

Meeting Summary

Subject: Deschutes Watershed Stakeholder Workgroup Meeting #2

Date/Time: Jan. 29, 2016, 12-3PM

Location: Thurston Regional Planning Council office
2424 Heritage Court SW, Suite A
Olympia, Wash. 98502

Attending: *Michael Burnham, Michael Ambroggi, Jared Burbidge, Veena Tabbutt, Karen Parkhurst, Paul Brewster — Thurston Regional Planning Council; Charissa Waters, Allison Osterberg — Thurston County; Sarah Moorehead; Robin Buckingham; Scott Steltzner; Katrina Van Every; Adrienne Blackburn; Greg Schundler; Lisa Dennis-Perez; Martin McCallum; John Pettit; Gretta “Lou” Guethlein; Caitlin Guthrie; Julie Keough; Daniel Lihach (spouse); Darric Lowery; Adam Stillman; Lydia Wagner; Laura Marone.*

Workgroup members assembled at three tables around the room.

Osterberg began the meeting by asking workgroup participants, project staff and members of the public to introduce themselves. She reviewed the meeting agenda and handouts.

Waters read aloud the workgroup’s ground rules, which include welcoming diverse ideas and striving for consensus recommendations [see *handout for full list of ground rules*]. She also noted that workgroup members will be able to use a new SharePoint site – a cloud-based file-sharing tool – to download project materials, view a calendar of upcoming meetings, and share research and other materials with fellow workgroup members. [Note: All meeting materials, including notes and presentations, will be saved on the SharePoint site]

Osterberg then gave a PowerPoint presentation [see *handout*] about various approaches to improving water quality. The presentation covered current threats and issues (e.g., temperatures, bacteria, sediment, nutrients) amid the Deschutes River Watershed. The presentation also provided an overview of projected future conditions amid the watershed.

Pettit asked where he could find a report identifying water quality violations amid the Deschutes. Waters provided Pettit a copy of the state Department of Ecology’s Total Maximum Daily Load (TMDL) report, which includes such information.

Returning to her presentation, Osterberg provided an overview of management tools Thurston County could use to improve water quality over the long term. Such tools include: changing zoning/density, protecting critical areas, altering development setbacks from shorelines, changing forest practices and development regulations, bolstering septic system monitoring, converting Rainier’s septic system to

sewer, bolstering stormwater mitigation practices, improving enforcement practices [*see presentation for full details*].

With regard to shoreline management, McCallum asked whether there are expectations about how landowners may use the buffer area (e.g., for animal grazing) in the current regulations. The answer is yes.

With regard to critical areas, Pettit asked whether state law takes precedence over the County Critical Areas Ordinance. Osterberg clarified that, currently, the CAO takes precedence. However, once the County updates its Shoreline Master Program, as required by state law, the SMP will take precedence; the CAO and SMP will largely sync up, Osterberg explained.

Schundler asked whether there is a land-cover analysis of critical area buffers. If not, he offered to create one. Osterberg explained that, by examining our data without conducting an on-the-ground survey, the project team cannot reliably do a GIS land-cover analysis of critical area buffer needs.

Osterberg added that converting to sewer is a major issue for Rainier. There is concern that the small city cannot grow as it desires without a sewer system – a very costly endeavor.

With regard to enforcement, Osterberg noted that the County could be better at enforcing rules already in place (as opposed to creating new rules). The County has just two enforcement officers, and enforcement is driven by complaints from residents. There's a backlog of investigations.

Guthrie asked whether the state Department of Ecology could help with enforcement, given the agency's regulatory authority over "waters of the state." Osterberg noted that the County does currently work with Ecology on enforcement.

Waters then gave a PowerPoint presentation with an overview of voluntary approaches the County could use to improve water quality amid the Deschutes [*see presentation for full details*]. Approaches include:

Fee Simple Purchase: This is a direct transfer of land title to a conservancy organization or municipality for long-term stewardship. The land owner is typically paid market value for the property.

Conservation Easement: A landowner gives up some development rights on a property but maintains ownership.

Purchase of Development Rights: A landowner is paid to voluntarily forego development rights but maintains ownership. The landowner may also continue to use the land for forestry, farming and other non-development activities.

Transfer of Development Rights: A landowner sells the right to develop his or her property and transfers the rights to a parcel in a "receiving zone." This helps to add density/development where it is desired and protect land where development is not desired.

