura Dubois, Mayor of Sequim

Others in Attendance:

Cheryl Baumann, Lead Entity Salmon Restoration
Linus Heydon, Constructed wetlands expert
Virginia Ervin, Property owner
Robin Berry, Graysmarsh
Elizabeth Van Sickle, Property owner, resident
Steve Rankin, Streamkeepers
Jim Casey, Peninsula Daily News
Sarah Ferguson, WA Department of Ecology

Hannah Merrill, Clallam County
Sam Gibboney, ISE Consultant
Ann Seiter, Consultant
Evan McLean, Sequim Gazette
Mike Langley, Sunland resident
Ann Seiter, Consultant
Welden Clark, Dungeness River Audubon Ctr.
Powell Jones, Dungeness River Audubon Ctr.
Bob Boekelheide, Dungeness River Audubon Ctr.
Melissa Coughlin, Ind. contractor/note-taker

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

I. Introductions /Review Agenda / Approval of 08/13/08 Meeting Notes

- Chairperson Tharinger called the meeting to order and introductions were made.
- Bob Boekelheide announced that the Chinook are spawning today and described locations of some redds to check out. Scott Chitwood reported that observations on Chinook have not been promising, only 21 redds have been reported so far in entire system.
- Agenda was reviewed and accepted.
- Reviewed meeting notes from August 13th. Robert Brown clarified point in rule adoption section. Walt Blendermann wanted his comment on first bullet of page three eliminated as there is not conclusive evidence to make comment for all wells. Mike Jeldness moved to accept notes with changes; Virginia Clark seconded the motion, which passed unanimously.

Public Comment:

Cheryl Baumann gave update on Puget Sound Partnership (PSP) and North Olympic Lead Entity program:

- Cheryl Baumann (Lead Entity Coordinator for salmon restoration) said Puget Sound Partnership salmon section asked North Olympic Peninsula Lead Entity to participate in a pilot program for end of July and early August. Has to do with how the North Olympic Peninsula is doing implementing Chinook recovery. Michael Blanton is working with Lead Entity. 1) Self-evaluation for how recovery efforts are doing. 2) Development of a tool for collecting and reporting data to funders, tax payers, others. Issues with spreadsheets: 3 spreadsheets for every action, strategy, goal of plan. Came up with suggestions to improve process. Don't have the staff or resources to support hundreds of spreadsheets.
- Technical review group gave grades. Overall the Dungeness habitat received a "B" grade. Many accomplishments (water management, restoration of flood plains, acquisitions), but more work to be done. Received "C-" for harvest grade.
- Michael Blanton reported the tool needs a lot of work, but the process and self-evaluation was worthwhile. More work is being done – the PSP Recovery Council will receive report in October.
- Steve Tharinger suggested this as an agenda item when the full report is completed.

Judy Larson:

- Commended Bob Boekelheide on the Ecology course he had given at the Dungeness River Audubon Center and asked if he could give Team a summary at some point.
- Was very impressed by a letter that had come from another Watershed for the Puget Sound Partnership.
- Concern: had attended a Planning Commission meeting for City of Sequim. Code 18 – Considering no minimum lot size, no maximum coverage for Sequim residential zoning. Hopes the City will allow jurisdictions to comment.

Bob Boekelheide:

- Reminded all that the Dungeness River Festival is September 26th and 27th – Get Involved!

