



August 12, 2015

**APPROVED** Meeting Notes

**Dungeness River Management Team**

Dungeness River Audubon Center, Sequim, WA

2:00 – 5:00 P.M.

Notes prepared by: Shawn Hines

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**Team Members/Alternates in Attendance:**

Scott Chitwood, Jamestown S’Klallam Tribe  
Judy Larson, Protect the Peninsula’s Future  
Robert Brown, Dungeness Beach Association  
Robert Beebe, Riverside Property Owner  
Marc McHenry, US Forest Service (Advisory)  
Mary Ellen Winborn, Clallam County  
Ann Soule, City of Sequim  
Matt Heins, Estuary-Tidelands/Riverside Property Owners  
Michele Canale, North Olympic Land Trust  
Ben Smith, Water Users Association

**Others in Attendance:**

Rebecca Benjamin, North Olympic Salmon Coalition  
Bill Stehl, resident  
Kate Dean, NOPRC  
Cindy Jayne, NOPRC  
Mike Barber, WDOT  
Dennis McDonald, WA Department of Ecology  
Phil Martin, citizen

**I. Introductions/Review Agenda/Review & Approve June 10, 2015 DRMT Draft Meeting Notes**

Scott Chitwood called meeting to order. Introductions were made, sign in sheets circulated. Scott noted that Shawn Hines is completing final documents to receive Department of Ecology drought relief grant award for improving river conditions for salmon migration to spawning grounds during low flows.

Scott noted that there is no quorum, so we’ll approve notes at next meeting. The agenda was reviewed.

**Public Comment:**

Judy Larson thanked Scott Chitwood for providing regular updates to the Team regarding the low flow status. Scott pointed out there was a brief time when the USGS gage stopped working, which was worrying since the irrigators use that gage to monitor flows and their diversions. It was “stuck at 108 for several days, but the issue is now resolved.

Rebecca Benjamin reminded the group that NOSC is sponsoring a habitat restoration project at former site of 3 Crabs Restaurant, which is at the mouth of Meadowbrook Creek and just east of the mouth of the Dungeness River. Restoring over 40 acres of estuarine waters, removing portions of Sequim-Dungeness Way and 3 Crabs Way and setting back road to increase tidal flushing in lower Meadowbrook and increase habitat for salmon and other species. Remove fill, riprap re-contour beach, and install large woody debris in Meadowbrook Creek and marsh to increase habitat complexity. Have been working on project for over three years with Dungeness Habitat, WDFW, NOLT, Clallam County. At critical juncture now; have draft 90 percent designs. County Road Hearing coming up. To remove portions of road to set back, commissioners have to vote. Public hearing Sept. 8, 10 am, Clallam County Commissioner Chambers. Requesting people to come speak in support of project. Showing up, saying in favor, few reasons why project is a good idea. Important to hear support at hearing to keep project on track.

Judy said PDN covered concerns about moving road. Any follow up? Sometimes citizens aren’t able to show up, but can provide written comment. Judy expressed concern that written public comment might not get read.

Rebecca said Commissioner McIntire is well aware of and in support of the project. County staff have informed him of the other side of the comments reported in paper and how we’ve addressed those concerns. Working on fact sheet; many points made in that particular public comment (from paper) have already been addressed. Will be in fact sheet. Will forward to everyone.

Scott asked if one of the comments in fact sheet will be about what will be consequence of *not* moving road back?

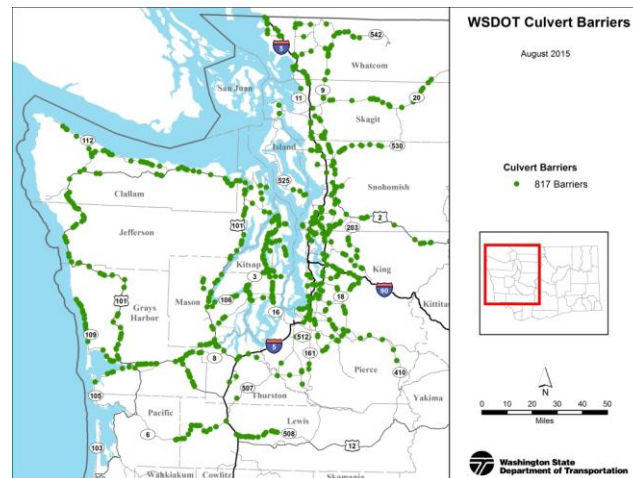
Rebecca said flooding issues will be addressed in fact sheet. Haven’t focused on habitat aspect since the main public comments thus far have been about: parking during crabbing season, lights from new road, increased traffic – which isn’t

true. NOLT has been advised to focus on the road, and why vacating the road is important: safety, ingress/egress during floods, capacity of bridge to move water and debris, public parking.