Voluntary Stewardship Program: This is an incentive-based program under development in Thurston County. Landowners would receive payments for the ecosystem services (e.g., clean water, carbon sequestration) their property provides.

Other voluntary concepts addressed in the presentation included restoring degraded areas, as well as bolstering education and outreach activities around environmental protection.

Waters underscored that a lack of funding is a major barrier to expanding incentive-based tools for land conservation and restoration.

Schundler asked project staff for quantitative data about past funding for such approaches, as well as data indicating where such approaches were used and how successful they were. Such data have not been compiled but may be available.

Following the presentations, workgroup members took a brief break and returned to their designated tables for the small-group exercise. Their goal was to evaluate and prioritize the various approaches to improving water quality [see *handout for exercise instructions*]. The three small groups were given 80 minutes for the discussions, followed by 15 minutes to report out to the full workgroup. Below are flip-chart notes reflecting their discussions:

TABLE 1:

- Zoning Regulations:
 - Opposition by property owners to down-zoning.
 - Reduced # of wells/septic systems as a result of lower density.
 - Enhances water quality
 - Preserves rural character.
 - Benefits wildlife/environment.
 - Less incentive for farmlands to develop.
- Development Regulations: Tree Retention:
 - Contiguous tracts of trees...(potential).
 - Enhance wildlife corridors.
 - Preserve existing trees (larger/beneficial).
 - Water Quality Benefits?
 - Yes. Now and future (shade/riparian habitat).
 - Bank stabilization.
 - Ecosystem services.
 - Affected?
 - Downstream residents.
- Impervious Surface Limits:
 - Water quality benefits from
 - Decreased runoff.
 - Pollutants.
 - Sediment/debris.

- Room for improvement in regulations.
- Politically feasible – less opposition.
- Incentive or “combining” of impervious surface placement. (Built environment elements)
- Improved wildlife corridors.
- Better aesthetics → rural preservation
- Exempt Wells:
 - Politically charged → difficult to get support
 - State level changes → difficult to navigate
 - Enforcement → \$\$
 - Monitoring → \$ (water quality testing)
 - Difficult to assess impacts – how to get baseline?
 - Metering (\$ for county/local level program)
 - → How to quantify impacts?
 - → Capital costs = \$\$
- Septic Inspection Program:
 - Be strategic about where to implement program.
 - Target fecal coliform ~ (other pollutants?).
 - Water quality improvement.
 - Mandatory. Voluntary probably won't work.
- Water Treatment Infrastructure:
 - Cost = \$\$ very expensive.
 - Financial impact to property owners.
 - Overall benefit due to:
 - Treatment of wastewater.
 - Removal of septs.
 - Other impacts:
 - Could lead to growth – impacts rural character.
 - Upward growth has other environmental impacts.
- Stormwater Infrastructure:
 - Program already exists & this would be an enhancement.
 - What to do? How to improve?
 - Rank projects.
 - Target problem areas.
 - Look basin-wide (impacts to surrounding properties).
 - Watershed approach → holistic views of impacts
 - Natural solutions.
 - Wetland mitigation.
 - Responsibility lies with developers.
 - \$\$ towards maintenance of systems.
- Enforcement of Existing Regulations:

- High cost / high effort
- Negative aspect / confrontational enforcement posture.
- Partnerships with other enforcement natural resource agencies such as:
 - DNR
 - F&W
 - Ecology
 - Cons. District (softer)
 - Incentives: Are there incentives that would be more effective?
 - Probably not = \$\$
- Attitudes of Enforcement Officers.
- Conservation/Restoration
 - \$\$ Expensive...but cheaper now than later.
 - Either way you are spending money...
 - Public Opinion
 - Focus conservation \$ / Acquisitions along the river. Target benefit areas.
 - Multiple benefits.
 - Passive recreation.
 - Multiple benefits.
 - Future friction regarding agreement. Must be very clear about intent of conservator.
 - TDR → Get them out of critical areas.
 - \$\$
- Education and Outreach:
 - Applies to many (if not all) other programs.
 - Lot of bang for buck \$\$.
 - Leads to support of costly programs.
 - Benefits future generations.
 - Educate kids now → leads to support later.