II. Conservation District Updates – Joe Holtrop, Clallam Conservation District

- Provided update on all the irrigation projects that are currently going on.
- Projects belong to the irrigation districts and companies - the Conservation District only helps.
- Cline Irrigation District, Clallam Ditch Company and a portion of the Dungeness Irrigation Group combined to pipe most of their ditches. Six cfs (1,830 ac ft) to Trust. Completed in most recent phase: Cays Road, North end by golf course, piping by Angel Farm, and Hogback. Left to complete: Anderson Road lateral west of Cays Road.
- Walt Blendermann asked about any environmental concerns with eliminating the ditches when pipe was put in, now just weeds- large area impacted. Had received LAMIRDs letters and maps and wanted to know if Joe could get together with the County and update those maps. Steve Tharinger said there was a concern that future-wise will be out of compliance with the Land Management Act. Critical Areas is a separate thing. Joe Holtrop said that the County has the most up-to-date maps with ditches and pipes. Also has updated GIS layer maps.
- Dungeness Irrigation District– working with Anchor Environmental and with Irrigation District to develop Comprehensive Irrigation District Improvement Plan – site-specific to determine what and in what sequence piping/phasing should take place and how much water savings is involved.
- Portion of ditch a concern for water quality for a number of years. Farm operator had applied for funding through Natural Resources Conservation Service, Environmental Quality Incentives Program last year but did not get funded initially; funds became available this summer. Jamestown S'Klallam Tribe is contributing \$50,000 from an EPA grant for improving water quality in Meadowbrook Creek area – has one year to spend, operator says work must be done in fall only, before rains. This goes out to bid in a few weeks. Water savings minimal here. Big water quality improvement. Whole system in pipe would be necessary to fully realize water savings. This phase is referred to as the Cameron EQIP lateral. Steve Tharinger mentioned the property owner is not open to move levy and dike to where the irrigation ditch is.
- Dungeness Irrigation District Southern Reach- Estimated Water Savings: 1.7 cfs (1.45 to Trust). From point where Dungeness District ditch splits off from Sequim Prairie ditch to Hendrickson Road. This will save a lot of water. To be completed prior to start of irrigation season.
- Sequim Prairie Tri Irrigation Association-Evans Road Lateral. Estimated Water Savings: 0.8 cfs (0.67 to Trust). Sequim-Dungeness and Woodcock Road. Sunland had relocated the ditch (made conveying water very difficult) and more water was lost from that ditch than was actually used. Graysmarsh conducted flow monitoring to determine water losses.
- On-farm Water Conservation Projects – Storage and conversion to more efficient systems. Big gun or hand lines to low pressure boom (good for row crops, about \$50K for boom and reel). Irrigation Water Management planning. Reclaimed water can't be used on crops for direct human consumption or on organic crops.
- Three Crabs Area Assessment: Address flooding; Improve water quality; Enhance & protect habitat. Gary Dougherty working on since Clea Rome left Conservation District. Robert Brown asked if Ducks Unlimited had proposed a project. Joe Holtrop informed the team that Ducks Unlimited had. The next step in Three Crabs project will be acquiring funding to implement proposed actions.

III. Status of Flood Plan – Ann Seiter and Sam Gibboney, Consultants

- Ann Seiter had been the Jamestown S'Klallam Tribe's Natural Resource Director and is currently a consultant on natural resources issues. She is here to give an update on the Dungeness River Comprehensive Flood Hazard Management Plan.
- Twenty years ago one of the first activities of the newly formed DRMT was to act as the advisory committee for preparation of the first Comprehensive Flood Plan in 1990. Kramer, Chin and Mayo for Clallam County developed it. The plan was largely an engineering document. Integrated fish & wildlife issues. In 2003 the County determined the plan needed to be updated and engaged Tetra Tech, Inc. Updating again now with Hannah Merrill, Clallam County, as project manager, Ann Seiter will write and edit and Sam Gibboney, of ISE Consultants will be in charge of the public outreach portion.
- Purpose of updating the document:
 - Intended to be a short, informational document for property owners, realtors, and area residents. Hopefully it will be more user-friendly than original document.

