



12/11/2023

Salmon Recovery Funding Board
Washington State Recreation and Conservation Office
PO Box 40917
Olympia, WA 98504-0917

Sent via electronic mail to Julia McNamara, Board Liaison, at julia.mcnamara@rco.wa.gov

RE: Snoqualmie Tribe's comments on the Watershed Restoration and Enhancement Plan Review Report (WREPRR) and match requirements for discussion at the December 13th, 2023 SRFB meeting

Dear Salmon Recovery Funding Board Members,

Thank you for the opportunity to review and provide comments on the Watershed Restoration and Enhancement Plan Review Report (WREPRR) and other topics.

The Snoqualmie Indian Tribe ["Tribe"] is a federally-recognized sovereign Indian Tribe and a signatory to the Treaty of Point Elliott of 1855 in which it reserved to itself certain rights and privileges, and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliot, the Tribe specifically reserved to itself, among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington. Treaty of Point Elliot, art. V, 12 Stat. 928." The Snoqualmie Tribe was a member of the WRIA 7 (Snohomish) and WRIA 8 (Cedar-Sammamish) Watershed Restoration and Enhancement Planning Committees.

The Tribe previously provided comments to RCO on the WREPRR, and we appreciate that the review panel(s) recommended the inclusion of "mechanisms for monitoring, assessment, accountability, and adaptation to ensure successful implementation of the plan," which aligns with our comments on the prior draft. We believe that these elements will be critical to a successful implementation of offsets and achievement of Net Ecological Benefit for both WRIAs 7 and 8. However, we remain deeply concerned that the review panels for the various watershed plans being considered are applying different standards to different plans, resulting in a blatant inconsistency that will result in continued degradation of the Snoqualmie basin. We are referring to the double standard being applied to Managed Aquifer Recharge (MAR) projects across different plans.

The review panels for WRIAs 13 and 14 expressed their deep concern for MAR projects that divert natural surface flows (stream flow) and claim offset benefits for doing so, but the review panel for WRIA 7 did not apply the same logic and accountability. The Tribe shares this concern, and we point out that the same concerns relevant to the plans for WRIAs 13 and 14 must be applied equally to WRIA 7 for the Snoqualmie offset projects, including for the MAR projects, for equitable treatment of tribes and citizens across watershed boundaries.

The Current WREPRR (Item 5 in the meeting materials, Attachment A), contains the following language for WRIA 13:

While managed aquifer recharge facilities that accept stormwater or treated wastewater appear appropriate, managed aquifer recharge facilities that withdraw flow from streams rely on hydrologic manipulations of natural resources and natural processes that have questionable feasibility and benefits. (p. 14)

Alteration of natural stream hydrology is a high-priority limiting factor in WRIA 13. Streamflow is important for supporting riparian vegetation and wetlands that provide shading, wildfire breaks, food web support, and flood and sediment attenuation functions. Yet the plan's water offsets seem to rely on further alterations of natural stream hydrology instead of seeking solutions that reverse such alterations to offset permit-exempt well withdrawals. (p. 15)

The plan should use caution when replicating natural annual hydrographs through further manipulation of natural stream hydrography (i.e., stream withdrawals to source managed aquifer recharge projects). Instead, the plan should develop and evaluate projects that reduce alterations of natural stream hydrology and avoid further manipulation of natural stream processes. (p. 17)

Identical, or nearly identical language is included in the WREPRR for the WRIA 14 plan, which appears to have been reviewed by the same team. However, no such language is included for the WRIA 7 plan, which appears to have been reviewed by a different review team. The evaluations are clearly inconsistent given that the WRIA 7 plan commits 198 AFY of offset quantity to Snoqualmie MAR projects, all of which would be sourced from natural streamflow and would manipulate the natural stream hydrograph, including during months when native fish, including protected salmonids, are spawning. The Tribe continues to be deeply concerned that that these unstudied Snoqualmie MAR projects, to be built in active floodplains and channel migration zones, would actually result in ecological harm, rather than benefit. Any benefit from such projects remains "questionable," as the WRIA 13/14 reviewers put it, but the impacts of Permit Exempt Wells are certain, and are accruing. We share the concerns that the reviewers of the WRIA 13 and 14 plans have about MAR using natural streamflow, and we request that no comparatively relaxed double standard be applied to the Snoqualmie in WRIA 7, merely because a different set of reviewers may have

applied a different set of standards and/or values to the resources that the Snoqualmie people rely upon.