Matt Heins said the land under the road is privately owned; easement with Dungeness Farms/Habitat granted to County; road would vacate naturally over years. Want assurance that county will move forward with vacation.

## II. Fish Passage/Culverts on State Highways (Mike Barber, WDOT)

- Background – with approval of Legislature, DOT started fish passage program in 1991. Partnered with WDFW to do inventory on all state highways looking for fish passage barriers. WDFW looked at almost 6500 culverts throughout state, found almost 2000 barriers; of those over 1500 have significant habitat gain. The program gave WDOT ability for the first time to address fish passage exclusive of other large transportation projects, could now fix high priority barriers as standalone projects. Big step forward for addressing fish passage.
- Since 1991, 291 corrected, opening over 1000 miles of habitat to date.
- Mike showed a state map of all fish pass barriers, followed by background information on the “Culvert Case”. In 2001, 21 Western WA Tribes filed suit against State due to culverts blocking substantial salmon habitat. In 2013, permanent injunction was issued for State (WSDOT, WDNR, WDFW, Parks) to fix barrier culverts in the case area (WRIA’s 1-23). Culvert case area:



- 980 DOT barriers in case area. 817 have significant habitat gain. DNR, WDFW, Parks to fix theirs by 2016. Allows DOT to defer corrections to 2030. Must use stream simulation culvert of bridge design, mimic natural stream conditions, fully span the stream channel.
- Ongoing efforts to identify, monitor corrections, maintenance program. Required to work closely with tribes.
- WSDOT response: In 2013-15, reprioritized work in the program to free up \$20M to accelerate scoping and design for fish passage projects. Identified need for \$1 billion for fish passage over 10 years in transportation revenue package. No Leg. Funding for 2014, but in 2015-17 Legislature Approved \$70 million in transportation budget for fish passage, plus \$17.5 million in new revenue from new gas tax. Have funding now through 2021.
- Fish passage program needs: \$2.4 billion estimated to fix all barriers in case area; need \$310 million per biennium through 2030. Have work to do to get the funding needed.
- Factors in prioritization: amount of habitat blocked (main priority), project cost, coordination with Tribes, coordination with other efforts, ability to group projects (efficiencies), status of other transportation projects.
- Photos of example projects were shown, including US 101 Owl Creek in WRIA 18. Corrected through larger transportation project. 2.25 miles habitat gain. Coho, steelhead, searun cutthroat and resident trout.
- Fish Passage Barrier Removal Board (FPBRB) – to develop statewide strategy. More info: [www.wsdot.wa.gov/Projects/FishPassage](http://www.wsdot.wa.gov/Projects/FishPassage)
- Scott mentioned project on Eagle Creek off Hwy 101 that has fish passage concerns downstream. Tribe has provided comments to DOT.

## III. Reclaimed Water Rule (Dennis McDonald, WA Department of Ecology)

- Scott mentioned this has been a popular topic lately, especially with current weather patterns and discussions about ways to conserve water.