- Recommended actions are eligible for grant funding under the Washington State Flood Control Assistance Account Program (FCAAP)
- Project schedule:
 - May-June 2008: Review old draft with committee and draft alternatives for each section of the river.
 - July – October: Draft new version of plan and review with committee.
 - November: Public meeting to discuss flood hazards and emergency management (in general).
 - January-March: Public outreach on document
 - April-June 2009: Public outreach, SEPA, and approval.
- Plan contents:
 - Introduction and Summary
 - Watershed characteristics and planning history
 - Goals and principles
 - Flood history and identification of flood hazards (with maps)
 - Recommendations (general and specific)
 - Relationship to regulatory programs
 - Emergency management
- Goals of the Flood Plan:
 - Prevent loss of life and property from flooding.
 - Integrate with river processes, habitat protection, and fish and wildlife recovery.
 - Maintain the river's varied uses (e.g. agriculture, residential development, fish & wildlife, water supply, open space, and recreation).
 - Flood hazard management should be part of comprehensive river management.
- Key concepts of the plan:
 - Flooding cannot be controlled, but hazards can be reduced.
 - Preference for non-structural and long-term solutions.
 - Emphasize the importance of channel meander hazard zone.
 - Discourage additional development in areas at risk.
 - Prevent structures that move the risk downstream or across the river.
 - Use opportunities to reduce hazards and improve fish & wildlife habitat.
- For October DRMT meeting:
 - DRMT approval of goals
 - Review of plan elements
 - Overview of upcoming public outreach
- Walt Blendermann commented that this was an excellent template for a county-wide plan and asked if there was any effort towards a county-wide document, or is the plan to go watershed by watershed? Ann Seiter said there were some common issues within watersheds, and there are county-wide emergency procedures, but the issues are more who wants to build what where.
- Steve Tharinger noted the broad county FEMA map and flood management practices, but they are not as detailed as this plan. Cathy Lear thought the closest document was the National Hazard Mitigation Plan which is 4-5 years old. Before that the county-wide mitigation plan takes in flooding with emergency management.
- Judy Larson asked if plan discussed any connection with irrigation systems. Interconnectivity part of study? Because of development, roads, foresting practices and other sources of contribution. Ann replied that plan looks at what happens to structures in place, moved or relocated. Mike Jeldness said historically the irrigation is shut down during the storm season and laterals couldn't be open. Can't carry too much in main before blow out.
- Sam Gibboney, ISE Consultants from Port Townsend. Will be back next month as concepts for public outreach are developed. Next month will report on the public education process.
- Targeting an early November meeting to take information to public. Making an effort to make appealing to public - better notification, advance and also emphasis on emergency preparedness for November meeting. Plan to have a raffle for an emergency kit. Section dedicated to instruction on documentation preparation. There will be instruction on preparedness and education on river. Flooding is different here, unique flooding vs. concept of flooding. Local examples will be given on channel meander and channel migration zone. Graphics will be used to simplify for lay-public. The

first meeting will get out the basic concept and in spring there will be a more complete draft for public review.

- Judy Larson asked if Bob Martin, the County Emergency Director, was part of the coordination effort. Sam answered that they will be working with Bob Martin.
- Elizabeth Van Sickle suggested holding the afternoon sessions at a time when the bus runs. This is overlooked too often when scheduling public education events.
- Cynthia Nelson asked if part of the public outreach would include a station to display the FEMA flood map. Sam Gibboney said it was likely Byron Rot's Channel Migration Zone study would be included. Those are the areas the county adopts as critical areas. Cynthia Nelson said the public cares when they are directly affected (can point to their property on a map).

