

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

**COUNTY COURTHOUSE**

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**WHATCOM COUNTY COUNCIL**

**SPECIAL NOTICE  
FOR JANUARY 8, 2019**

(Distributed at 3:30 p.m. on January 4, 2019)

**SPECIAL COMMITTEE OF THE WHOLE**

**1:00 p.m. Tuesday, January 8, 2019**

**Council Chambers, 311 Grand Avenue, Bellingham**

**Committee Discussion**

1. Update on Engrossed Substitute Senate Bill (ESSB) 6091 in WRIA 1 (AB2018-290A)

**Other Business**

**WHATCOM COUNTY COUNCIL AGENDA BILL**

AB 2018-290A

<b>CLEARANCES</b>	<b>Initial</b>	<b>Date</b>	<b>Date Received in Council Office</b>	<b>Agenda Date</b>	<b>Assigned to:</b>
Originator:	GSS	1/4/19		1/8/19	SCOTW
Division Head:	GSS	1/4/19			
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

**TITLE OF DOCUMENT:**

*Briefing of Council on status of ESSB 6091 Process*

**ATTACHMENTS:**

*December 12, 2018 Draft Planning Unit meeting summary*

*December 19, 2018 Draft WRIA 1 Management Team meeting summary*

SEPA review required?      (    ) Yes      (  ) NO

SEPA review completed?      (    ) Yes      (    ) NO

Should Clerk schedule a hearing?      (    ) Yes      (  ) NO

Requested Date:

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Staff will brief council on the status of the ESSB 6091 process in WRIA 1.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

**Please Note:** *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).*

1 **WRIA 1 Planning Unit Meeting**

2 **December 12, 2018**

3 **Meeting Summary**

4 This summary captures key decisions and next steps from the December 12, 2018 meeting.  
5 Digital recordings of the Planning Unit meetings can be found at the Planning Unit website at  
6 [www.wria1project.whatcomcounty.org](http://www.wria1project.whatcomcounty.org).  
7

8 **Caucus Attendees:**

- 9 **Agriculture** – Henry Bierlink
- 10 **City of Bellingham** –Inactive
- 11 **Diking/Drainage** – Loren VanderYacht
- 12 **Environmental** – Ander Russell
- 13 **Federal Government** – Not Represented
- 14 **Fishers** –Alan Chapman
- 15 **Forestry** – Dick Whitmore
- 16 **Land Development** – Perry Eskridge
- 17 **Non-Government Water Systems** – John Mercer/Skip Richards\*\*
- 18 **Port of Bellingham** – Kurt Baumgarten
- 19 **Private Well Owners** – Paul Isaacson/Molly Crocker\*\*
- 20 **Public Utility District # 1 of Whatcom County** – Steve Jilk
- 21 **Small Cities** – Mike Martin
- 22 **State Governments** – Kasey Cykler
- 23 **Water Districts** – Dan Eisses
- 24 **Whatcom County** – Gary Stoyka

25 *\*\*Alternate caucus representative stands-in for the primary caucus representative during*  
26 *agenda topic discussions when designated by the primary.*

27 **Others Present (based on sign-in sheets)**

- |                   |                       |                   |
|-------------------|-----------------------|-------------------|
| 28 Max Perry      | Richard Banel         | Mark Sandal       |
| 29 Cliff Langley  | Carole Perry          | Chet Dow          |
| 30 Kathy Sabel    | Tyler Schroeder       | Oliver Grah       |
| 31 Mark Personius | Ellen Baker           | Dave Onkels       |
| 32 Jay Markarian  | Rebecca Schlotterback | Rick Maricle      |
| 33 Mike Murphy    | Cliff Strong          | Heather Good      |
| 34 Tom Fillion    | Dave Olson            | Karlee Deatherage |
| 35 Rebecca Cayen  | J. Fowler             |                   |

36  
37  
38 Kurt Baumgarten called the meeting to order at 2:00 pm.

39 **Planning Unit Motions That Passed<sup>1</sup>**

40 **Motion** (Motion #1) by Skip Richards and seconded by Molly Crocker to approve the Agenda  
41 with the following changes: first agenda item is next steps for plan forward whether it is a Plan  
42 Update or wrapping up the process, delete the bullet under Agenda Item 4 to consider the  
43 outcomes of the straw poll since there was not enough of a response to make it meaningful,  
44 move up the review and discussion of Caucus comments and add new agenda items for  
45 contract for Geneva Consulting and next Planning Unit Agenda topics.