- Dennis McDonald described his background, and how he came to work on Ecology's Reclaimed Water Rule. The Rule is a new chapter of WA Administrative Code.
- Sequim has one of the four projects that were pilot projects with Ecology, funded around 2006-07.
- This rule-making will result in permit for wastewater treatment plants that want to further treat wastewater to the level that it can be used for beneficial uses.
- Production – how to we further reduce the wastewater. Distribution – purple pipe, how to we get it to people that will use it. Rules and Regulations for folks that want to use it (can be used for anything except potable water).
- 1992 – Washington statute that legislature put together. 2006 – Legislature explicitly said Ecology needs to work with DOH to develop reclaimed water rules. 1997 – Ecology and DOH published some standards for how to develop reclaimed water. Doesn't have same enforcement that this new Rule will have.
- 28 reclaimed water facilities in the state now, operating under current standards.
- Goals of rulemaking (from Statute): expand potable water resources, contribute to instream flows, construct enhanced wetlands, reducing discharges, another tool to use when running short on water.
- Majority of facilities are discharging effluent into the Puget Sound. Not meeting class A standards. Reclaimed will treat water further before discharging to Puget Sound.
- Key: don't impair existing water rights. Biggest challenge is how do we do that?
- Definition: water derived from wastewater that has been adequately and reliably treated so that it can be used to beneficial purposes.
- Rulemaking process is very rigorous. Allows you to form advisory committee to help State develop regulations. Advisory Committee formed in 2006. Operated for four years, got about 90% of the rule completed, but during government downturn, Governor suspended all rule-making for two years. In 2012, rulemaking resumed. Finalized rule for public comment. Under rulemaking guidance, required to consult with Tribes, and go out for public comment; ends a week from this Friday, but may be extended for 30 days or more. **[Confirmed comment period extended to 9/21/15]**. Then will be implementation phase, including training for anyone involved (applicants, administrators, etc.).
- Needed to coordinate Water Resources and Water Quality Programs to make sure water rights not impaired.
- Judy: Concern about having reclaimed distribution system near wellheads of other properties. Dennis: permit writers need to have knowledge about local geology, water rights, stream continuity, etc. Also need to make sure there is some flexibility in the Rule.
- One single permit that needs to be approved by DOE or DOH depending on size (gallons/day) of proposed project. 90 day review period for approval/rejection of permit. IF it is found that project will cause impairment, doesn't necessarily mean project rejected. Just triggers that need to re-evaluate, redesign, etc.
- Judy Larson: When does public get notified? Dennis: Will need to check on that for sure.
- Two hearings have happened, one in Spokane and one in Olympia.
- ListServ will let you know if comment period extended.
  - Reclaimed water rulemaking website has more info (documents, timeline, legislation, fact sheets, listserv, etc.): [http://www.ecy.wa.gov/programs/wq/ruledev/wac173219/0612Overview.html](http://www.ecy.wa.gov/programs/wq/ruleddev/wac173219/0612Overview.html)
  - Here is the general link to reclaimed water website: <http://www.ecy.wa.gov/PROgrams/wq/reclaim/index.html>.
- 4 main documents to comment on: the rule itself, SEPA checklist, cost/benefit, preliminary draft guidance document.
- Ann Soule: what seems to be a problem is 10-foot separation requirement between any drinking water line and reclaimed water line, so would need 2 or 3 trenches for anywhere we want to put purple pipe; will that requirement persist? Dennis: 10 foot separation is the national requirement; but the guidance document put out by Ecology and DOH – engineer can evaluate depth issues, exemptions, etc. There are other ways to get around the 10-foot separation requirement.
- Ann Soule: reclaimed water is all but potable; far from being sewage; there's not anything in the new rule that will lighten up on that 10-foot? Dennis: no, DOH won't lighten up on that. Ann: It seems like if Legislature decided reclaimed water is important enough, will either need to help cities pay for two trenches or change the rule. Dennis: there is funding for reclaimed water.
- Ann Soule: as far as water right impairment, it wouldn't be an issue here because we would be discharging to Strait? Dennis: Right.
- Ann Soule: ownership? Dennis: belongs to the distributor. In this case, it would be the City. Can charge for that.
- Bill Stehle: Rules for river and irrigation ditches don't have anything to do with reclaimed water? Dennis: need to be considered as potential for impairment. If you have instream flows, that is part of what could be considered impaired.

#### IV. Preparing for Climate Change on the Olympic Peninsula (*Kate Dean, Cindy Jayne, North Olympic Peninsula Resource Conservation and Development (NOPRCD)*)