IV. Rule Priority Date Follow-up – Sarah Ferguson and Cynthia Nelson, WA DOE

- Again went over the chapter 90.82.080(2)(a) RCW and discussed importance of voting on the priority date – currently July 1st 2000 is the date because funding had been sent to the planning unit on July 26, 1998 and DOE assumes that funding would have been received a week later.
- Asking DRMT to change date with (October) vote. Unless the planning unit unanimously votes to change the date, it will affect all those who drilled wells from July 1st, 2000 onwards.
- Changing date: a new priority date can be any time up to the date of filing, which is expected to be November, 2009.
- Robert Brown asked if there was a reason why the vote is in October.
- Steve Tharinger stated that there had been three meetings and a decision has to be made.
- Sarah Ferguson has been trying to determine how many properties are affected by finding the number of wells in place since 2000 in Dungeness area. Many maps were displayed of the Dungeness River Basin dotted with wells constructed at different time periods.
- Reviewed listings on hardcopy handout of permits for wells by Irrigation Districts and Companies, Public Water Systems and Zoning, and by Sub-basin. Data from County and Ecology suggest:
 - Since July 1, 2000 there have been 1,897 building permits filed in the Dungeness watershed on 1,855 individual parcels. (New developments, does not include additions, upgrades, etc.)
 - Group "A" service areas: 996 within; 901 outside
 - Irrigation districts and companies: 1,122 within; 775 outside
- Some of the problems with the numbers: Some of the building permits within a group "A" service area have a well log on file (How do you determine if the water has been put to beneficial use, and is the well the sole source of water supply?). A building permit may be located within the boundary of an irrigation district or company and still use their well or group "A" water for outdoor irrigation.
- Can't answer the big question – How many households choose to irrigate outdoors and how many only use water indoors?
- Related concepts- Mitigation requirement:
- All new users will need to be mitigated:
 - Mitigation will need to be based on a ratio, which means that for every one unit of water used, more water (ex: 3x as much) will be added to the Dungeness Mainstream.
 - There will be a mitigation exchange set up that will facilitate mitigation for those who do not wish or are not able to find mitigation water on their own.
- Walt Blendermann asked if this was a requirement or negotiable. Entering into the exchange is negotiable.
- Walt asked if you are on a well, 13% consumption – will mitigation be based on consumption rate or withdrawal rate. Sarah answered that it is being worked out. Walt asked why aren't the users being asked- Sarah said they will be giving input.
- There will be a mitigation exchange set up; ways to make this easier are being looked at.
- Steve Tharinger brought up that the Instream Flow Rule sets requirements for the basin (senior water rights for fish). Probably will close the basin, but will have to find ways to mitigate if you want water. Possible sources for that water could be aquifer recharge, storage, deep wells, etc. Exchange will set up the ratio to return the water.
- Cynthia Nelson said this is all under discussion now and will be brought back to this group to address questions.
- Walt asked how a priority date can be selected without actually knowing all the issues. Like to see a draft plan before selecting a date.

- Steve Tharinger: Right now the priority date is July 1st, 2000, unless some action is taken to select a different date. If someone comes to the County now for a building permit, (no mitigation process, no exchange process in place) the County is in trouble.
- Cynthia Nelson: We have the irrigation numbers, residential and commercial numbers, the permit information and well logs (not definitive) and are trying to bracket conservative figures. Handed out lawn irrigation scenario figures at August DRMT. Hoping people will do the numbers.
- Pete Schroeder suggested using the 8 years of data we have and run it through statistic software to project the future/trend. At 3:1 ratio for mitigation, you're catching up with the past. New builders hold the burden, why not 1:1?
- Cynthia Nelson noted for the complexity of this watershed and hydrology here, it is difficult to actually measure impact. Difficult to insure mitigation is maintained. With all the uncertainty it was decided to err on the side of groundwater. Protect senior water rights. All still under discussion. Discussed during watershed planning – how do we spread the obligation out. Can't do it through water law, can do it through education and conservation. Grant to County for that strategy.
- Judy Larson asked if there is an example based on best available science or background from Rule-making. Is there a factor based on actual science. Evidence that this will function properly.
- Cynthia Nelson noted the county and state hydrologists study multiple layers of the aquifer of the watershed. Trying to make a three-dimensional framework to manage water.
- Steve Tharinger remarked there is a lot of political science involved. Difficult to manage water more effectively. Joe Holtrop cited projects that saved water. Pete Schroeder said the water law cannot reach back – we have to conserve water. Moving forward, the instream flow gives right to river system. We need a tool to address system. Won't be as easy as it used to be to access water, the good news in this basin is there is a history of cooperation. Should be able to get the water where it's needed (through metering, conservation efforts). Will know the availability and how much people will use when they come in for a well permit.
- Robert Brown thought it was unclear how exactly the instream flow related to the Dungeness flow. Is minimum flow the average flow during the day? Steve Tharinger clarified that there was a lot of discussion that went into determining the recommended instream flow number.
- Steve pointed out it was important to the County that a decision on the priority date be made by next month.
- Michael Blanton asked for a pros and cons list to help make the priority date decision.
- Sarah Ferguson reminded team of last month's DRMT meeting where the political ramifications and turmoil that would result from the 2000 date was discussed. If the date of rule adoption is chosen for the priority date - time is gained to develop and implement tools, etc. try to get more water in the river.
- Steve Tharinger asked about the issue of *how much* water is being discussed. For the Jamestown S'Klallam Tribe that is a serious issue. Habitat ramifications.
- Michael Blanton asked if there was a third option for new wells. Can you write in the Rule instead of "river senior to you ...". Cynthia Nelson said that can be done hypothetically, but extremely onerous. Would need very good rationale for having different scenarios. Issue is more with outdoor use rather than indoor use. Would have to contact people that there were statutory conditions of which county was not aware. For rule-making momentum it is better to take the later priority date and decide how to deal with impact from that date.
- Pete Schroeder said that piping projects will result in more cfs for the river.
- Cynthia Nelson said the ratio discussion was for water banking; continuing the piping and irrigation projects are a high priority.
- Who votes?
- Cynthia Nelson said only the organizations represented as members of the DRMT at the time the Watershed Plan was approved would vote about the priority date. An abstention would be the same as a vote "no". If it says the City of Sequim, the City votes, not the person representing the City at the time. Cynthia will notify voters by e-mail. Unanimous decision on the priority date is required.
- Team was directed to review the handout, "Determining Priority Date of the Proposed Dungeness Instream Flow and Water Management Rule" and voting page. Feel free to edit.
- Scott Chitwood was asked to comment on the priority date issue. Scott had discussed issue with the Jamestown S'Klallam Tribal Council. Serious issue concerning resources in the valley, hydrology of the river. Perhaps one of the biggest decisions this group will be involved in. Not prepared to suggest which way the Tribal Council would go on the date. People have been getting water rights in this valley for almost 100 years. Fish and wildlife resources don't have a water right. Talking about people