46 Vote:

- 47 • 14 in favor (Agriculture, Diking/Drainage, Environmental, Fishers, Forestry, Land  
48 Development, Non-Government Water Systems, Port of Bellingham, Private Well  
49 Owners, Public Utility District #1, Small Cities, State, Water Districts, Whatcom County)
- 50 • 0 abstain
- 51 • 0 opposed

52 Motion passes

53 **Motion** (Motion #2) by Perry Eskridge and seconded by Alan Chapman to approve the  
54 November 28 and December 5 meeting summaries as amended.

55 Vote:

- 56 • 14 in favor (Agriculture, Diking/Drainage, Environmental, Fishers, Forestry, Land  
57 Development, Non-Government Water Systems, Port of Bellingham, Private Well  
58 Owners, Public Utility District #1, Small Cities, State, Water Districts, Whatcom County)
- 59 • 0 abstain
- 60 • 0 opposed

61 Motion passes

62

63 **Motion** (Motion #4) by Dan Eisses and seconded by Paul Isaacson to continue working on the  
64 effort to come up with a plan, not to worry about the timeline, and do the following: 1. Prepare  
65 an index of what has been done, 2. Send a letter to Ecology to inform them the Plan Update is  
66 not done but is being worked on, and 3. Send a letter to the legislators expressing the same.

67 Vote:

- 68 • 11 in favor (Agriculture, Diking/Drainage, Environmental, Fishers, Forestry, Land  
69 Development, Non-Government Water Systems, Port of Bellingham, Private Well  
70 Owners, Public Utility District #1, Water Districts)
- 71 • 2 abstain (Small Cities, Whatcom County)
- 72 • 0 opposed
- 73 • 1 recusal (State)

74 Motion passes

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<sup>1</sup> Note that motions (passed and not passed) are numbered in the order they were presented during the meeting.

75

76 **Motion** (Motion #5) by John Mercer and seconded by Paul Isaacson to request Whatcom  
77 County fund the coordination support for the Planning Unit through January 2020, and  
78 encourage Geneva Consulting to consider it.

79 Vote:

- 80 • 13 in favor (Agriculture, Diking/Drainage, Environmental, Fishers, Forestry, Land  
81 Development, Non-Government Water Systems, Port of Bellingham, Private Well  
82 Owners, Public Utility District #1, Small Cities, State, Water Districts)
- 83 • 1 abstain (Whatcom County)
- 84 • 0 opposed

### 85 **Planning Unit Motions That Did Not Pass**

86 **Motion** (Motion #3) by Mike Martin and seconded by Steve Jilk to direct the WST to capture all  
87 work products created by the Planning Unit since the Planning Unit began its work on the Hirst  
88 requirements including all comments and dissenting opinions from all caucuses, and send it to  
89 the Watershed Management Board.

90 Vote:

- 91 • 6 in favor (Agriculture, Environmental, Fishers, Port of Bellingham, Public Utility District  
92 #1, Small Cities)
- 93 • 1 abstain (Whatcom County)
- 94 • 6 opposed (Diking/Drainage, Forestry, Land Development, Non-Government Water  
95 Systems, Private Well Owners, Water Districts)
- 96 • 1 recusal (State)

97 Motion fails

98

### 99 **Other Items Considered (or Announced) By Planning Unit**

- 100 • The agenda was approved (Motion #1) with modifications to the order of and elimination of  
101 one of the bulleted topics under Agenda Item #4. The bullet eliminated from discussion was  
102 the consideration of the NGWS straw poll outcomes related to the alternate Plan Update  
103 framework and structure since there was insufficient response from members to consider  
104 it.
- 105 • Comments from the NGWS Caucus were reviewed: 11/28/18 Draft, lines 86-87, add “No  
106 comments or corrections were offered.” and 12/5/18 Draft, lines 162-164, leave “Remove  
107 the Governance and Administrative section...” and delete “... and provide language about  
108 how the IGs and Planning Unit operate independently and that both IGs and Planning Unit  
109 are involved in deciding when to undertaken an amendment.” The Planning Unit approved  
110 the meeting summary with the changes noted (Motion #2).