- Kate Dean introduced herself as coordinator for NOPRCD, an organization that has been doing project management/grant administration work on the peninsula for over 20 years. Focus has been on economic development lately, but current project focuses on natural resources and impact climate change will have on this region. Gave some background on current project and recognized that some members have been involved in the related workshops.
- Received funding from Department of Commerce for this NEP grant. Land use planning grant. Funded to look at climate change in the region and inform planning processes that jurisdictions will be doing (e.g. comp plan updates). Land uses can be focused, but we've broadened the focus.
- Draft Adaptation Plan completed, comments due today.
- Focus on watersheds that drain into Strait, not coastal; two-county region including Hood Canal.
- Project Team: Kate, Cindy Jayne, scientists Ian Miller Wa Sea Grant, two staff from Adaptation International consulting firm; did literature search on best available science for this region; compiled another report on that; incorporated into Plan.
- Core Team: 13 reps from Tribes, Educational groups, city, county, water managers, agriculture; helped decide on focus areas for workshops.
- First set of workshops: invited much larger group – Ecosystems, Critical Infrastructure, Water Supplies, and Community Vitality; identified vulnerabilities in the four focus areas (vulnerable places, industries, people, etc.); put through sensitivity analysis to prioritize.
- Second set of workshops: focused on coming up with strategies for vulnerabilities.
- Broad-based participation. State, Federal, County, City, etc. Presented the project at a national conference, and participants commented on the diverse groups that came together on this.
- Cindy Jayne, project manager, introduced herself and talked about most recent climate change projections /scenarios for changes in precipitation, sea level rise, temp., etc. due to climate change. Data comes from Ian Miller's work, using GPS, tidal, storm surge data, plus Climate Impacts Group.
- Judy Larson: do the sea level rise charts incorporate vertical land movement? Cindy: Yes.
- Scott Chitwood: point is not just elevation scale, but time scale. One or two millimeters (versus feet) a year over hundred years doesn't amount to much. In other words, Neah Bay's not out of the woods.
- Kate Dean: the probabilities do not take into account potential earthquakes.
- Cindy showed the process from the workshops, coming up with vulnerabilities and ranking them, and then the top 10 strategies for each of the four focus areas. She also went over the Key Impacts for each of the focus areas.
- Rebecca Benjamin: we still have folks in leadership positions that need to be on board that this is a problem the strategies before they can happen; what are you thinking in terms of that problem? Kate: Actually surprised at the amount of support we've had from elected decision makers and DCDs in both counties; can't think of any real resistance from decision makers. Probably see more resistance in implementation projects; this project right now is in the idea-phase.
- Rebecca Benjamin: one of the Clallam County Commissioners didn't seem on board during a meeting attended yesterday. Cindy: will be giving presentations to City Councils, planning commissioners, etc. Kate: A lot of the funding agencies require recognition around planning for climate change. At this point, the project is documenting changes in climate, and planning for climate change/adaptation; not telling jurisdictions what they need to do. "Adaptation" is more politically palatable than "mitigation".
- Judy Larson: one of the workshops didn't include one area, partly because Tribe had already done analysis of its vulnerabilities. But everyone's vulnerable who had to have everything coming along Hwy 101. Surprised that Blyn/Highway 101 isn't listed as critical infrastructure. Cindy: it is referenced in the Plan, in roads.
- Robert Brown: graph of time and response and cost; right now easy to put stuff off because won't happen for a while; but question is how much are you costing by putting off. Cindy: Implementation cost and avoidance cost have been ranked. Robert: Before presentation to management, should have that figured. Kate: We've been told a useful next step would be a decision making tool where jurisdictions could run different scenarios to help figure out when to implement what; could incorporate probabilities, current investment verses long term investment, etc. Would be complex, but useful. Beyond the scope of this project but something that we are thinking about.
- Ben Smith: Helpful to define one timeframe, and use the same timeframe to track everything. Then there would be more confidence in the numbers.
- Michele Canale: Where does habitat conservation come in? Cindy: It's in there, but didn't make the top 10. Kate: Ecosystems have about 30 strategies, and presentation is only showing top 10.

- Ann Soule: Is top 10 necessary? Cindy: The report will have all of them. Top 10 is in executive summary.
- Matt Heins: Any positive effects to sea level rise? I think it would be positive to Dungeness Bay, which has been silting in for years; sea level rise would lower the temperature.
- Dennis McDonald: Reclaimed water? Cindy: it is on the list; didn't make top 10.

**VI. Other Business**

- Scott Chitwood showed slides of the drought-related work happening right now on the river. Photos taken within last few days. Showed map of *potential* "choke points" (around 12-15) as flows continue to decrease, some of them more of an issue than others. Tribe working with other partners, WCC, WDFW. No major passage issues right now, but flows are dropping, so looking at *potential* choke points. Conditions right now – wide riffles, shallow depths, challenge for migrating adults. Pools still available. No die offs at this point. Experimenting with portable dams to redirect flow so that there is more depth to enhance fish passage across riffles. The portable dams seem to work better than the water bladders. Any drought relief funding that may come through will be used to install some of these where necessary. Also trying to add complexity (zig-zags with rocks) to the riffle by experimenting with direction of flow through the riffle.

**Public Comment:**

- No public comment.

**V. Adjourn**

Action Items or Items Needing Follow-up	Date Requested	Date Completed
Canyon Creek Fish Ladder Project Update	4/08/15	Provided at 6/10/15 meeting.
Update on April climate change workshops	4/08/15	Provided at 8/12/15 meeting.
Update on drought-leasing program bids	4/08/15	