TABLE 2:

- Zoning Regulations:
 - Everyone wants zoning; but needs to be realistic.
 - Not an effective means of solving water quality issues.
 - Residential flooding already an issue. Zoning could prevent future issues.
 - Look to the future to prevent overdevelopment.
 - Would like to see larger parcels.
 - The effects of impervious on salmon increase toward 10% effects can be higher on small tributaries.
 - How would a zoning change affect landowners?
 - Would be interested to see economic impacts on individuals.
 - Would like to see incentives for preservation of forestry in riparian zones.
- Development Regulations: Tree Retention:

- Hesitant to see additional regulation on the tree retention in buffers.
 - There are issues with enforcement of existing regulations.
 - Are there different regulations in buffers for residential versus farmland?
 - Need to retain trees – new residents cut down brush.
 - Would like to see limit to trees cut down in non-riparian areas too.
 - Already extensive rules on which trees can be cut down (riparian and non-riparian).
- Impervious Surface Limits:
 - 60% too high.
 - Can't imagine having that much – 8% still a huge area over a 5-acre parcel.
 - But some basins are over 50% (outside Deschutes).
 - More science available on effects of impervious surfaces.
 - Would like to see exploration in use of LID practices.
 - Redefine what are impervious surfaces – what are viable pervious surfaces?
- Exempt Wells:
 - Don't believe exempt wells are having an impact.
 - Exempt wells are the only thing that could cause an issue in the future.
 - Future homes should have new regulations on wells.
 - Hybrid approach – limit withdrawals under low-flow conditions.
 - Do not support regulations, but do support voluntary/education.
 - Need more information before writing regulations.
 - Should drill into secondary aquifer.
 - Adds about \$4-5,000 in cost.
 - Would be adding surface water to stream.
 - Are there potential environmental consequences of drilling into 2nd aquifer?
- Septic Inspection Program:
 - Would like to see current monitoring programs applied countywide, including voluntary rebates/incentives.
 - In flooded areas – inspections should be targeted.
 - Not enough to only inspect when property purchased.
 - County could help identify priority areas.
 - Reach out to property owners in sensitive areas in Deschutes.
 - County should do more to bring issue to property owners' attention (e.g. with appraisal).
 - Some people cannot afford inspections – cost a huge issue.
- Water Treatment Infrastructure:
 - Need to invest in stormwater retrofits/improvements in existing developed areas.
 - Can't expect new systems to function well if they don't work well now.
 - Some existing systems need to be fixed.
 - Would like to see jurisdictions retrofits in right-of-ways.
 - Concerned about shifting where water is discharged/treated.
 - Should be on-site.

- Need to focus on existing problems.
- Enforcement of Existing Regulations:
 - County needs to be consistent in applying and enforcing regulations.
 - County needs to apply regulations to their own projects.
 - Needs to be easy to report violations.
 - Community group to hear reports of violations who know the person/agency that needs to be notified.
 - Educate people on what regulations are.
 - Realtors provide booklet with relevant regulations to new owners (especially if in priority areas).
 - Appropriate fines.
- Conservation:
 - Support conservation futures – maintain.
 - Better use of conservation futures funding – strategic.
 - Expand incentives.
 - Need funding / economic viability.
 - Better understanding value of healthy ecosystem.
 - Additional incentives for landowners in restoration areas.
 - Funding for the County's referrals.
 - Support CREP program, ecosystem services.
 - Fee simple purchases an option for landowners.
 - Opportunities for school involvement?
 - Recognition of good work.
 - Conservation futures – alignment between ranking and approval.
 - Plan for landowners (best practices), not just for agriculture/farmland.
 - Funding an issue.
- Restoration:
 - Invest in restoration projects that work, are well-engineered.
 - Cost breakdown of restoration projects for landowners.
 - Tax breaks / deductible on income tax.
 - Provide list of restoration options.
 - Native plant sale (March 5) – more availability (big box).
 - Support existing initiatives, especially high-performing ones.
 - County provide match for restoration projects.
 - Increase county assessment for conservation.
- Education and Outreach:
 - Use utility bill, etc. to notify.
- Other:
 - Lots of programs can be overwhelming.
 - Conservation District tries to make connection with landowners.

- Don't think about water being an issue – misconceptions need to be overcome.
 - Better access to our resources.
- Rainier Wastewater:
 - Nervous about cost and amount of development.