- 111 • Planning Unit discussed next steps in terms of Plan Update to move forward. Small Cities  
112 Caucus requested clarification on the email that Whatcom County distributed regarding a  
113 recommendation from the Watershed Staff Team (WST) to the Planning Unit (PU) and  
114 Management Team, and subsequently, the WRIA 1 Watershed Management Board. Gary  
115 reviewed that the recommendation is to package the information completed to December  
116 5<sup>th</sup> with a 2-3 page narrative (description of the information) and forward it to Ecology.  
117 Other options available to the PU in addition to the recommendation from WST are to try to  
118 complete a Plan Update by January 10 or PU could prepare a different package than what is  
119 recommended by the WST. The differing perspectives on the policy issues and status of the  
120 discussions are a challenge to how the Plan Update would be completed by the deadline.  
121 Small Cities Caucus representative supported capturing all of the work that has been  
122 completed including incorporating information that captures the different perspectives on  
123 the policy issues.
- 124 The NGWS Caucus suggested that the Plan Update could be completed by addressing what  
125 is required for the Plan Update and setting aside other components where agreement has  
126 not been reached and addressing those issues in future updates. If there is Planning Unit  
127 support for the suggestion, then the next step is to look at the decision-making process for  
128 the Planning Unit and whether there are deal-breakers that would prevent passage of a  
129 Plan Update. The Plan Update approval by the Planning Unit requires consensus of the  
130 government caucuses and a majority of the non-government caucuses. If those two  
131 requirements in the decision-making process are met, a Plan Update could be approved by  
132 the Planning Unit. The Environmental Caucus added that if consensus is not reached, a  
133 second meeting is needed to conduct the vote, and if the suggestion of suspending the rules  
134 is pursued, there needs to be a unanimous vote of the Planning Unit to do that.
- 135 Another factor raised by the Environmental Caucus representative is that a Plan Update also  
136 needs to be approved by the Initiating Governments, and the Plan Update as being  
137 discussed by the Planning Unit may not have IG approval given differences in positions on  
138 the policy issues. The NGWS believes the Planning Unit should complete the Plan Update  
139 and the Initiating Governments could decide whether they support it.
- 140 The Private Well Owners Caucus feels that anything that is advanced should go forward by  
141 the Planning Unit and not by the WST. The Planning Unit should prepare any materials that  
142 are advanced so it represents their perspectives, positions, and work.
- 143 The Water District Caucus representative indicated that there are currently two draft Plan  
144 Updates and they do not feel that either version would receive approval of both the  
145 Planning Unit and the Initiating Governments. Also, the work completed is accessible to  
146 Ecology as it is so additional work to bundle the information with a report summarizing it is  
147 not necessary. The Water District Caucus comments on the draft Plan Update included an  
148 outline focusing on conservation with a voluntary metering component; this was an effort  
149 to find a solution that will get support from the IGs and PU. However, if there is not a way

150 to bridge the policy issue gap then Ecology has access to all of the work that's been  
151 completed.

152 The Private Well Owners Caucus representative asked if there are other issues aside from  
153 the policies that would prevent the Initiating Governments from approving a Plan Update.  
154 The County indicated that while there has not been discussion or direction by the County  
155 Council on the topic, County staff has concerns with the metrics used for the net ecological  
156 benefit (NEB) evaluation and, as written in the draft Plan Update, the conclusions drawn by  
157 the authors is that the Plan Update with the suite of projects for offsets does not meet NEB.  
158 Some IGs also identified spatial and temporal concerns with the suite of projects, which  
159 could be addressed with policy changes or other types of projects and in different  
160 geographic locations. This is information that is also contained within the ecological effects  
161 evaluation in Section 4 of the draft Plan Update. The Private Well Owners Caucus expressed  
162 their perspective that the IGs are bringing up concerns at the end of the process that the  
163 Planning Unit was not aware of until now, and the IGs are unwilling to negotiate on those  
164 issues. The County clarified that the NEB was just recently completed and the concerns  
165 therefore expressed. Further analysis could be done when there are new or different  
166 projects for offsets and in different locations. If there are policy issues agreed to, then  
167 those could also be incorporated into the analysis. Water District Caucus representative  
168 indicated that the temporal/spatial distribution concern was one reason their Caucus is  
169 suggesting the enhanced conservation approach as a way to address offsets on a broader  
170 geographic scale.

