



King County

Samamish Transition Zone: Sediment and Debris Removal Informational Meeting
Meeting Notes Prepared by Claire Jonson, KC WLRD
January 31, 2012, 9:30 am to 12:00 pm, at Adair House 7802 – 168th Ave NE Redmond, WA

Attendees:

John Engel, King County Water and Land Resources Division (KC WLRD), Rivers, Supervising Engineer
Don Althaus, KC WLRD, Stormwater Services, Managing Engineer
Claire Jonson, KC WLRD, Stormwater Services, Project Manager
Kate Akyuz, KC WLRD, Rivers, Senior Ecologist
Don Finney, KC WLRD, Stormwater Services, Senior Ecologist
Tim Kelly, KC WLRD, Stormwater Services, Senior Engineer
Scott Miller, KC WLRD, Stormwater Services, Project Engineer
Jon Spangler, City of Redmond, Engineering Manager
Hank Myers, City of Redmond, Councilmember
Steve Bottheim, King County Department of Development and Environmental Services (KC DDES), Supervisor
Laura Casey, KC DDES, Environmental Scientist III
Karen Walter, Muckleshoot Tribe, Watersheds and Land Use Team Leader
Erik Stockdale, Washington Department of Ecology (WDOE), Northwest Region, Wetlands/401 Unit Supervisor
Rebekah Padgett, WDOE, Northwest Region, Shorelands & Environmental Assistance
David Radabaugh, WDOE, Northwest Region, Shorelands & Environmental Assistance
Patrick McGraner, WDOE, Northwest Region, Shorelands & Environmental Assistance
Jamie Bails, Washington Department of Fish and Wildlife (WDFW), Habitat Biologist
Jonathan Smith, United States Army Corps of Engineers (USACE), Project Manager, Regulatory Branch
Catherine Desjardin, USACE, Civil Engineer
Dwight Martin, Homeowners of Lake Sammamish
Martin Nizlek, Homeowners of Lake Sammamish
Gil Pauley, Homeowners of Lake Sammamish
Rory Crispin, Homeowners of Lake Sammamish
Connie Marsh, Issaquah Environmental Council
Jean White, WRIA 8 Watershed Coordinator
Christine Jensen, King County Council, Legislative Aide - District 3
Kimberly Nuber, King County Council, Legislative Aide - District 6
Ed McCarthy, Hydrologist
Charlie Klinge, Groen Stephens & Klinge LLP
Jonathan Frodge, Save Lake Sammamish
Erica Tiliacos, Save Lake Sammamish
John Reinke, Save Lake Sammamish
Vic Bishop, West Lake Sammamish Association



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Notes:

-John Engel, King County Supervising Engineer, Cedar River Basin, opened the meeting, introduced himself and the project, and all attendees introduced themselves.

-John Engel gave history and background of the Sammamish Transition Zone

-Dwight Martin and Martin Nizlek, Homeowners of Lake Sammamish, gave a presentation of the Property Owners concerns.

-Kate Akyuz, King County Senior Ecologist, gave a presentation of the Vegetation Maintenance that King County performed in the fall of 2011.

-Don Althausen, King County Managing Engineer, presented the sediment and debris removal evaluation project's recent field survey results.

-Tim Kelly, King County Senior Engineer presented the preliminary hydraulic model of the Transition Zone.

- Don Finney, King County Senior Ecologist, opened up the discussion for feedback on Regulatory and Tribal Perspective and Permit Recommendations.

Public Comments:

Note that these are comments of some of the people who spoke, not all.

-Dwight Martin, Homeowner of Lake Sammamish: 1. Record high water events of 2009, and 2010 caused us to review Sammamish River flow rates. We found that the rates were reduced to 40% of expected flow rates. At first county employees were not accepting our concerns as being valid, but later they agreed that we had identified a problem. The County has accepted and re-affirmed its' obligation to maintain flows at the outlet to Lake Sammamish (1,500 cfs at elevation 29.00). 2. Environmental improvements to the Sammamish River are good, but the design and implementation of these restoration and improvements must not increase flood hazard by reducing flow rates. 3. This is not an "either or proposition", but a "both and". This is a great opportunity to improve the habitat functions of the Sammamish River and restore flow rates to levels that provide flood protection. However, habitat improvements must not reduce flow rates. 4. Minor work (removing root balls and log jams,) immediately below the weir could provide significant improvements to flow and would be easier to permit than a quarter mile long sediment removal project. Please focus on flow improvements immediately below the weir as these should be easier to permit and to get done in a timely fashion. Long term improvements would be great, but there is deferred maintenance work that can be done now.