who haven't even moved here into the valley, and whether or not their water right will be senior or junior, when there still isn't a water right for the fish and wildlife. Perhaps the date itself is not so critical, but getting that water right for the fish and wildlife in the Dungeness is extremely important for the Tribe.

- Discussion began on plugging in a different date than the adoption date. Cynthia Nelson felt that if we started to talk about different dates the team wouldn't be ready to vote next month. Once the Rule Language is filed, it can't change. Team was asked to e-mail Sarah Ferguson with any uncertainty questions. It was suggested the team vote to change the priority date and then decide on the date. If another date (from adoption date) is chosen, need a date that can be managed (public notification, etc).
- Steve Tharinger introduced Jim Casey from PDN and Evan McLean from the Sequim Gazette and invited questions about the priority date vote that will take place next month. (None were asked). Steve volunteered that the people here have been working on these issues for years and are having a difficult time.
- Michael Blanton asked if other WRIAs have been involved in this type of vote. Walla Walla and Lower Columbia have. Cynthia Nelson said that no one has kept to the original priority date. Watershed planning is unique to each watershed, but we need some consistent applications.
- Mayor Dubois asked about the handout where it states, "if the priority date remains..interrupted". Does it mean the water supply is stopped and people have to buy bottled water.... Cynthia answered that, unless specifically noted, all outdoor water is subject to interruption. The DOH wouldn't allow cutoff of any drinking water.
- Pete Schroeder asked if the pros and cons on the date options could list economic impacts as well.
- Steve Tharinger said Tribe feels, whether you adopt now or go back to 2000, it is important to give the water right to fish and wildlife. Cost analysis and all is way beyond comprehension. Impacts are huge. Political – how County will go back and reach all those people, how do you tell them they are subject to the instream rule? Question is when do you want to set it.
- Pete Schroeder commented that relative to water – there has been a net gain in water during the last 8 years. Political to vote for now or 6 months from now.
- Steve Tharinger said you can't pile up data to clarify any further.
- Pete Schroeder said the cost needs to be looked at, which date has minimal cost.
- Cynthia Nelson said that if you reach back and choose the 2000 date you risk losing support for the water rule. Hard enough now to make people understand. It will be difficult and expensive to reach back. Loss of good will.
- Hansi Hals brought up the time issue associated with County preparing what they will say in the form of public notification.
- Steve Tharinger said the mechanisms for relaying the necessary public information are not in place now; GMA compliance is maxing out County staff now. Theoretically, may be able to have something in place June or July 1st. May be an advantage to chose adoption date – public process.
- Scott Chitwood thought there may be less to mitigate if you go back to the July 2000 date. Folks coming in after 2009 – more to gain back from those subsequent nine years. Ratio may need to go up from 1:3 – more ground to make up.
- Steve Tharinger closed subject saying education and outreach is the way to go.

