



King County

Water and Land Resources Division

Department of Natural Resources and Parks

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Cedar River Council DRAFT Meeting Notes

**April 26, 2022 – 6:30 pm to 8:30 pm (scheduled)
Meeting/Video Conference Call via Zoom (King County account)**

I) Call to Order / Welcome

Nathan Brown called the meeting to order at 6:32 p.m.

II) General CRC Announcements / Information (Open to All)

No announcements were made during this topic.

III) Cedar River Project at Rainbow Bend (Craig Garric, King County DNRP)

A) Presentation

Craig Garric, PE, is an Engineer for the Ecological Restoration and Engineering Services (ERES) Unit of the King County Department of Natural Resources and Parks (DNRP) and is the Project Manager for the Rainbow Bend project. The project is being designed in house by King County and is located just downstream of Cedar Grove Road in Maple Valley on the right bank of the Cedar River. There are three primary objectives to this project: maximize ecological potential, minimize risk and adverse impacts as the river changes, and optimize cost effectiveness using wetland mitigation credits through the King County Mitigation Reserves Program (MRP). The MRP is a state and federally authorized program that provides options for developers with unavoidable impacts to protected aquatic resources such as wetlands, streams, or rivers. Those developers pay a mitigation fee to King County to help fund and restore habitat in the same watershed to compensate for that developer's project's impact on the original aquatic resource. An Interagency Review Team (IRT) consisting of state, federal, and tribal governments provide review, approval, and oversight of the MRP and its associated projects.

Rainbow Bend began as an MRP restoration project in 2013 with the removal of a levee and was part of the King County Floodplain Reconnection Project with construction at the north end of the site. In February 2020, the IRT selected Rainbow Bend as a mitigation site and approved spending authority for design in June 2020. Data collection, technical studies, and alternatives development occurred from June 2020 until September 2021 where the preferred alternative was presented to the IRT. After alternative refinement and approval, the 30% design plan was presented to the IRT just this month (April 2022). The next stage will be to present a 60% design plan by July 2022.

As the site currently appears, there is a spoil (accumulated debris) pile on the northwest end of the site leftover from the 2013 restoration project that sits several feet above the surrounding floodplain. There are many hydrological features as well, such as a constructed side channel and backwater channel from 2013. As a consequence of the February 2020 Cedar River flood, there has been an increase of surface water being pushed out of the side channel and into overflow channels. There was a significant overtopping and damage to the northside access road that has since been repaired to allow for access to future work on the site.

The earliest available footage of the area was a photograph from 1936, which showed undeveloped forest. Between 2002 and 2013, the land had become the site of many homes and mobile home parks, which were bought by King County and either relocated or demolished in time for the 2013 restoration project. A revetment on the river's right bank was removed and three side channels were excavated by 2014. Since then, a lot has changed: the main river channel has widened and log jams from the 2020 flood have accumulated, however, not much geomorphological or topographic change has happened on the site as of April 2021.

The project design includes three elements: the grading plan, the large wood placement plan, and the planting plan. The grading plan is considered the most important as there is an extensive drive acreage of wetlands in terms of available mitigation credits. Excavation disposal will account for approximately half of estimated construction

costs. The plan targets conditions suitable for different wetland communities with primarily a function of relative depth to groundwater. The closer to the groundwater, the change in the type of the wetland community. Grading will mostly be focused on forested communities as excavation depth will not be as deep. The grading plan will also attempt to build on the 2013 project and emulate how the Cedar River would flow on its own, all while having minimal impact on large and mature trees. No excavation will occur in higher areas. Channels will be augmented to allow for high flow events and more river connectivity.

The large wood plan will have several features that will serve different functions such as channel and floodplain roughness to reduce high flow velocities and recruit many natural materials. The wood features will accommodate natural habitat through different wooden structures, most notably by reusing all salvaged logs and trees and incorporating them back into the project. The intent of this plan is to minimize stabilization while balancing the risk of any wood going outside of the site and avoiding the use of unnatural materials. This will be followed by the planting plan, where each wetland community type will have a specific type of native tree or plant species planted during and after construction and once invasive species and soil treatment are completed.

The Rainbow Bend is currently in its pre-construction and design phase, which is anticipated to continue until April 2023. Construction itself is projected to begin either in Summer or Fall 2023. Once construction is complete, planting will take place in Fall or Winter of 2023, along with subsequent monitoring and any adaptive management for the next ten years. The cost of the entire project (including planning level contingency) is estimated to total \$6.2 million.

