

Operating Principles and Charter  
Watershed Restoration Enhancement Committee  
Water Resource Inventory Area (WRIA) 10  
Approved Version February 6, 2019  
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SECTION 1. PURPOSE AND BACKGROUND

**Purpose**

The purpose of the operating principles and charter is to establish the watershed restoration and enhancement committee (Committee), as authorized under RCW 90.94.030, for the purpose of developing the watershed restoration and enhancement plan. The document sets forward a process for meeting, participation expectations, procedures for voting, structure of the Committee, communication and other needs in order to support the Committee in reaching agreement on a final plan.

## Background

On January 19, 2018, the Governor signed Engrossed Substitute Senate Bill (ESSB) 6091 into law. This law establishes a planning process in fifteen watershed basins across Washington State to project rural growth and identify projects to offset consumptive use from new permit-exempt wells constructed after January 19, 2018. In eight basins with instream flow rules that do not address permit-exempt wells and that did not complete watershed planning under RCW 90.82, the legislature established watershed restoration and enhancement committees. ESSB 6091 is codified as 90.94 RCW.

The law directs each watershed restoration and enhancement committee to develop a watershed restoration and enhancement plan that includes recommendations for projects and actions that measure, protect, and enhance instream resources, and offset impacts to instream flows associated with permit exempt domestic water uses. The plan must include estimates of the cumulative impact of water use over the next 20 years and an estimate of the cost for offsetting the water use. All members of the Committee must approve the plan, and Ecology must determine that the plan results in a net ecological benefit before Ecology can adopt the plan. Relevant language from RCW 90.94.030 is in Appendix C.

### SECTION 2. AGREEMENT AND AMENDMENTS TO THE OPERATING PRINCIPLES

The formal establishment of an agreement to the operating principles will take place via a member vote, with all members of the watershed restoration and enhancement committee (Committee) approving the operating principles. Participants will work in good faith to productively participate in the development of the operating principles. By approving the operating principles, members of the Committee agree to uphold the principles as outlined in this document. Any member of the Committee may bring forward a recommendation for an amendment to the operating principles. The Committee, by a 2/3 majority vote of those in attendance at the meeting, may decide to review the operating principles and consider amendments periodically. Amendments will be brought for discussion when a quorum is present and take effect only if voted on unanimously by the full Committee for inclusion in the operating principles.

Nothing contained in this Agreement or in any amendment developed under the Agreement shall undermine the legal claims of any party listed in Appendix A. Participation in this planning process shall not override any party's authority or the reserved or other rights of tribal governments.

### SECTION 3. PARTICIPATION EXPECTATIONS AND GROUND RULES

#### **Participation expectations**

All members of the Committee are expected to work together to make decisions and recommendations to support the preparation of a watershed restoration and enhancement plan that all Committee members support by the deadline of June 30, 2021. Committee members will, in good faith and using their best professional judgement:

- Actively participate in Committee meetings;
- Review materials in preparation for the meetings;
- Review materials following the meetings;
- Engage in workgroups (if applicable);

- 1 • Come prepared for discussions and to make decisions (when applicable); and
- 2 • Commit to implementing the Committee ground rules (see below).
- 3 • Take ownership of their “home” entity’s decision-making process.
- 4 • Notify the Chair when members and alternates will not be able attend meetings.

5 The chair will ensure that committee members have adequate time to review materials. The chair will  
6 provide meeting materials at least 7 days before meetings, and attempt to provide 14 days review time  
7 for longer documents and documents that require a decision or discussion of foundational elements.  
8 The agenda will identify when a vote or decision is expected to allow entities to prepare for that  
9 decision. Members may request a delay in the vote or decision.

10 The chair understands that members may need to discuss decisions with their organizations prior to  
11 voting/approval and will work with committee members to establish reasonable review time for  
12 materials prior to calling for a vote or decision. When possible, Committee members will provide the  
13 chair reasonable notice if additional review time is needed prior to a vote or decision.

14 Committee meetings will take place on a monthly basis for an initial period, with the interval of  
15 meetings being modified as needed to meet the deadlines (either more or less frequently). The chair will  
16 attempt to hold meetings at a convenient location. Meetings are expected to last for approximately 4  
17 hours, with the length modified as needed to meet deadlines.

