

SUMMARY NOTES
SNOHOMISH SUSTAINABLE LANDS STRATEGY
EXECUTIVE COMMITTEE MEETING, PHASE 3.5 2016
Thursday August 4, 2016 1:00 – 3:00 (brown bag lunch noon - 1:00)
Waltz Building 116 Avenue B, Snohomish, Washington

PARTICIPANTS

Terry Williams, Tulalip Tribes, SLS Co-Chair (Fish)	Tristan Klesick, Stilly farmer, SLS Co-Chair (Ag)
Dave Remlinger, Lord Hill Farms, SLS EC Ag rep.	Kristin Kelly, Pilchuck Audubon, SLS EC Fish / Environmental rep
C.K. Eidem, Ducks Unlimited, SLS EC Fish rep	Zach Brown, SWM project engineer
Linda Neunzig, SnoCo Ag Coordinator	Brad Warren, Global Ocean Health
Tyler Verda, SnoCo Council staff (Councilmember Hans Dunshee)	Morgan Ruff, Tulalip, Snohomish Forum co-coordinator
Dan Evans, SLS co-facilitator	Mike Rustay, SWM Snohomish Basin Coordinator
Hillary Aten, PCC Farmland Trust	Bob Everett, WDFW NW Regional Director
Jordan Jobe, PCC Farmland Trust	Leif Fixen, American Farmland Trust
Jay Krienitz, WDFW, ESRP Manager	Ralph Svrjcek, Ecology
Kirk Lakey, WA Depart Fish & Wildlife	Cynthia Krass, Snoqualmie Valley Watershed Improvement Dist Ex Dir
Doon McCall, Northeast Australia	Heather Cole, TNC FbD regional coord.
Dan Calvert, Puget Sound Partnership Liaison	Janne Kaje, King County, Snoqualmie Forum Coordinator
Lindsay Desmul, WDFW	Joan Lee, King County DNRP / DLWRD dir., Snoqualmie Fish Farm Flood Init
Lauren Tracy, SWM grants coordinator	Fiona Rairigh, SnoCo intern (farm)
Colin Wahl, Tulalip, fish biologist	

PURPOSE: The primary purpose of this Snohomish Basin focused session of the SLS Executive Committee is to learn from Cynthia Krass about and discuss the Snoqualmie Valley Watershed Improvement District (SVWID), which is based on irrigation district authority (RCW 87.03) and provides unique opportunities to manage water for multiple benefit. ESRP leads will propose expansion of the Snohomish Story Map to individual farm-fish/tribal-flood/water management stories. Time is also allocated for F3 caucus and grant updates. Snohomish Forum, which meets just prior to the SLS meeting, and SLS participants are invited to participate in an informal brown bag lunch from noon to 1:00, where Theresa Mitchell will update Forum and SLS members on the Puget Sound Ecosystem Restoration Project (PSNERP) Final Feasibility Study and EIS.

1. BROWN BAG LUNCH (Noon-1:00) – PSNERP UPDATE

- a. The Snohomish Forum meeting ran overtime, cutting down to 15 minutes the brown bag lunch presentation by US Army Corps of Engineers' Theresa Mitchell's update of the Puget Sound Nearshore Restoration

Project (PSNERP) Final Feasibility Study and EIS. Theresa's summary of the status of the PSNERP program included the following points:

- i. Initial Puget Sound PSNERP projects include the following areas:
 1. Duckabush
 2. Nooksack
 3. North Fork Skagit
 4. Note: an earlier PSNERP proposal to include Marshland Flood Control District was removed from the project list
- ii. Large projects, such as Marshland, come under the Corps' Construction, General authority and require Congressional approval following Reconnaissance and Feasibility Studies, and a Final EIS approved by the Chief of Engineers.
- iii. Smaller projects, such as Spencer Island, come under the Corps' Continuing Authorities and do not require Congressional approval.
- iv. Next Steps: Noting that Marshland was removed from the PSNERP project list, there was interest in whether Spencer Island and potentially other projects could be eventually included in the Corps' PSNERP project list. Theresa said that they could, especially if they came with a well developed design / plan and were vetted by a broad-based stakeholder group like the SLS. Other authorities, such as PSAR, PSAW (which is not currently budgetable), and other Federal and State authorities, such as Floodplains by Design, could also be viable sources of funding for SLS supported projects.