B) CRC Member and Public Comment / Q & A

- **Q:** For the grading areas, based on the historic use of the property, has any soil testing been done so as not to disturb or release any contaminants into the river?
CG: We have done several tests, some prior to the MRP and some since, and so far, those tests have shown no actual contamination. However, they have uncovered debris such as old water lines and some septic infrastructure. We cannot say definitively that there is no contamination, but the testing that has been done to date hasn't revealed any of that.
- **Q:** There are many things growing in the ditch on the hillside. Is there anything coming off the industrial sites above the hill that might be there? Is there any plan to check?
CG: As far as anything coming from the industrial sites, not that I am aware of. Checking on that is not part of this project as the hillside is outside of the project limits. The property line is along that channel and anything on the other side of that is privately owned.
- **Q:** In terms of fish presence, what kinds of fish could you see in the area that you're doing these enhancements?
CG: In the existing backwater channel and some other channel features, we expect those to be used by juvenile salmon for foraging and refuge, but we are not expected to see any spawning. There are a lot of juvenile fish presence in that side channel and overflow channel so I'm hoping that we will see similar usage. There will be no standing water in the wetland areas much of the time and the above ground water levels will only be inundated during higher flow events. We'll probably see Chinook salmon, cutthroat trout, and coho salmon in those high flow areas.
- **Q:** How deep are you excavating in the forested wetlands on average?
CG: We are excavating about three to five feet on average, with some areas being deeper and others shallower.
- **Q:** Have you thought about what public access will be like in the future? Will the area dry out in summer or be wet year-round?
CG: It will be a mix. Most areas in the summer will be more dry than wet. Groundwater levels in the upper wetlands will be below ground by 1-3 feet. I can imagine people can wander around there, but some of the deeper areas like any scrub shrub wetland will be more difficult to transit across.
- **Q:** Will any of the crossings currently being used by the Washington Conservation Corps (WCC) remain to avoid wading through wetland areas this summer?
CG: Once construction is complete, any temporary crossings and access roads within the project area will be removed.
- **Q:** Sounds like you're going through a great deal to emulate nature. Did you look at minimalistic alternatives such as building a starter channel and letting nature do the work?
CG: There was quite a bit of discussion about the range of possibilities, including a minimal approach. If this was grant funded, it's more likely we would have taken that approach. This is funded by the MRP, which needs to generate wetland credits. We need a minimum number of credits to get wetlands established with some degree of certainty. The current project is a 'moderately aggressive' approach with our grading. At the upper

end of the spectrum, we had differing alternatives that were much broader and more impactful where we were doing everything we could to maximize the amount of wetland acres, but our stakeholders thought that would be too far.

- **Q:** Are you at least removing the old spoils pile?

CG: We are not. We would love to, but it's just cost prohibitive. The plan is to do some enhancement such as planting trees and reshaping, but it's just not within the scope of the project budget.

- **Q:** Will you replace the stripped topsoil after grading the site?

CG: We haven't talked in detail about that yet, that is the next level we're moving into. Whether it's stockpiling salvaged topsoil or importing compost, we do have an expectation that we can't rely solely on sandy gravel.

- **Q:** The overall concept of lowering the elevations and net export should reduce flooding a little, correct?

CG: We are doing flood hazard analysis as we speak as well as hydraulic modelling. We are going to have net export material, which is estimated to be 40,000 cubic yards of excavation, disposing 4,500 cubic yards onsite and 36,000 offsite. In the King County flood certification process you have three things to deal with: you can't raise the 100-year flood level, you need to reduce flood storage, and have a 3 ft depth of velocity. Our project is not going to have an impact on reducing flood storage because of the net export material.

- **Q:** Is public access going to be possible? Maybe there can be a trail to the river on the north side of the site?

CG: The project is not designed for public access and the access road is not part of this project. We have an interest in taking it out eventually, but for now it is still a public right-of-way that not only services King County property, but also adjacent property owners that have some rights for that road if we were moving toward getting rid of the right-of-way. We don't have the authority to remove it right now; it would require a lot more work with neighboring property owners, which is outside the project scope. For the near future, the access road will still be there. I will say that there will be a public process and comment period coming. We're not doing anything specifically designed for public access now, but we're not prohibiting it either.

IV) CRC Updates (As Needed)

- **Lakeside Industries Asphalt Plant**

Cedar River Councilmember Dr. Hugh Brown thanked King County for their efforts in restoring habitat in the Cedar River. However, with the construction permits recently approved, there is concern that the plant will propose significant hazards to fish, wildlife, and people. Dr. Brown revealed there is a deadline for appeal ending May 5, 2022. Local organization Save the Cedar River (STCR) has retained the services of Bricklin & Newman, LLP, to file the appeals. Certain elements of the approval subject to appeal or a lawsuit are under review. Dr. Brown referred to an informational meeting occurring in Renton on May 11, 2022, and asked the CRC if the CRC website can be used as an additional resource on STCR's website (www.savethecedarriver.org). Nathan Brown called for a motion by consensus, with all in favor. Dr. Brown provided contact information for those wanting to volunteer as an expert witness.

- **WRIA (Water Resource Inventory Area) 8**

Cedar River Councilmember Frank Urabeck affirmed that WRIA 8 has now realized that the Lake Washington Ship Canal (LWSC) is a problem area in terms of fish passage. WRIA 8 is finishing a study with various experts on the LWSC's impact on fish through both elevated water temperatures and dissolved oxygen levels. Analysis of alternatives have completed and a report will be published in May. Projects will be performed to improve fish passage conditions, with the CRC's proposal of releasing fish into Lake Washington via Rainier Beach being the most favorable as a short term method. Councilmember Urabeck recommended inviting Dr. Lauren Urgenson to return to present at a future CRC meeting.