171 The Chair asked for the specific steps from the NGWS of how a Plan Update could be  
172 completed by the PU within the timeframe available. NGWS representative indicated:

- 173 • Rewrite Section 4.2 to remove the references to scenarios that are not identified for  
174 the consumptive use calculations agreed to for purposes of the Plan Update and  
175 state that actual impacts will be measured when the wells are actually installed.
- 176 • Make a list of issues that need to be resolved.
- 177 • Appoint an ad hoc committee to draft the plan to forward by December 17<sup>th</sup> to  
178 present to the Management Team at the December 19<sup>th</sup> meeting.

179 The Private Well Owners Caucus and Forestry Caucus have spent additional hours working  
180 with the NGWS Caucus to develop the alternate proposal. The Caucuses that have not been  
181 providing or participating in alternatives could participate in the drafting committee.

182 The Fishers Caucus restated the need to focus on the minimum requirements and remove  
183 the contentious issues that are not necessary to address the statutory requirements. The  
184 contentious issues can be addressed later in the context of a future update.

185 The State Caucus representative stated that if there is a Plan Update, there does need to be  
186 an ecological effects component that addresses the interim guidance for NEB that was  
187 released in June.

188 A motion was made and seconded (Motion #3) to direct the WST to capture all of the work  
189 products created by the Planning Unit since it began its work on the Plan Update including  
190 comments and dissenting opinions of the Caucuses, and forward it to Ecology. As part of  
191 the second to the motion, a friendly amendment was made that the work products would  
192 be forwarded to the WRIA 1 Watershed Management Board rather than Ecology. Points of  
193 discussion associated with the motion, which failed, included:

- 194 • NGWS favored completing a plan update and capturing the Planning Unit vote,  
195 which includes two of the IGs. All of the IGs have been invited to participate at the  
196 Planning Unit and have elected not to do so.
- 197 • Land Development does not support a compilation of the information and supports  
198 a plan update that will incorporate the available information, identify the  
199 information gaps and describe the process for filling those information gaps, and  
200 describe how the plan will be updated when the information is obtained.
- 201 • Private Well Owners support the Land Development position stated. It is also the  
202 position of the Caucus that anything going forward is from the Planning Unit  
203 because there are many members of their Caucus that has a distrust of government  
204 because of past actions that have affected individuals' property investments.
- 205 • The Chair asked for clarification on whether the WST recommendation to compile  
206 the information would move forward if the Planning Unit was able to complete a  
207 plan update as proposed by the NGWS Caucus. Gary replied that the WST  
208 recommendation is to both the PU and Management Team so would still go to the  
209 Management Team for the December 19<sup>th</sup> meeting and if there was a PU document  
210 it could also be forwarded for that meeting.
- 211 • The Forestry Caucus does not support bundling the information and the Planning  
212 Unit should have a plan update to show for its work. There has not been time to  
213 discuss all of the work items because of the impossible timeline.
- 214 • The NGWS and Water District Caucuses support continuing to work on the plan  
215 update by working through and incorporating the comments that have been made  
216 on the draft with the Water District Caucus suggesting that the work continue past  
217 the deadline recognizing it was not unreasonable.
- 218 • Ag Caucus favors the motion because it is consistent with the WST recommendation  
219 and the future should be working with Ecology as the Planning Unit and IGs.  
220 Ecology, the IGs, and the Planning Unit should continue working together on  
221 resolving the issues over the next several months.
- 222 • Environmental Caucus supports many of the statements that have been made by the  
223 other Caucuses but does not feel that packaging the information precludes the  
224 Planning Unit from continuing to work on the plan update.
- 225 • The PUD position is that if the motion carries a very simple cover letter to the WMB  
226 and Ecology should state that accomplished a lot of work and that believe if had



227 more time the Planning Unit and IGs would be able to find agreeable solutions to the  
228 contentious issues that had been identified.

229 A follow-up motion (Motion #4) was made to continue working on the plan update, prepare  
230 an index of work completed, and send letters to Ecology and the local Legislators indicating  
231 that the Planning Unit is continuing to work on the Plan Update. Planning Unit Caucuses  
232 expressed the need to continue working on the Plan Update recognizing that the timelines  
233 imposed were unrealistic.