2. WELCOME, INTRODUCTION (1:00-1:10)

- a. **Review purpose, agenda:** Following brief farm and fish caucus updates, the primary presentation is an overview of the Snoqualmie Valley WID and water bank, followed by a proposal for a second level of detail for the Snohomish Story Map that includes a focus on farm, fish, flood, and tribal communities, as well as an update on funding applications.
- b. **Introductions:** In addition to self introductions of participants, special introductions we made for presenters: **Cynthia Krass** of the Snoqualmie Valley Watershed Improvement District and Snoqualmie Valley Preservation Alliance; **Jay Krienitz and Lindsay Desmul** (WDFW's ESRP), and **Brad Warren** (Global Ocean Health).

3. FISH, FARM, FLOOD CAUCUS UPDATES (1:10-1:25)

- a. **SLS Ag / Flood & Water Mgt Caucus updates:** SLS Ag Co-Chair Tristan Klesick provided an update on efforts, focused on the Lower Stillaguamish Basin, on the Resource Land Protection Initiative that will use a broad and flexible easement to prevent development of priority farmland, habitat, and open space ("Resource Lands"). PCC Farmland Trust has launched an initiative in Snohomish County to prioritize farmland protection that will help guide application of the purchase of development

rights (PDR). Tristan emphasized the importance of protecting large, unfragmented blocks of high-value farmland for long-term protection. In addition, participants discussed the value of linking fish and farm interests in general protection of key resource lands and providing flexibility within parcels and over time to change resource land uses – for habitat, farmland, or a combination – as conditions and needs change.

Tristan also updated SLS participants on the upcoming Farm-to-Table dinner hosted by the SLS Ag Caucus and Snohomish County Farm Bureau, whose members appear to be increasingly interested in a collaborative conservation approach rather than opposition to fish and environmental interests. The dinner will include farm-fish-flood interests, including tribal leaders and federal, state, and local officials and is scheduled for August 16th at Swan Trails Farms.

SnoCo Ag Liaison, Linda Neunzig, also noted it has generally been a good year for agriculture in the County, with the exception of hay, which has lacked good drying weather until recently. She also reminded the SLS of the Snohomish County Fair at the Evergreen State Fair Grounds with lots of agricultural participation starting August 26th. In addition, participants were requested to put November 3rd Focus on Farming on their calendars, which will include two SLS classes. Linda also said she has growers looking for 50 to 125 acres of farmland for produce production.

Hillary Aten and Jordan Jobe of PCC Farmland Trust gave a brief report on the Snohomish farmland (and Resource Lands) protection prioritization initiative, including next steps with SLS participants and identification of protection criteria, GIS platforms and coordination, and SLS policy-level input into the prioritization process.