- **Fish Habitat Conservation/Restoration (Sockeye)**

Chair Max Prinsen summarized the many different projects and issues that the CRC has faced over the years, the most recent being sending a list of proposals to Washington Department of Fish and Wildlife (WDFW), with one attempted with great success. The CRC's objective in this effort is to discover what works in salmon preservation and what meets the criteria needed for the next step, all while simultaneously taking a science-based approach that is cost effective and can lead to simpler solutions in the immediate term. The CRC letter submitted in November 2021 to WDFW was met with positive response and the CRC's proposals are making headway with many officials.

- **Sockeye Emergency Operation Observation**

Councilmember Urabeck added the CRC was awaiting confirmation from the Muckleshoot Tribe regarding their participation in transporting sockeye salmon to Rainier Beach directly from the Ballard Locks. In this experiment, the Muckleshoot would gather the fish from the locks' fish ladder and tag them, with one group set to be released at Rainier Beach and the other being a control group that will be re-released at the locks and

go through the usual Lake Washington Ship Canal (LWSC) migration system. As the CRC awaits response from the Muckleshoot, other groups such as WRIA 8 and the U.S. Geological Survey (USGS) have voiced great support for the Rainier Beach experiment, citing it as a ‘game changer.’ Councilmember Urabeck also noted that King County Councilmember Reagan Dunn wrote a letter to WDFW in support of the CRC’s efforts and it has become clear that the State of Washington sees the CRC as essential in the overall recovery efforts.

Cedar River Councilmember Larry Phillips reiterated that despite not receiving a response from Washington Governor Jay Inslee, it is great news that the CRC is now on the State of Washington’s radar. The sockeye recovery effort has been elevated to the highest level in WDFW out of an enormous list of issues occurring in the state. There are currently some constraints to make sure there is approval from fish co-managers, but the response and action are very promising. Councilmember Urabeck recommended a visit to the Landsburg Hatchery sometime in October to view the newly installed round tubs and see the transported fish from the Ballard Locks and the I-405 fish weir in action.

Cedar River Councilmember Tom Allyn voiced concerns about the issue of predation outlined in CRC letters in that addressing the issue would not gain much traction as other approaches, since the bulk of the predation comes from cutthroat trout. Cutthroat trout consume fry (baby salmon), and the only way to prevent such predation is through the mention of another approach--the extended fry rearing program. The extended rearing program would allow fry to be able to grow into smolt and bypass those predators. Councilmember Allyn suggested raising limits on removing cutthroat from the LWSC migration path. Councilmembers Phillips and Urabeck entertained the idea of gathering media attention if the Rainier Beach experiment is successful.

- **Cedar River Watershed**

Nathan Brown sent an email to Seattle Public Utilities (SPU) regarding a more SPU focused on-site meeting for July, however, per Councilmember Urabeck’s recommendation, Brown will request to SPU to have the meeting moved to October 2022. Councilmember Urabeck brought to Brown’s attention the potential to return to more in-person meetings, to which Brown replied that in-person events were already being planned into the summer. Brown informed attendees that there will be an outdoor meeting at the Riverbend project site on Wednesday, May 18, 2022, at 3:00 p.m. This is proposed to be a joint meeting with the local neighborhood to advertise and discuss the project’s construction.

- **King County Flood Hazard Management Plan Update**

No updates were provided during this topic.

- **CRC Membership Updates**

No updates were provided during this topic.

- **Maple Valley Area Council**

Councilmember Steve Hiester stated the Greater Maple Valley Unincorporated Area Council (GMVUAC) is now experimenting with a hybrid meeting format using Zoom and in-person attendance. They have completed a review on the scope for the 2024 King County Comprehensive Plan. The scoping letter will be released in mid-June, with topics that would be of great interest to the CRC.

- **Future Topics**

Councilmember Phillips suggested to know more about King County’s decision on approving the asphalt plant and asked what is likely to be seen on the project if it goes forward with the conditions in place. Chair Prinsen said that there will be a meeting with King County WLRD’s Division Director, Josh Baldi, to discuss the project’s progression and how similar projects can be prevented in other locations. Councilmember Phillips also recommended to hear more from WRIA 8 on the status of their work and their priorities in terms of the overall fishing migration and recovery system.

V) Public Comment Period

There were no public comments made during this topic.

VI) Closing/Adjourn

Nathan Brown announced that the next meeting will take place at the Riverbend Levee Setback project site near Cavanaugh Pond in Renton on May 18, 2022, at 3:00 p.m. Notices will be going out to residents in the area around the first week of May. Residents will receive postcard mailers to meet the project team and ask any questions they might have. Meeting adjourned at 8:12 p.m.