



TO: Elizabeth A. Pauli, City Manager GMSF MPS
FROM: Michael P. Slevin, III, P.E., Director, Environmental Services
 Calvin Taylor, Project Manager, Science & Engineering Division; and Merita Trohimovich, P.E.,
 Science & Engineering Division
COPY: City Council and City Clerk
SUBJECT: Resolution - Authorizing Staff to Vote for Approval of Watershed Restoration and
 Enhancement Plans for the Puyallup River Watershed, and Chambers-Clover Creek
 Watershed – March 9, 2021
DATE: March 23, 2021

SUMMARY AND PURPOSE:

A resolution authorizing staff to vote for approval of the Puyallup River Watershed (WRIA 10), and Chambers-Clover Creek Watershed (WRIA 12) Watershed Restoration and Enhancement Plans.

BACKGROUND:

This Department’s Recommendation is Based On: In January 2018, the Legislature passed the Streamflow Restoration Law Chapter 90.94 RCW that helps restore streamflows to levels necessary to support robust, healthy, and sustainable salmon populations while providing water for homes in rural Washington.

The 2018 Streamflow Restoration Law was passed in response to the Hirst decision, a 2016 Washington State Supreme Court decision that limited a landowner’s ability to get a building permit for a new home when the proposed source of water was a permit-exempt well. The law clarifies how counties issue building permits for homes that use a permit-exempt (PE) well for a water source. The law directs the Department of Ecology (Ecology) to lead local planning committees to develop Watershed Restoration and Enhancement Plans (Plans) that identify projects to offset potential consumptive impacts of new PE domestic groundwater withdrawals on instream flows over the next 20 years (2018 – 2038), and provide a net ecological benefit to the watershed.

Ecology established the Watershed Restoration and Enhancement Committees to collaborate with tribes, counties, cities, state agencies, and special interest groups in the Puyallup River watershed, also known as the Water Resource Inventory Area (WRIA 10), and Chambers-Clover watershed (WRIA 12). The WRIA 10 and 12 Committees met for over two years to develop Watershed Restoration and Enhancement Plans. The Plans are specific to withdrawals from PE wells and offsets for these withdrawals. City of Tacoma staff have been present throughout the committee process and have commented on the Plans throughout their development. The Plans were authored by Ecology and developed through a collaborative committee process.

These Plans include several policy recommendations and an adaptive management process. The policy recommendations contain actions to track PE wells and increase water conservation. The adaptive management process includes a mechanism for tracking new PE wells and project implementation, periodic reporting on project status, and recommendations for a response if project implementation lags new PE well connections. These measures, in addition to the surplus water offset and supplemental habitat improvement projects, provide reasonable assurance that the Plans will adequately offset new consumptive use from PE wells anticipated during the planning horizon. The Plans provide only recommendations and there is no requirement for the City to act on any recommendation.

These plans largely deal with PE water supply wells, which typically do not occur within the City of Tacoma. These plans do not affect Tacoma Water or their water supply as Tacoma Water has a separate process for analysis of their



water supply and service area. Each watershed plan has a list of projects and actions that will offset the withdrawal from the projected number of permit-exempt wells and lead to net ecological benefit for each watershed during the required planning horizon.

The WRIA 12 Plan includes the City of Tacoma sponsored "South Tacoma Channel Infiltration Feasibility Study" project in its project list. The Streamflow Restoration Act of 2018 included a Streamflow Restoration Grant (SRG) program. The City applied for and was awarded a \$387,000 Streamflow Restoration Grant from Ecology to conduct the South Tacoma Channel Infiltration Feasibility Study. The City's vote on approval of the Plan does not affect the award of this funding.

The Plans have been reviewed by Environmental Services and Tacoma Water and staff have no objections to them. The Plans do not obligate any jurisdiction, including the City, to take any actions. The Plans do contain some recommendations. Plan approval will only mean that Tacoma agrees with the Plan and its conclusions and recommendations.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Ecology established the Watershed Restoration and Enhancement Committees to collaborate with tribes, counties, cities, state agencies, and special interest groups in WRIA 10 and WRIA 12. The makeup of the committees was established by the legislation. Public comment has been included in Ecology's process of plan development. Ecology has maintained publicly available websites to update readers on progress. The WRIA 10 and 12 Committees met for over two years to develop watershed plans.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: Protection and restoration of salmon populations is a high priority for Native Americans. The Puyallup Tribe was a member of the Watershed Recovery and Enhancement Committee that developed the Plans. Also, restoring salmon populations in our streams and rivers benefits the quality of life for all of our citizens.

Livability: *Equity Index Score:* Moderate Opportunity

The goal of the Plans is to provide a net ecological benefit within WRIA 10 and WRIA 12 streams and rivers in response to permit exempt well installation and use throughout the planning horizon (2018-2038).

Explain how your legislation will affect the selected indicator(s).

The Plans identify projects to offset potential consumptive impacts of new permit-exempt domestic groundwater withdrawals on instream flows over the next 20 years (2018-2038), and provide a net ecological benefit to the watersheds. These projects will help to improve and sustain our natural environment by improving habitat and streamflows to help recover salmon populations. Many of the projects may have multiple benefits such as public access to restoration areas, removal of invasive species and/or public education.



ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Staff do not vote to approve the Plans.	None	Per the legislation RCW 90.94, if all members of the committee do not approve the plan, Ecology must take actions that could include amending the draft plans.

EVALUATION AND FOLLOW UP:

The Plans do not require any actions by the City. These watershed plans include several policy recommendations and an adaptive management process. The policy recommendations contain actions to track PE wells and increase water conservation. The adaptive management process includes a mechanism for tracking new PE wells and project implementation, periodic reporting on project status, and recommendations for a response if project implementation lags new PE well connections. These measures, in addition to the surplus water offset and supplemental habitat improvement projects, provide reasonable assurance the plan will adequately offset new consumptive use from PE wells anticipated during the planning horizon. Ecology will provide for any ongoing requirements of the plans. Project proponents may choose to complete projects. The Plans provide only recommendations and there is no requirement for the City to act on any recommendation.

STAFF/SPONSOR RECOMMENDATION:

The Plan’s objectives are to support robust, healthy, and sustainable salmon populations while ensuring rural communities have access to water. Environmental Services Department recommends the City Council approve a resolution authorizing City of Tacoma staff to vote to approve the Puyallup River Watershed (WRIA 10), and Chambers-Clover Creek Watershed (WRIA 12) Restoration and Enhancement Plans.



City of Tacoma

City Council Action Memorandum

FISCAL IMPACT:

No financial impact.

What Funding is being used to support the expense? N/A.

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

NO, PLEASE EXPLAIN BELOW

No expenditures planned. The Plans do not require action by the City. There are recommendations in the Plans, some of which could apply to the City and some of which do not apply to the City.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

The Plans do not require action by the City.

ATTACHMENTS:

None.