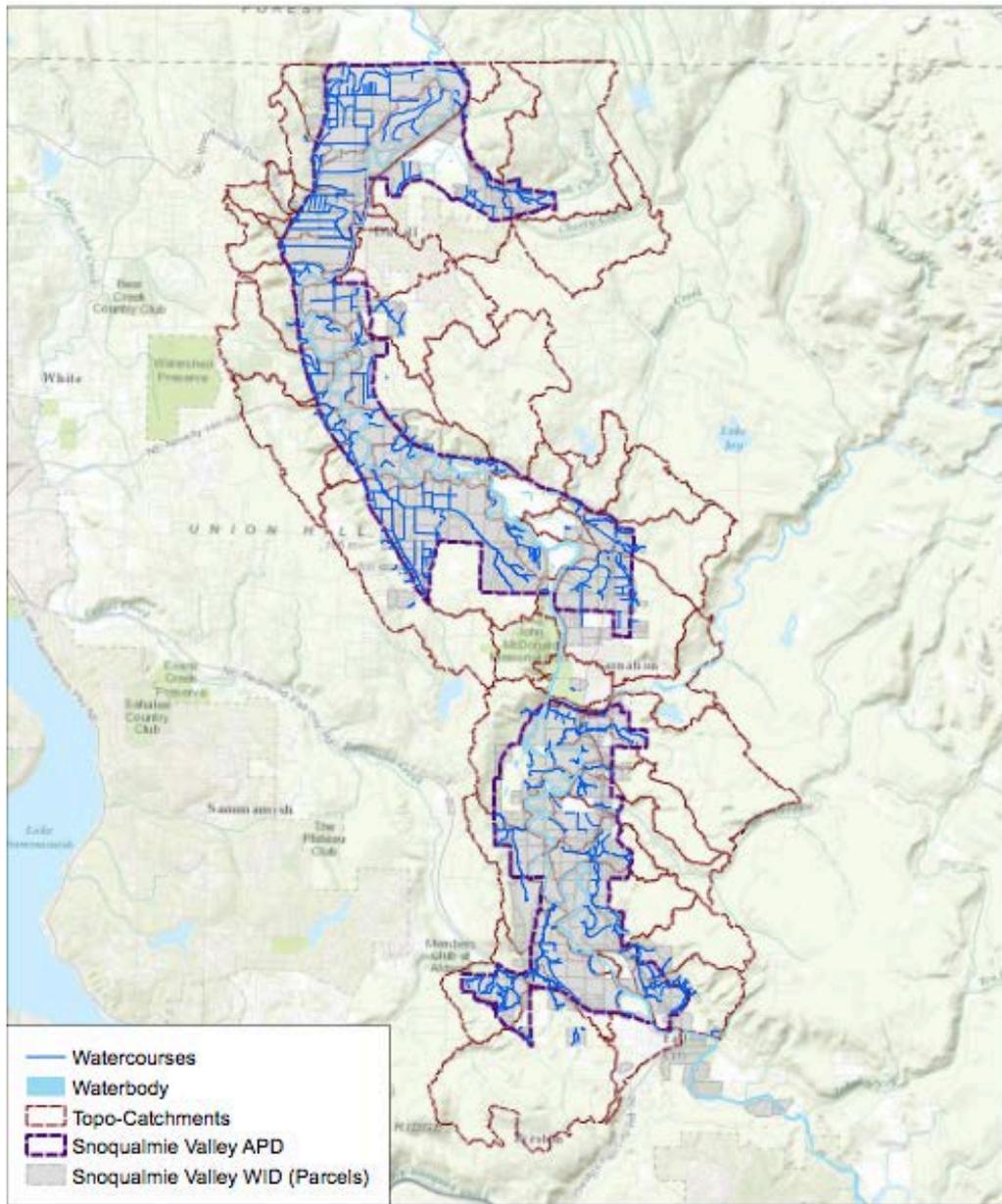
- b. **SLS Fish / Tribal Caucus updates:** Fish Caucus Chair, Terry Williams (SLS co-chair and Fish Caucus lead) provided several updates:
 - i. Meeting with Council on Environmental Quality (CEQ) in DC and Terry and Ray Clark re:
 1. Merging EDT and EMDS environmental modeling systems to translate habitat values into regulatory standards
 2. Monitoring and evaluating plankton communities in Puget Sound, especially the role nitrogen plays in the shift from valuable diatoms – the base of the Puget Sound food web -- to less valuable dinoflagulates
 3. Coordination of salmon recovery, water quality, and coastal ecosystems between NOAA, EPA, and CZMA authorities, with the goal of harmonizing standards, regulations, and funding
 4. Resilience planning as sea-level rise, changing hydrology, increased air and water temperatures, acidification of Puget Sound and marine waters, and other effects of climate change ramp up
 5. Taking advantage of the Resilient Lands and Waters designation for Snohomish County to focus policy, funding, and technical support on promising, broadly supported solutions

- ii. Precision GIS: Brad Warren briefly summarized efforts to secure precise elevations as part of an integrated GIS system to improve monitoring and forecasting of sea-rise, flood and tidal surges, and saltwater intrusion, among other climate-related resilience measures.