## 18 **In Person and Remote Participation**

19 It is the expectation that Committee representatives shall attend all meetings in person. The Committee  
20 chair will allow for remote participation (e.g. via phone, web, video conference) if:

- 21 • Notice is provided to the chair or facilitator at least 1 week in advance of the meeting, AND
- 22 • Representative and alternates are not available to attend in person, AND
- 23 • Meeting room accommodates remote participation, AND
- 24 • Agenda content allows for remote participation.

25 Remote participants must ensure that they can actively and effectively engage in the discussion and  
26 decision-making. If remote participation becomes an issue (such as more participants on the phone than  
27 in person, ongoing technological issues) the committee will reconsider the remote participation  
28 protocols in these Operating Principles.

29 If less than half (or 10) of the committee members or alternates are available to attend a meeting, the  
30 Chair, at her discretion, may cancel that meeting. The Chair will provide as much advance notice as  
31 possible if she cancels a meeting.

## 32 **Ground Rules**

33 Water management is inherently complicated and the Committee is striving for full agreement on the  
34 watershed restoration and enhancement plan. Therefore, given the range of members’ diverse  
35 perspectives, the Committee has established the following to ensure good faith and productive  
36 participation amongst its members:

- 37 • Be patient, direct, and honest in respectful consideration of each other’s views.

- Take responsibility for our own issues and problems.
- Be sensitive to different communication styles and needs.
- Come prepared to use meeting time productively.
- Be present and engaged throughout the meeting.
- Provide sufficient notice if unable to make a scheduled meeting.
- Strive to reach common ground.
- It is okay to agree to disagree.
- Phones on silent (take phone calls away from the meeting).
- Take turns speaking.
- Listen to each other.
- Be respectful.
- Keep an open mind.
- Ask questions to understand.
- Give people time to respond.
- Separate personalities from the opinion/idea.

## **Conflict Resolution**

In the event a conflict arises amongst members or established workgroups of the Committee, the following steps should be taken by individuals:

1. Communicate directly with the person or persons whose actions are the cause of the conflict.
2. If the circumstance is such that the person with a conflict is unable or unwilling to communicate directly with the person or persons whose actions are the cause of the conflict, the person shall speak with the Committee chair and facilitator.
3. The conflict should first be brought up verbally. If this does not lead to satisfactory resolution, the conflict should be described in writing to the chair.
4. If such matters are brought to the chair and facilitator, the chair in consultation with the facilitator, will address the conflict as appropriate and may seek outside or independent assistance as needed.

## **SECTION 4. ALTERNATES, CAUCUSES, AND NEW MEMBERSHIP**

Ecology invited every entity listed in RCW 90.94.030(2) to participate in the Committee. Each entity that responded indicating their commitment to participate shall identify a representative and up to two alternates to participate on the Committee. Those entities that have committed to participate are voting members in the committee, and each entity has one vote. Entities must give the chair written notice when they wish to update or change a representative or alternate.

### **Alternates**

If the primary representative cannot attend a meeting, they should, if possible, send an alternate and, in any event, notify the Committee chair and the facilitator as early as possible. It is the responsibility of the primary representative to brief the alternate on previous meetings and key topics arising for discussion in order for the alternate to participate productively. Alternates may actively participate in committee discussion whether they are at the table to fill in for the primary representative, or attending

the meeting in addition to the primary representative. Alternates' input should add value to the discussion, not repeat points that have already been made.

If the primary representative and alternates are no longer able to attend (staffing change, ongoing scheduling conflicts), the government or organization shall work with the chair to quickly identify a new representative from the same government or organization. If no alternate representative is available from the government or organization, an alternate entity that can represent the same interest is allowed and shall be brought forward to the chair for approval. The alternate entity will be subject to the Latecomers provisions as listed below.

## **Caucuses**

Cities have the option of participating in the Committee through a caucus. The caucus representative's attendance and vote/decision will represent the participation and vote/decision of all members of the caucus. The caucus will have one vote on decisions that do not require approval by all Committee members. The caucus members will determine their internal voting procedures and share caucus voting procedures with the Committee.

For decisions that require approval by all Committee members (adopting or amending the operating principles and charter, final plan approval), each caucus member will have one vote, which can be provided directly to the chair or through the caucus representative.

