

## Snoqualmie Fish Farm Flood Implementation Oversight Committee

December 21, 2020

The Honorable Dow Constantine  
King County Executive  
401 Fifth Avenue, Suite 800  
Seattle, WA 98104

Dear Executive Constantine:

The Snoqualmie Fish, Farm, Flood (FFF) Implementation Oversight Committee (IOC) was convened in 2018 to guide implementation of the landmark 2017 agreement between farmers, tribes, valley residents and other key stakeholders in the watershed. That agreement included more than thirty recommendations and established three task forces including the Regulatory Task Force (RTF) to study prioritized regulatory issues in detail.

The nine-member Regulatory Task Force (RTF) had representatives from each of the Fish, Farm and Flood caucuses. The membership included farmers, staff from the Tulalip Tribes and the Snoqualmie Indian Tribe, the Snoqualmie Watershed Forum, the Snoqualmie Valley Watershed Improvement District, the King Conservation District, City of Duvall and the Fall City Community Association. We are writing to you, as the three chairs of the IOC, to provide information on the areas of agreement and to seek support for implementing key recommendations that will provide landowners greater certainty about drainage regulations while maintaining the current level of environmental protections.

### **The IOC requests King County support and resource commitment to implement RTF recommendations:**

- 1) Support continued dedication of staff time from the Water and Land Resources Division (WLRD) and Department of Local Services - Permitting (Permitting) to work on the recommendations described below.
- 2) Continue to support cross-department work between Permitting and WLRD to collaborate on permitting processes and regulatory revisions that provide greater certainty for agricultural operations and maintain aquatic resource protection, and
- 3) Encourage information sharing by our regulatory partners and staff regarding federal minimum standards for flood hazard regulations that may not be influenced by the RTF but have large impacts on the landowners and those who work in the lower Snoqualmie Valley.

The RTF worked through a set of Priority Issues. These can be aggregated into three categories:

- 1) **Priority Issues examined and resolved:** These recommendations have been approved by the IOC and will be reviewed by Permitting. The review will be memorialized in a concurrence memo.
- 2) **Priority Issues that require follow up action:**
  - a. Obtain Endangered Species Act (ESA) Incidental Take coverage from the National Marine Fisheries Service (NMFS) for the Agricultural Drainage Assistance Program (ADAP). This will protect King County from agency sanction and third-party lawsuits in respect to threatened Puget Sound Chinook and Steelhead impacted by

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otherwise lawful activities.

- b. Develop a program allowing for Off-Site Mitigation for certain agricultural activities (predominantly agricultural waterway maintenance). This program will align with existing FFF efforts such as Buffer Task Force and the Agriculture Strategic Plan.
  - c. Develop an Integrated Drainage Program that takes a holistic approach to address agricultural drainage in concert with salmon recovery and flood safety objectives.
- 3) **Issues that cannot be meaningfully influenced by the RTF:** The RTF recognized it has little ability to influence changes in federal flood policy and federal minimum requirements for local flood hazard regulations. We will continue to engage with WLRD and Permitting on these topics, but the work of the RTF is complete.

Getting to agreement and understanding of the difficult regulatory issues that impact agricultural drainage was a momentous step. The FFF effort continues to build understanding and identify actions to ensure farmers in the lower Snoqualmie Valley have certainty as to the regulations that may impact their operations and that every effort is being made to streamline these regulations, removing barriers to efficient agricultural operations. Although agricultural drainage continues to face regulatory and operational challenges, the IOC remains dedicated to working collaboratively to address the practical, financial and regulatory hurdles as agreed upon in June 2017.

Sincerely,

DocuSigned by:



Angela Donaldson

Certified Floodplain Manager, FFF Flood Caucus Chair

DocuSigned by:



Joshua Monaghan

FFF Farm Caucus Chair

DocuSigned by:



Cindy Spiry

Snoqualmie Indian Tribe, FFF Fish Caucus Chair

cc: Christie True, Director, Department of Natural Resources and Parks (DNRP)  
Josh Baldi, Division Director, Water and Land Resources Division (WLRD), DNRP  
Megan Smith, Deputy Director, WLRD, DNRP  
Joan Lee, Manager, Rural and Regional Services Section (RRSS), WLRD, DNRP  
Curt Crawford, Manager, Stormwater Services Section (SWS), WLRD, DNRP  
John Brosnan, Strategic Planning Manager, SWS, WLRD, DNRP  
Janne Kaje, Regional Partnerships Unit Supervisor, RRSS, WLRD, DNRP  
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