4. SNOQUALMIE VALLEY WATERSHED IMPROVEMENT DIST (1:25-2:15)

- a. – Cynthia Krass, Executive Director of the Snoqualmie Valley Preservation Alliance and the Snoqualmie Valley Watershed District (SVWID) provided the overview of the SVWID initiative and its informal connection to the Snoqualmie farm-fish-flood effort discussed recently with the SLS Executive Committee by King County’s Joan Lee.
 - i. **Snoqualmie F3 initiative:** Over 600 farm parcels and 20% of King County ag land are within the Snoqualmie Valley Watershed Improvement District. Prior to the WID initiative, the Snoqualmie Valley Preservation Alliance had worked with farmers, King County Conservation District, and King County to protect with easements one-third of the ag land in the District, noting there is increasing demand for farmland in King County.
 - ii. **Water issues:** 70% of the ag land in the District has no water rights. In **Background and context** addition, there was no comprehensive, coordinated approach to drainage maintenance and flood protection. In addition, changing hydrology with a changing climate and snopack jeopardized instream flow and temperature, affecting fish productivity and viability. As periodic droughts and the need for irrigation water became more apparent, with summer low flows and high temperatures, and with the increasing frequency of floods events and challenges in maintaining drainage ditches, the need for the WID became clearer to farmers, restoration advocates, and communities in the Snoqualmie Valley.
- b. **Watershed Improvement District tool:** The WID concept has been around for many years and can be a valuable tool to provide authority, coordination, and flexibility for water management. There are now six WIDs in Washington State, including in Whatcom County’s Bertrand Creek area. Elements and characteristics of WIDs include:
 - i. Based on RCW 87.03 authority used to create irrigation districts
 - ii. WID adoption requires two-thirds vote of the “acres” in the area to approve the creation of the District
 - iii. WIDs offer the same robust authorities as irrigation districts to manage water, build and operate water management infrastructure, and for other water management related purposes – for water drainage, storage, instream flow protection, aquatic habitat and water quality improvements, hydroelectric systems, etc.
 - iv. Although a WID can assess fees on users, it is not a junior taxing district
- c. **Application in the Snoqualmie Valley:** The principal water management needs of the agricultural, fish, and community include:
 - i. Drainage on a system-wide basis
 - ii. Irrigation water

- iii. Instream flow and water temperature improvements
- iv. Coordinated flood hazard reduction
- v. Riparian habitat
- vi. Regulatory efficiency and certainty
- d. **SVWID development, operation:** The collaborative effort to save farmland through the Snoqualmie Valley Preservation Alliance and King County's Fish-Farm-Flood initiative, was instrumental in developing the support base for the SVWID. With support from the Alliance, KCCD, the County, and grant funding, the SVWID was adopted with 94% of the voting acres. See map of Snoqualmie Valley WID, below:



SOURCE: SVWID, 2016, King County, 2016, ESRI, 2012.

SVWID. 160238

Figure 1
Snoqualmie Valley Watershed Improvement District
King County, Washington



- e. **SVWID initiatives, operations, water bank:** In addition to water banking (with the availability of surplus water put in the State Water Trust by Weyerhaeuser) and the transfer and provision of water within the WID, the SVWID also has a drainage subcommittee. See explanation in SVWID overview in Appendix.

Banked water and water saved and not put to a consumptive use can be reallocated by the WID. All transfers are still subject to review and approval by Ecology, but it is a streamlined process for seasonal transfers that can be expedited in time Drought Emergency to five days. Other water supply tools include exempt wells (5000 gallons per day) and a controversial unlimited stock watering authority. After meeting instream flow requirements and the needs of WID members, surplus water could be leased to downstream users – including to lower Snoqualmie, Skykomish, and Snohomish River farmers and others.

- f. **Lessons:** Collaboration and a willingness to work together for multi-benefit is critical to the formation and successful operation of a WID, according to Krass. Also, the WID model, and other water management tools are now tested and ready for application in other areas, or in coordination with downstream Districts and water users.
- g. **Potential applications in Snohomish County:** Especially with changing hydrology, subsidence of farmed organic / peaty soils behind dikes, and a rising regulatory tide, the WID can provide an array of water management tools and authorities that can be very useful for farmers, districts, fish and water quality advocates, and communities. The Board of Joint Control authority in RCW 87.80 also offer a simple way to “piggy back” on an existing WID or irrigation district authorities through a joint operating agreement.