- 234 • Planning Unit discussed the contract for Geneva Consulting, and requested the County fund  
235 the coordination position to support the Planning Unit through 2020 (Motion #5). A friendly  
236 amendment to the motion was to encourage Geneva Consulting to consider continued  
237 support. Current support contract runs through January 31, 2019.
- 238 • Agenda items for the January 10<sup>th</sup> meeting includes using the index and compilation of  
239 comments to see where there is agreement and what needs to happen where there is not  
240 agreement, start discussion of updating the 2005 Watershed Management Plan, and revisit  
241 the PPA.

#### 242 **Actions and Follow Up**

- 243 • There were four motions passed by the Planning Unit, and one motion that did not pass.
- 244 • Agenda items for the January 10<sup>th</sup> meeting includes use the index and compilation to see  
245 where there is agreement and what needs to happen where there is not agreement, start  
246 discussion of updating the 2005 Watershed Management Plan, and revisit the PPA.

#### 247 **Public Comment**

- 248 • Kathy Sabel requested clarification on whether the Watershed Staff Team recommendation  
249 to the Management Team. The County's response is yes.
- 250 • Jay Markarian commented on the ability to complete the Plan Update and that adaptive  
251 management is a flexible component of the plan and can be where issues that cannot be  
252 immediately resolved are addressed as information is gained.
- 253 • Ellen Baker commented that a completed plan should be task specific, and deferring  
254 everything to adaptive management results in a plan to plan.
- 255 • Cliff Langley expressed a lack of trust in government and for the Planning Unit to consider  
256 the preservation of individual rights as they move forward.
- 257 • Carole Perry expressed appreciation to the Planning Unit Chair for allowing each of the  
258 Planning Unit members to express and discuss their opinions.

259 Meeting adjourned 4:05 pm.

**WRIA 1 PROGRAM COORDINATION  
MANAGEMENT TEAM  
MEETING SUMMARY  
December 19, 2018**

Date: December 19, 2018

Time: 10:00am – 12:00pm

Place: Garden Room, Civic Center Building, 322 N. Commercial, Bellingham

1.	Call to Order
2.	Approve Meeting Summary
3.	Public Comment
4.	Recommended Priority 2018 Near Term Actions for Funding
5.	WRIA 1 Watershed Management Board Work Plan
6.	ESSB 6091 Watershed Plan Update Discussion
7.	Other Business
Adjourn	

**MEETING ATTENDANCE (BASED ON SIGN-IN SHEETS)**

**Management Team**

Mark Personius – Whatcom County  
Merle Jefferson – Lummi Nation  
Greg Young – Small Cities  
Joel Ingram (designated) – WDFW

Steve Jilk – PUD No. 1  
Renee La Croix – City of Bellingham  
Clare Fogelsong – City of Bellingham  
Gary MacWilliams – Nooksack Tribe

**Staff Team Members**

Rebecca Schlotterback – PUD No. 1  
Andy Ross – Lummi Nation Natural Resources

John Thompson – WCPW Natural Resources  
Oliver Grah – Nooksack Tribe Natural Resources

**Other Attendees**

Leroy Deardorff – Lummi Nation  
Tyler Schroeder – Whatcom County  
Leah Kintner – Puget Sound Partnership  
Karlee Deatherage – ReSources  
Alan Chapman – Citizen  
Loren VanderYacht – Diking & Drainage Districts  
Carole Perry – Citizen  
Dave Bock – Citizen  
Dave Onkels – Land Development Caucus

Frank Lawrence – Lummi Nation Natural Resources  
Mike Martin – Small Cities Representative/Lynden  
Henry Bierlink – Ag Water Board  
Shannon Moore – Fishers Caucus  
Kathy Sabel – Citizen  
Max Perry – Citizen  
Terry Unger – Citizen  
Jason Hatch – WA Water Trust  
Terry Montonye - Citizen

**DOCUMENTS DISTRIBUTED WITH AGENDA**

- December 19, 2018 Meeting Agenda
- October 24, 2018 Meeting Summary Draft
- Brief Sheet #6 2018 Restoration Act Watershed Plan Update w-attachments

**Note: Management Team members' comments and decisions reflect the views of attending members only.**

1. Call to Order

Mark called the meeting to order at 10:05. There were no additions to the agenda.