TABLE 3:

- Zoning Regulations:
 - Increase zoning to 1-10 units per acres in more areas.
 - Increase from I-5 as approved forest areas.
 - I-5 should be minimum density.
 - 1-10 has less impact on habitat.
 - Reasonable use exception has created a lot of issues.
 - Size of property loss important than how landowner manages the property.
 - If a property is along a stream, a different zoning (e.g. less density) may be needed to protect water quality.
 - It's a delicate balance of loss density vs. uses that are harmful.
 - "Strategic deployment" of zoning that is property-specific.
- Development Regulations: Tree Retention:
 - All tree retention requirements are not necessary; **yes**, in critical areas; **no**, when taking down a "dangerous" tree.
 - There would be push-back against stricter tree-retention requirements.
 - Low "bang for the buck".
 - GENERAL: For enforcement there are better tools (GIS data). However, not all agree these tools are good and/or necessary.
 - Could incentivize tree planting, retention actions.
- Impervious Surface Limits:
 - Loss gain from changing these regulations compared with habitat preservation.
 - 65% allowed seems "too generous".
 - Loss "bang for the buck" for small residential properties when accounting for costs of stormwater mitigation.
 - So long as mitigating the stormwater impacts, what does it matter what is the impervious surface limit?
 - GENERAL: More clarity about the relationship between ownership & stormwater mitigation on private roads & on residential & other private properties.
- Exempt Wells:
 - This is not something we could hope to impact.
 - It's a "hornets' nest," a political issue.
 - Insufficient data.
 - This could be a more significant issue in the future.
- Septic Inspection Program:
 - This is a good solution; gets better water quality.

- It's also a costly program for local governments and residents.
 - More loans, incentives, and funding for county inspections and enforcement are needed.
 - Explore new public-private partnerships to deal with costs.
- Water Treatment Infrastructure:
 - This is a Rainier-specific issue, not an issue for this workgroup.
 - However, this (sewer system) would provide high benefits for water quality in the Deschutes.
 - Concerned about the growth a sewer would enable.
 - Would growth offset the water-quality benefits from a sewer system?
 - How would water treatment processes affect watershed?
- Stormwater Infrastructure
 - Need to explore this issue more to identify needs on site-specific basis. ("Strategic deployment" of stormwater facilities/retrofits)
 - Add incentive to stormwater fees to encourage revegetation along streambanks.
 - Good idea.
- Enforcement of Existing Regulations:
 - More enforcement capacity/capability is necessary but expensive.
 - Site inspections and other efforts to work with landowners
 - Overuse of reasonable use exemptions degrades water quality.
 - Better education and outreach needed too.
 - It's cheaper to have landowners keep themselves in check.
 - In summary: this subject includes monitoring and education.
- Conservation:
 - This only works on "extraordinary" properties with high ecological, social value.
 - High priority.
- Restoration:
 - High priority.
 - It's a "low-hanging" fruit.
 - Lots of existing programs could be utilized and expanded.
- Education and Outreach:
 - (see comments above)
 - Can show impacts with data – spatial analysis.
 - This is expensive
 - Some property owners would not favor.

A representative from each small group reported out the group's top three favored approaches to improving water quality:

Table 1:

- Zoning;
- Education & Outreach;

- Septic Inspections

Table 2:

- Education & Outreach (this really should be part of every approach)
- Development Regulations, including impervious surface limits and zoning
- Conservation and Restoration

Table 3:

- Septic Inspection Program
 - Restoration
 - Enforcement of Regulations
- *Education and Outreach should be a part of all three approaches

Each workgroup member was given three adhesive dots and the opportunity to place them on a poster board with each of the 11 approaches. Below is a list of each approach the number of individual dots (i.e., “votes”) it received.

- Zoning Regulations:
 - Four dots
- Development Regulations: Tree Retention:
 - Two dots
- Impervious Surface Limits:
 - Four dots
- Exempt Wells:
 - One dot
- Septic Inspection Program:
 - Seven dots
- Water Treatment Infrastructure:
 - Zero dots
- Enforcement of Existing Regulations:
 - Four dots
- Conservation:
 - Eight dots
- Restoration:
 - Eight dots
- Education and Outreach:
 - Seven dots

Project staff will use feedback from the small-group and individual exercises to draft initial scenario for the workgroup to consider at its third meeting, which will be in March 2016. Waters will send out an online poll to determine a date for that meeting. Generally, meeting for three hours on the last Friday of the month works, workgroup members noted.

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