-Martin Nizlek, Lake Sammamish Resident and board member of WA Sensible Shorelines Association: 1) Residents have shown the County and Corps, as early as Sept. 2010, that flows



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have been reduced through the weir-TZ area as maintenance has been reduced. 2) This has resulted in artificially raised lake water levels. As early as 2004 a City of Bellevue study showed this to be true. The result has been encroachment on property by 10, 15, and even 20 feet. 3) Since the Shoreline Management Program (SMP) will regulate from the OHWM, this is not acceptable (and possibly is a taking), especially when combined with property damage and sediments and pollutants being pulled into the lake. 4) The deferred maintenance program in the TZ has resulted in predator fish habitat which needs to be considered, and now an illegal rock obstruction has been uncovered, only increasing the need for quick action. Knowing of the obstruction, and given recent out-of-court settlements for similar “man-made” conditions, risk managers should provide input regarding the need for immediate action. 5) Additionally, residents have provided “post-cutting” input on channel restrictions that still remain. 6) Residents recommend active Corps of Engineers involvement going forward.

-Jonathan Smith, USACE, Regulatory Branch: Need a Nationwide Permit 3 (Maintenance), or possibly instead an individual permit, depending on what the actual project consists of. These permits would cover the County's obligation to obtain permits under the Federal Clean Water Act and the navigation-focused 1899 Rivers & Harbors Act. The County should allow 6 to 12 months to obtain the nationwide permit, and 12 months for an individual permit. For both kinds of permits, the Corps will need to do ESA Consultations, and the County will need to obtain a Section 401 Water Quality Certification from Ecology. Compensatory mitigation probably would not be required by the Corps to maintain the project as originally approved/constructed, but additional measures to protect species and critical habitat listed under the ESA could be required. Only a limited Section 106 Historic Properties review might be necessary if the maintenance work would not deviate from the originally authorized project footprint.

-Catherine Desjardin, USACE, Civil Engineer: Encourages the County to do maintenance on the Transition Zone.

-Rebekah Padgett, WDOE: Concerned about water quality, turbidity, temperature, hydrology, beneficial uses. Interested in alternatives. Would like to see Hydrology and Modeling. The Nationwide permit is currently in flux, expiring in March 2012, and new Nationwide permit should be coming out soon. Individual –Section 401 Water Quality Certification and Coastal Zone Management Consistency Determination may be needed. Joint public notice would be done with the Corps. Assuming a good application, timing is 6 to 12 months. Mitigation will be needed. Are there options to start with something smaller like removing the rock weir to keep permitting needs more manageable? New Shoreline Master Program for King County coming soon. Flood hazard permitting may be necessary.

-Jamie Bails, WDFW: Hydraulic Project Approval is straight forward. Fish Timing will be specified to a certain window of time. How much material will be moved? When? Demonstrate that project will work. Sponsor would have to define scope of project. Fish removal will likely be needed.



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-Jon Spangler, City of Redmond: Don't maintain a problem, fix the problem long term. We can make this a river again and maintain flood capacity. City has put in some money for the Transition Zone Flood Reduction Capital Improvement Project (i.e. Willowmoor Project). Would like to see the Transition Zone as not a flood control facility if Army Corps of Engineers allows. The City is doing work downstream of Transition Zone to enhance the River.

-Jean White, WRIA 8 Watershed Coordinator, clarified that the project area is Tier 1 salmon habitat in the Chinook Recovery Plan. She explained that WRIA8 Funding for the salmon conservation plan is provided by 27 local governments in the watershed.

-Homeowners of Lake Sammamish: Ordinary high water mark has been raised a foot higher and residents have to live with it. They have pushed for this meeting. Maintenance has been deferred for 20+ years. Go ahead and spend the money that was not spent on the maintenance. Citizens ask that County implement maintenance agreement with Army Corps of Engineers. Landowners gave a history reflecting on the reduced flows as a consequence of lack of maintenance. Representing "Washington Sensible Shorelines". Concerns include damage to docks and shoreline erosion.

-Karen Walter, Muckleshoot Tribe: This project can't be done in a vacuum. Want to see hydraulic analysis, fish monitoring. Tired of seeing separate projects and not showing how they connect. Kate Akyuz will complete answers to Karen's 20 questions list for the Vegetation Maintenance that King County performed in the Fall of 2011. Has also not received temperature and other monitoring info promised to her. This project must be consistent with the WRIA 8 Recovery Plan for a large restoration project at this same site.

-Jonathan Frodge, Save Lake Sammamish: This was a political decision with no scientific analysis. The willows that were planted in the transition zone were mitigations for other projects.

-Erica Tiliacos, Save Lake Sammamish: Look at inputs to Lake Sammamish. Development and impervious surface has increased. The 1960s design of the Transition Zone did not have as much development around it as it does now.

-Connie Marsh, Issaquah Environmental Council: wants to remove the Receiving Body designation for the lake, as more and more storm water is planned to be tightlined into it from neighboring cities and developers. Lake can't handle any more.

-Laura Casey, King County Department of Development and Environmental Services: This project area is within Shoreline jurisdiction. The area is an aquatic area, and a wetland (different distinctions in the CAO). At minimum, needs a clearing and grading permit. Definition of Maintenance in King County Code 21A.06 will have to be reviewed. This sediment and debris removal has not been done before per King County staff knowledge for at least 20 years. Flood Hazard Permit may be needed.

-John Engel closed the meeting and invited attendees to the field meeting at the Transition Zone immediately following this meeting.