**WRIA 1 PROGRAM COORDINATION  
MANAGEMENT TEAM  
MEETING SUMMARY  
December 19, 2018**

2. Approval of Meeting Summaries

**The October 24, 2018 meeting summary was approved as presented.**

3. Public Comment Period

Kathy Sabel commented on moving forward with the Plan Update and need for negotiating with the Planning Unit on the different issues for purposes of having a local Plan Update that can be approved by both Planning Unit and Initiating Governments.

Carole Perry commented on the Land Development Caucus comments that had been submitted relative to the draft Plan Update, and the role of the WRIA 1 Watershed Management Board.

Dave Onkels\* commented on the Planning Unit authority for the Plan Update and structure that provides a seat for each of the Initiating Governments to participate.

4. Puget Sound Partnership Update on Regional Topics

Leah Kintner provided a report on the following regional topics:

- The Puget Sound Partnership Leadership Council approved the 2018-2022 Action Agenda, which will now go to the Environmental Protection Agency for approval and consideration as the Comprehensive Conservation and Management Plan for Puget Sound.
- A Puget Sound Partnership workshop for the Puget Sound Lead Entities (LE) and Local Integrating Organizations (LIO) is scheduled for January 10<sup>th</sup>. The purpose of the workshop is to consider opportunities for LEs and LIOs to improve integration. Whatcom County currently has one of the most integrated structures for the LE and LIO programs.
- Review of the Governor's budget. Areas of note included the Puget Sound Acquisition and Restoration program, Floodplains by Design, and the Puget Sound Partnership budget with placeholders for plan updates and integration support for LEs and LIOs. Under the Governor's budget as drafted, the City of Bellingham's Large Capital PSAR project application for the Middle Fork and Whatcom County's Floodplain by Design application for the integrated floodplain planning would both be funded. The next step is the legislative budget process.

Steve Jilk commented on the budget process and asked whether there is someone responsible for coordinating budget requests among and between the various state departments in order to increase efficiencies and leveraging of funds between programs. Leah will follow-up with information, if available.

5. Salmon Recovery

Becky Peterson reported that the 2018 Salmon Recovery Funding Board (SRFB) grants submitted by the WRIA 1 Watershed Management Board on August 1<sup>st</sup> for funding consideration were approved by the SRFB at the December SRFB meeting. In addition to the top three ranked projects, the first alternate on the submitted list was also funded. The reason the first alternate project was able to receive funding is because there were Puget Sound Acquisition and Restoration (PSAR) funds remaining from two WRIA 1 restoration projects completed under budget and a third project that had received funds from a different source. This enabled those remaining PSAR funds to be allocated to the current 2018 grant applications. This means the top four ranked 2018 SRFB applications will all receive funding.

6. Streamflow Restoration Act (ESSB 6091) Watershed Plan Update

Becky reviewed that she will provide the status of the Plan Update in Gary Stoyka's absence including Staff Team's recommendation for next steps and the outcomes of the December 12 Planning Unit meeting. Becky noted that an outcome she is requesting is direction from Management Team for purposes of preparing the January 3 and January

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\* Mr. Onkels noted that he was speaking as a citizen and not as the Land Development Caucus representative on the Planning Unit.

**WRIA 1 PROGRAM COORDINATION  
MANAGEMENT TEAM  
MEETING SUMMARY  
December 19, 2018**

10 Management Team and WRIA 1 Watershed Management Board meetings, respectively. As part of the status update, Becky reviewed:

- The schedule and timeline including dates for Watershed Staff Team to recommend approval and Planning Unit approval of a Plan Update, which was December 6 and December 12 respectively. Also on December 12, based on the schedule and timeline, SEPA review was to begin. The next steps in the schedule for the January 3 and January 10 Management Team and WRIA 1 Watershed Management Board meetings were related to Plan Update approvals. The current status, however, is different than anticipated when the schedule was prepared.
- At the December 6 Watershed Staff Team (WST) meeting, the WST prepared a recommendation for the Planning Unit and Management Team regarding next steps. The WST members agreed that there are major differences of opinions regarding policy issues, and that an agreeable solution is unlikely to be achieved in time for approval of a Plan Update and submittal to Ecology by January 16. The WST recommendation included compiling the following information and submitting to Ecology:
  - 2-3 page narrative (e.g., index, catalog)
  - October 2018 Schedule
  - Table with the WRIA 1 Watershed Management Board policy positions
  - Table with the Planning Unit Caucus positions
  - Table of additional work items
  - Attachments of work completed including technical memos, preliminary and 11/20 Draft Plan Updates, WST and Planning Unit comments, and alternative draft plan update.