V. Other Watershed Follow-ups – Cynthia Nelson, Washington Department of Ecology

- None at this time.

VI. Other Business

- DRMT Logo: Scott Chitwood brought the old and new version. New version (from suggested changes): cleaned up the old version, removed the sun, sharpened the people, changed out the dark and light of the river, shortened text and centered. Robert Brown reminded folks that there were contrast issues when the image was copied in black & white. Steve Tharinger asked for a vote. Unanimous final approval of new logo. Many thanks to Jamestown S'Klallam Tribe for prizes, staff and all the organization of the contest.
- Cynthia Nelson: Application to watershed planning units to apply for funds for capital and operational expenses has gone out. Need in hand before going into session. Steve Tharinger noted timing problems in past, had to rush decision. Cynthia said funding is area-wide, DRMT & EMMT.
- Water update (Steve Tharinger for Mike Jeldness)- 138 cfs at bridge gauge, this is with pulling 43 cfs.

- Cynthia Nelson noted there were five days left in irrigation season.

VII. Puget Sound Partnership Update – Steve Tharinger for *John Cambalik, Puget Sound Partnership*

- Strait Action Area workgroup meets tomorrow at the Heron Room at the Tribe's facility in Blyn 9-noon.
- Major work going on now at PSP: Finalizing Action Agenda. Each Action Area has a plan. At meeting will prioritize projects for this Action Area to submit to the Puget Sound Partnership:
 - Carlsborg: re-use sewer project
 - Makah marine hazard impact issue (response to oil spills, marine traffic pollution)
 - Clean up Port Angeles harbor (Rayonier and broader bay)
 - Look at science – nearshore impact of Elwha dam removal
 - Jefferson County: Clean water district; Discovery Bay funding priorities
 - Capacity for local and tribal governments
 - Public education and involvement programs
- Also will be discussing draft of Action Plan for whole area. September 15th all data due for document for Leadership Council.
- October 1st: Ecology Coordination Board meeting in Jamestown. Good meeting to sit in on. Broad group, good discussion, good representation. They will discuss Action Plan in detail and make recommendations to Leadership Council. Check the PSP website or contact John Cambalik.
- Steve Tharinger and John Cambalik met with all the government people within Clallam County, from the three Tribes, City of Sequim and City of Port Angeles.
- Talking about a list of 25 projects to move forward through the Action Agenda. No money now at State or Federal levels. Norm Dicks usually is quite good at finding funding, but even he can't right now. This can change, but for now it's tough. It is worthwhile to define priorities on what to work on.
- Scott Chitwood asked if anyone knew if the republican candidate for governor had any sort of environmental platform. Cheryl Baumann is hoping for broad bi-partisan support no matter what happens in the race for governor.
- Walt Blendermann announced the Northwest Straits Commission will hold their yearly meeting at the Red Lion November 6th and 7th. He will send Shawn Hines the information to send out to DRMT.

Public Comment

- None

VIII. Adjourn

Handouts:

- From Ann Seiter: "Dungeness River Comprehensive Flood Hazard Management Plan 2009" Revised Table of Contents 9-10-08 – still under revision
- From Ann Seiter: "Dungeness Flood Plan Update" Version 9-10-08 for DRMT Tentative Schedule
- From Cynthia Nelson & Sarah Ferguson, DOE: Handout listing of well permits by Irrigation Districts and Companies, by Public Water Systems & Zoning, by Subbasin
- From Cynthia Nelson & Sarah Ferguson, DOE: "Determining Priority Date of the Proposed Dungeness Instream Flow and Water Management Rule"- DRMT 9/10/08 handout
- From Cynthia Nelson & Sarah Ferguson, DOE: PowerPoint hardcopy "Dungeness Instream Flow Priority Date Discussion" – DRMT September 10, 2008