As concerns about manipulation of natural hydrologic systems are acknowledged in the plan review for WRIAs 13 and 14, the same concerns also apply to the Snoqualmie River Watershed Surface Water Storage offset project, which currently is associated with 77 AFY of offset credit. However, this too is based on unstudied project concepts with questionable benefits, and which rely upon manipulation of natural streamflow and natural hydrologic features. As described in the plan,

Ten potential water storage projects, ranging in capacity from 77 to 3,331 AFY, were selected for further analysis. These sites include off-channel storage reservoirs, on-channel storage reservoirs, and projects that would result in raising the level of an existing lake to create additional storage capacity. (March 2022 WRIA 7 WRE Final Plan from Ecology to SRFB)

Here, many of the same concerns apply regarding hydrologic manipulation, and about development within the floodplain and channel migration zone, apply as for those expressed for MAR above. The Tribe strongly believes that on-channel storage reservoirs will have negative ecological impacts and should not be considered part of an effort to achieve Net Ecological Benefit. For example, the “existing lake” being considered is a natural impoundment with documented beaver presence and valuable wetland features which would be impacted by the increased inundation that would result from the feature’s manipulation for increased “storage.” Off-channel storage reservoirs are another version of manipulating natural streamflow, a concern that was portrayed negatively by the WRIA 13/14 reviewers. The same concerns apply in the Snoqualmie and in WRIA 7. The Snoqualmie River basin hydrograph has been highly compromised by landscape and land management alteration, and by climate change. We believe that the best path forward for the Snoqualmie basin, and the path supported by Traditional Ecological Knowledge as well as Western science, is not to build more and higher manmade dams, but as the WRIA 13/14 reviewers urged: “Instead, the plan should develop and evaluate projects that reduce alterations of natural stream hydrology and avoid further manipulation of natural stream processes.”

Due to the concerns raised by the WRIA 13 and 14 reviewers, and by the Tribe (as well as other Committee members during the WRE Planning process), we request that the offset credit (198 and 77 AFY) for these projects be stricken from the WRIA 7 plan. This would help to restore consistency and equitable treatment between basins (and those who rely upon those basins, such as the Snoqualmie people) across the state. The benefits related to these projects are far too questionable and unstudied to be included, while the impacts of PEWs are certain. The Snoqualmie MAR and Snoqualmie Surface Water Storage projects would require hardening of shorelines, construction of infrastructure in active floodplains and channel migration zones, and diversion of natural streamflow out of rivers and streams—we would expect that this is not something the SRFB would want to support and condone, as these types of actions are clearly counter to a process-based restoration approach that is supported by TEK and Western science.

Regarding the proposal to waive matching funding requirements that is currently before the SRFB: the Tribe strongly encourages the Board to waive matching funding requirements for SRFB-funded projects. Tribal staff have experienced firsthand the additional work, cost, and lost opportunities that accompany grant fund matching requirements, from both project sponsor and project reviewer perspectives. We suggest that the entirety of the SRFB (and most other) grant review processes provides more than enough scrutiny and vetting to ensure the highest possible chances of project success and making good investments of scarce restoration dollars. From our experience and observations, eliminating matching requirements results in more grant funding going to project implementation and less going to project administration and overhead, the latter greatly increased to navigate matching requirements. Given the scarcity of restoration funding in relation to the massive, demonstrated need, we urge SRFB to eliminate the match requirement which will help project implementing partners to put more grant funds toward project features that truly support salmon recovery.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew J Baerwalde', with a long horizontal line extending to the right.

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