5. SNO STORY MAP EXPANSION: INDIVIDUAL F3 STORIES (2:15-2:40)

- a. **ESRP support for Sno Story Map Update:** Jay Krienitz and Lindsay Desmul of the Washington Department of Fish and Wildlife’s (WDFW) ESRP program outlined a proposal to expand the current fish-farm-flood Snohomish Story Map project to include focused and detailed Story Maps within Snohomish County on separate parts of the F3 community. The ESRP team are helping to provide the following support:
 - i. Communications
 - ii. Strategy
 - iii. Science
 - iv. Capital project funding
 - v. Capital investment services
 - vi. Data and GIS
 - vii. Resource management tools
- b. **Proposed expansion of Story Map:** The proposed expansion would include individual farm-fish-water stories for the following groups:
 - i. **Agriculture:** farming and the food security story, farming with fish

- ii. **Fish science and restoration:** summarize the needs of salmon and other aquatic species, including the four Hs: habitat, harvest, hatcheries, and hydroelectric dams.
- iii. **Flood control, drainage, and other water management:** how to adapt increasing flood frequency, regulatory requirements, and water supply needs.
- iv. **New focus:** will be on short, hard-hitting stories that capture the needs and solutions for each of the highlighted communities of interest. The individual stories will be portals to additional information on the subject with links for the viewer to dig deeper.
- c. **Discussion of proposal:** The SLS Executive Committee was supportive of the expansion of the Snohomish Story Map and had the following additional input and focus:
 - i. Climate change impacts and resilience strategies
 - ii. Population growth and development patterns
 - iii. How to preserve farmland, habitat, and the lands and waters that make our area productive and a great place to live and work (i.e., Resource Lands Protection Initiative)
 - iv. Cities and the development and needs of urban areas
 - v. The area as seen from the perspective of a fish or crop

6. GRANT APPLICATIONS AND UPDATES (2:40-2:55)

SnoCo Funding Coordinator Lauren Tracy and SWM project manager and engineer Zach Brown, SLS Executive Committee member C.K. Eidem, and other participants updated the group on several grant applications and awards:

- a. **NOAA Community Based Conservation grant approval:** NOAA approved a CBC grant for the Snohomish area that will help to provide funding for project development and stakeholder collaboration; discussions are underway re allocation of the grant for specific purposes.
- b. **Resiliency application update:** SnoCo, SCD, Tulalip, and TNC all participated in the development of a grant application for several multi-benefit / SLS related efforts, including the Confluence (Sky / Snoqualmie / Snohomish Rivers) project, Lower Skykomish River improvements, and stakeholder engagement. A letter of commitment from the Confluence landowner was included in the packet summarized by Lauren Tracy, as well as letters of support.
- c. **ESRP Learning Grant:** Jay Krienitz (ESRP manager) summarized status of the ESRP learning grant, for which SnoCo, SCD, Tulalip and others have applied for to support reach scale planning and management and other multi-benefit purposes.
- d. **NAWCA Grant:** C.K. Eidem updated the group on a Ducks Unlimited NAWCA (North American Wetland Conservation Act) grant application for the Lower Skykomish area and Smith Island. The grant decision is due at the end of October. The NAWCA grant program is based on public-private (DU) cost sharing and has been successful in protecting and creating aquatic habitat for ducks and other species.

7. WRAP UP AND NEXT STEPS (2:55-3:00)

APPENDIX



Snoqualmie Valley Preservation Alliance is a 501(c)(3) nonprofit organization committed to protecting the rural character and the viability of farms, residents, and businesses of the Snoqualmie River Valley.

SVPA.US

Watershed Improvement District Proposal: A locally-controlled, system-wide solution to managing water needs in the Lower Snoqualmie Valley

Background

Farmers, residents, and rural businesses in the lower Snoqualmie Valley know that there is always either too much or too little water for efficient agricultural production. Peak winter and early spring flows leave standing water until well into the spring, thus delaying the ability to get land into production. July and August bring very little rainfall, leaving market crops and fields without the water they need to thrive. A locally controlled Watershed Improvement District (WID) is proposed to address agricultural water needs, specifically to:

1. secure existing/historical agricultural water rights Valley-wide,
2. address agricultural drainage on a system-wide basis, and
3. obtain new sources of water for agricultural use.