The factors lacking agreement included policy issues related to offsets, fees, metering, and water use limitations, net ecological benefit, and substantive comments and how to reconcile the Draft Plan Update and the Alternate Plan Update prepared by three caucuses.

- At the December 12 Planning Unit meeting, the Planning Unit did not support the WST recommendation but had motioned to continue working on the Plan Update and notify Ecology and local legislators that they are still working on it. Additionally, the Planning Unit will prepare an index of work completed.

In terms of addressing the WST recommendation to the Management Team and need for direction in preparing the January meeting agendas, three options were identified:

1. Accept WST recommendation to compile package previously outlined and submit the package to Ecology.
2. Compile the package recommended by WST, and continue to develop a Plan Update under the process in place since February 2018.
3. Compile the package recommended by WST, update the WRIA 1 Watershed Management Board Work Plan to reflect the work that needs to be completed (i.e., flesh-out Strategy 6, WRIA 1 Watershed Management Plan Update).

Points of discussion included:

- With regard to the table of policy issues, it was noted that some of the Watershed Management Board entities staff indicated at the December 5<sup>th</sup> meeting that their entity may be interested in further refining their positions on the policies. A Management Team member noted that they had felt that there was interest among the Initiating Governments (IG) to continue the policy discussion in order for the IGs to reach agreement among the IGs on a position that may be closer to something the Planning Unit might support if the Planning Unit is also reconsidering their positions on the policy issues. It was noted that after the December 5<sup>th</sup> WRIA 1 Watershed Management Board meeting the Planning Unit had discussed whether there was interest in opening up the discussion of the policy issues. According to their process and procedural agreement, once a vote is taken the Planning Unit as a whole needs to unanimously agree to revisit the vote. Since there was not agreement to do so at that time, the Planning Unit position is that the policy package they approved November 28<sup>th</sup> will stand. **The**

**WRIA 1 PROGRAM COORDINATION  
MANAGEMENT TEAM  
MEETING SUMMARY  
December 19, 2018**

Management Team agreed that given the timing the table of policy positions as of December 5, 2018 will be included as an attachment in the package compiled for the January 3 Management Team meeting with the appropriate qualifying statement. Additionally, with regard to the Planning Unit Caucus positions, the Planning Unit's approved policy package and the original communication from Caucuses on their positions will also be included in the attachments. Further discussion of the IG policy positions included recognition that the compilation of information is for the January 3 Management Team meeting and subsequently the January 10 WRIA 1 Watershed Management Board at which an IG may wish to further refine or provide supplemental information related to their policy positions.

- The submittal of information to Ecology after January 10<sup>th</sup>, assuming there is a concurrence by the WRIA 1 Watershed Management Board that the task identified in the legislation could not be accomplished in the timeframe provided for by the Legislators, would be limited to a transmittal of the compilation. The WRIA 1 Watershed Management Board could also agree to a statement with the transmittal that the WRIA 1 Watershed Management Board will be continuing work on the issues, which could be incorporated into their work plan (previously referenced option 3).
- Since there is not a completed Plan Update for approval, there was discussion whether the County Council needs to hand off the compilation of information to Ecology or whether it is sufficient for the IGs at the WRIA 1 Watershed Management Board meeting on January 10<sup>th</sup> to recognize the work completed and transmit it since the County Council will likely have provided the County Executive with the County's position prior to the January 10<sup>th</sup> meeting.

Steve Jilk stated that the PUD needs to see a strong commitment by the WRIA 1 Watershed Management Board to incorporate the outstanding work into the WRIA 1 Watershed Management Board's work plan as outlined in Option 3 and as being discussed by the Management Team. The Planning Unit's motion for next steps include continuing work and the approach of integrating it into the work plan may be an option if the Planning Unit's continued involvement is reflected in the work plan. It was further noted that the work plan provides an opportunity to look at more comprehensive solutions.