What is a Watershed Improvement District?

A watershed improvement district is a type of special purpose district, governed by landowners. It is unit of government apart from any particular city or county, with its own governance, staff and assessment authority, as granted by RCW Chapter 87.03. School districts, water and sewer, and hospital districts are common examples. While legally organized as an "irrigation" district, WIDs have statutory authority to work on a variety of issues – including water supply, water quality, drainage, and habitat restoration. The Snoqualmie Valley WID would be able to work on issues of greatest priority to landowners in the valley.

The boundaries of the proposed district include the agricultural production district and much of the 100-year floodplain from the lower Snoqualmie Falls to the King-Snohomish County line.

Why form a Watershed Improvement District?

The District would be an entity empowered to work on issues of highest priority to landowners, and be an effective way to accomplish the following:

1. **Increase access to irrigation water:** the goal of the district is to secure access to 1,000 new acre/feet of water during the first five years. This will come from new, mitigated water rights and voluntary market-based transfer of existing water rights.
2. **Address drainage on a system-wide basis rather than parcel-by-parcel:** facilitate organization of adjacent landowners to solve drainage problems systemically. Streamline permitting and mitigation.

3. **Secure existing water rights:** provide a reliable, efficient, low-risk mechanism for landowners interested in validating their existing water rights, and to secure such rights for the future.
4. **Create an entity that is eligible to receive funding:** as a unit of government, the district would be eligible to enter into inter-local agreements and be eligible to receive local, state and federal funding for infrastructure and legal and technical assistance not otherwise available to individual private property owners. Potential funding sources include Washington State Department of Ecology, King Conservation District, King County Flood Control District, United States Department of Agriculture.
5. **Potentially augment instream flows while still meeting agricultural needs:** with a consolidated, basin-wide approach, the district could possibly assist in achieving water quality and habitat goals such as moving diversions from more sensitive tributaries to the mainstem, or from shallow wells to deep water wells to reduce impacts on aquatic resources.
6. **Explore integrated solutions to water problems:** infrastructure to store water at high flows and augment low flows for the benefit of all water users is a promising long term approach to water problems in the valley, but virtually impossible for an individual landowner. The district would have the authority to raise funds and support for environmentally responsible flood storage.
7. **A unified voice to advocate for Valley interests in the future:** water supply problems and drainage issues are likely to get worse, not better, in the future. A district can provide a unified voice for valley landowners and farmers in water policy discussions now and in the future.

See attached for details and Frequently Asked Questions

WATERSHED IMPROVEMENT DISTRICT (WID) FREQUENTLY ASKED QUESTIONS

- 1. How can a WID help me obtain new water rights?**
The goal of the district is to making 1,000 acre feet of additional water available in the next five years for irrigation in the Snoqualmie Valley through banking, water right transfers and mitigation. The WID will identify viable sources of new water rights for use within the district, and farmers would be able to acquire an incremental share, sized to meet individual needs.
- 2. How can a WID help with drainage?**
The WID can address drainage in a sub-basin to ensure projects benefit all affected parcels, thus increasing efficiency and return on investment. The WID can streamline permitting and help with mitigation. The WID can also help secure funding for drainage projects from other agencies.
- 3. How can a WID help secure my existing water rights?**
The WID can assist with protecting against relinquishment by providing low-risk opportunities to bank existing water rights and/or put them to beneficial use through voluntary temporary transfers.
- 4. Can the WID do anything about flooding?**
The WID would have statutory authority to address flooding if the project is for the purpose of creating water supply. The WID would have the statutory authority to capture water during peak flows for later release.
- 5. How is a new district formed and governed?**
Under state law, landowners determine the geographic boundaries of the district. If at least 50 landowners or the owners representing 50% of the land within the proposed district sign the petition to form the WID, then King County conducts a special election. The WID is approved if it receives two thirds of votes cast. The election on whether to create the WID also includes an election of the initial Board of Directors for the WID, which can be three, five, or seven members. Each landowner receives two votes for every five acres of assessable land within the proposed WID.
- 6. Who signs the petition and votes on creating a district and for the Board of Directors?**
The WID would generally only apply to agricultural parcels of a certain size, in this case, two acres or more. Owners of smaller parcels or those not capable of agricultural use are not included in the WID and would not vote. The petition to create a WID can be signed by any eligible landowner, regardless of that person's citizenship. In the election to create the WID, eligible voters are those landowners who are U.S. citizens and residents of the state. After a WID is formed, the WID Board

has the authority to add new land to the WID if those landowners want to be included, and can also exclude lands from the WID.