**Motion made by Mark Personius for Becky to compile the packet of information as recommended by the WST for the Management Team's review at the January 3<sup>rd</sup> Management Team meeting. Becky recommended that based on the Management Team discussion, the policy table of positions should be an attachment noting it is current as of December 5<sup>th</sup> and recognizing additional discussion may occur. Additionally, the Planning Unit policy table referenced in the WST recommendation should take the form of the Planning Unit's policy package as voted on November 28<sup>th</sup> and include the caucus communications of policy positions. This information will also be noted as being current as of December 5<sup>th</sup>. The table of additional work to be completed should not be in the compilation package. There was consensus agreement by the Management Team on the recommendation for the package as outlined to be reviewed by the Management Team on January 3. The outcome of the January 3 Management Team meeting will be a recommendation for the WRIA 1 Watershed Management Board meeting on January 10 as a package of information that has been completed to date with the intent that it would be transmitted to Ecology.**

The Management Team further discussed whether to recommend to the WRIA 1 Watershed Management Board for January 10<sup>th</sup> meeting one of the three options discussed relative to moving forward. **Mark moved recommending Option 3 to compile the package, transmit to Ecology, and commit to updating and integrating the work remaining into the WRIA 1 Watershed Management Board's five year work plan. There was consensus agreement by the Management Team to recommend Option 3 as described by the motion.** As part of the January 3 Management Team meeting, this recommendation will be folded into the previous recommendation for the information packet for the WRIA 1 Watershed Management Board meeting.

Additional Public Comment: With time remaining, the Management Team provided a second opportunity for public comment.

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Alan Chapman suggested that the Management Team consider a joint meeting with the Planning Unit to discuss issues as a way to improve communication.

Carole Perry commented that her recollection of statements at the County Council Water Work Session when 6091 was initiated was that there would be joint meetings.

Kathy Sabel commented on the Planning Unit's next steps and that they indicated a letter immediately be sent to Ecology and the Legislators stating they are continuing to work on the plan update, and asked if the County is working on the letter. She also commented that something should be written up explaining the two options.

Alan Chapman suggested that the two letters be blended. Becky Peterson provided clarification that the WST recommendation and the consensus agreements by the Management Team does not include drafting of any letters. The narrative that is referenced in the WST recommendation and that is part of the compilation of information for the Management Team's review on January 3<sup>rd</sup> is only an index or catalog of the information completed; it is not a letter.

Henry Bierlink suggested Management Team consider on January 3 that if a letter is to be sent, that it communicates a similar message that is being sent from the Planning Unit.

Steve Jilk indicated that at the January 10<sup>th</sup> WRIA 1 Watershed Management Board meeting he will be recommending that if the information compiled is being transmitted to Ecology, the WRIA 1 Board should request a representative from Ecology attend their next meeting to discuss how they perceive moving forward after February 1<sup>st</sup>.

7. Other Business

Becky announced the January 8<sup>th</sup> Southern Resident Orca Forum to be held at the Bellingham Cruise Terminal from 5:30-8:00pm, and that the 2019 Whatcom Water Week Calendars are available and she had placed some on the table if anyone is interested. Rebecca Schlotterback recognized the work of Kate Kimber, WCPW, and the outstanding job she did on the calendar.

Steve Jilk suggested a future Management Team meeting include an agenda item related to funding needs for the WRIA 1 administration similar to the Planning Unit's request. Additionally, understanding what grants are available to support the work planned and who is applying for the funds would be beneficial.

Meeting was adjourned at 11:55 am.

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**Action Summary**

Agenda Item	Actions/Outcomes
2	<ul style="list-style-type: none"> <li>❖ The October 24, 2018 meeting summary was approved as presented.</li> </ul>
6	<ul style="list-style-type: none"> <li>❖ Management Team agreed that given the timing the table of policy positions as of December 5, 2018 will be included as an attachment in the package compiled for the January 3 Management Team meeting with the appropriate qualifying statement. Additionally, with regard to the Planning Unit Caucus positions, the Planning Unit’s approved policy package and the original communication from Caucuses on their positions will also be included in the attachments.</li> <li>❖ Motion made by Mark Personius for Becky to compile the packet of information as recommended by the WST for the Management Team’s review at the January 3<sup>rd</sup> Management Team meeting. There was consensus agreement by the Management Team on the recommendation for the package as outlined to be reviewed by the Management Team on January 3.</li> <li>❖ Mark moved recommending Option 3 to compile the package, transmit to Ecology, and commit to updating and integrating the work remaining into the WRIA 1 Watershed Management Board’s five year work plan. There was consensus agreement by the Management Team to recommend Option 3 as described by the motion.</li> </ul>

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