7. Why organize under the state's irrigation district law, rather than a different structure?

The irrigation district statute offers agricultural landowners control over whether a district should be created, how it is funded, and which issues it chooses to take on. Only landowners are included within the district and have authority to vote on the question of whether a WID should be created, and for the Board of Directors. In addition, WIDs have authority to address many different issues affecting agriculture, unlike other types of entities which only have authority over a single issue such as drainage, but lack authority to address other issues. While created independently from counties, cities, and other governmental entities, WIDs have a close working relationship with other forms of local government.

8. How would the district be funded?

Districts have a variety of funding options, which all share the requirement that a landowner can only be assessed an amount equal to his or her benefit received. Unlike general purpose governments or some other types of districts that have taxing authority, these districts only have assessment authority for actions that benefit agricultural landowners. Typically, a district will establish a general assessment level that is applied on a per acreage basis. Districts can also create special assessments for projects that apply to only a specific area of the district, and such a special assessment must be voted on by those landowners. In addition, these districts are eligible to receive grants from state and federal governments and from other sources.

9. If the WID is created, what will the initial assessment costs be to landowners?

Once the district is formed, RCW Chapter 87.03 states that the rate per acre is set by the district commissioners, who are elected by landowners. A rate of four dollars per acre has been proposed. This is expected to cover primarily administrative, technical, and operational costs; specific projects cost are expected to be funded through landowner cost-share and inter-local agreements from agencies such as the King County, Flood Control District, the Conservation District or Department of Ecology.

10. What are the key issues for the WID to work on?

Landowner-elected commissioners will set the WID's priorities and the work program, and the district may work on any projects as described in RCW Chapter 87.03, including water supply, water quality, drainage, and habitat restoration. The SVPA has begun to work with King Conservation District on a needs assessment for drainage; these results will be helpful to the WID once formed.

11. What is the timeline for creating the Snoqualmie Valley WID?

The landowner working group (see below) is in the process of developing the petition for landowner review by March 31. If there is enough landowner support, an election could be held as early as July, 2015. The WID could be in place before the 2016 growing season.

12. Are there any other Watershed Improvement Districts in Western Washington?

Six WIDs have been formed in Western Washington in recent years: two in the Bertrand Creek and North Lynden Watersheds in 2003 and 2007 respectively. These were so successful, that landowners formed four more such districts in Whatcom County in November 2014.

13. What is the SVPA's involvement in the WID formation?

Any group that meets the requirements described in RCW 87.03.020 can propose the formation of a district. The SVPA has taken the lead at the request of valley landowners, and because it is consistent with its mission to address matters that affect viability of farmers, residents and rural businesses in the Snoqualmie Valley.

The Washington State Department of Agriculture has provided funding to SVPA through the Specialty Crop Block Grant to identify water supply strategies, a required component of the WID formation. The SVPA, through other grants and the generosity of its donors, will cover the balance of the cost of forming the district.

14. Who are the individuals supporting this effort and how do I learn more?

SVPA has assembled a landowner working group and staff support for the project, including the following members:

- Michaele Blakely, Growing Things Farm, Carnation
- Jim Haack, KT Cattle Company, Duvall
- Erick Haakenson, Jubilee Farm, Carnation
- Gary Remlinger, Remlinger Farms, Carnation
- Jason Roetecisoender, Green Acres Farm, Duvall
- Andrew Stout, Full Circle Farm, Carnation
- Luke Woodward, Oxbow Farm, Duvall
- Cynthia Krass, Staff/Executive Director, Snoqualmie Valley Preservation Alliance
- Bill Clarke, Consultant/Attorney at Law, Clarke Law, Olympia

For more information, or to be included in the working group, please contact Cynthia Krass, Executive Director, SVPA, cynthia@svpa.us, 425-922-5725 or visit www.svpa.us.