A caucus participant can decide to leave the caucus and resume individual participation in the Committee by sending notification in writing to the caucus representative and chair at least two weeks in advance of the next meeting.

## **Ex-Officio Members and Technical Experts**

The Committee may decide, by a supermajority, to invite an additional entity to join the Committee as an ex officio non-voting member. Ex Officio members are invited to sit at the Committee table, participate actively in discussions and review of documents, but shall not vote/decide on any items<sup>1</sup>. Ex-officio members are expected to participate as regular members—and adhere to the operating procedures—except that they do not vote/decide.

The Committee may decide by super majority to invite an individual or organization to participate in selected meetings or agenda items where additional expertise or perspective is desired. These technical experts will sit at the Committee table, participate actively in discussions and review documents for the specified agenda items. They may not vote/decide on any items.

## **Latecomers**

Ecology has invited all governments and organization identified in 90.94.030 to participate on the Committee. Invited entities who originally decided not to participate on the Committee (per written

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<sup>1</sup> Ecology leadership has determined that additional voting members will not be invited to join the committees in order to stay true to the legislation and keep the Committee size manageable. However, the Committee may decide to include non-voting members if they choose.

acknowledgement on the commitment letter or lack of responsiveness) are allowed to join the Committee at a later date under the following conditions:

1. The entity cannot veto, request a re-vote, or revisit items previously decided on by the Committee;
2. The entity signs an intent to participate, provides a primary and alternate Committee member;
3. The entity agrees to and abides by the operating principles; and
4. The entity joins the Committee and participates in meetings for a minimum of six months leading up to the vote on the plan.

#### SECTION 5. ROLE OF THE CHAIR AND COMMITTEE SUPPORT

RCW 90.94.030 (2b) states that “The department shall chair the watershed restoration and enhancement committee...” Ecology’s streamflow restoration implementation lead chairs the Committee on behalf of the agency. The chair shall vote and participate in decision-making on all items coming before the Committee.<sup>2</sup> The role of the chair is to write the plan in collaboration with the Committee with the goal to attain full agreement from the Committee members. If full agreement cannot be obtained, the chair shall ensure all opinions inform future decision making for the final plan.

In the event that the chair is unable to attend a scheduled meeting due to illness or other unanticipated absence, Ecology will designate as interim chair another Ecology staff to avoid cancelling the meeting.

Ecology may provide the Committee a facilitator. The role of the facilitator is to focus on process and support the Committee in productive discussions and decision-making. Ecology will provide administrative support for the Committee as well as technical assistance through Ecology staff and consultants.

Ecology will seek input from the Committee on consultant selection prior to entering into contract.

#### SECTION 6. DECISION MAKING

This planning process, by statutory design, brings a diversity of perspectives to the table. It is therefore important the Committee identifies a clear process for how it will make decisions. The Committee shall always strive for consensus, and when consensus cannot be reached, the chair and facilitator will document agreement and dissenting opinions. The reason why the Committee will strive for consensus is that the authorizing legislation requires that final plan itself must be approved by all members of the Committee prior to Ecology’s review (RCW 90.94.030[3] “...all members of a watershed restoration and enhancement committee must approve the plan prior to adoption”). Therefore, consensus during the foundational votes, or decisions, upon which the plan is constructed will serve as the best indicators of the Committee’s progress toward an approved plan. In the event consensus is not reached on

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<sup>2</sup> RCW 90.94 (3) states that “the department shall prepare and adopt a watershed restoration and enhancement plan for each watershed listed under subsection (2)(a) of this section, in collaboration with the watershed restoration and enhancement committee. Except as described in (h) of this subsection, all members of a watershed restoration and enhancement committee must approve the plan prior to adoption.” Based on input from the Attorney General’s office, because Ecology is a member of the Committee and must ultimately vote on whether or not to approve the plan, Ecology shall vote on all items coming before the Committee.

foundational elements of the plan in time to keep the process moving forward consistent with deadlines, the Committee can make decisions with supermajority approval.

### **Quorums and Voting**

A quorum is established when two-thirds of the voting members of Committee are present (either in person or on the phone), excluding cities participating through a caucus. The Committee may not vote unless a quorum is established.

The Committee may choose to hold a temporary vote if a quorum is not present. The Chair will follow up with absent members within 3 full business days of the temporary vote to obtain their vote. If the decision passes, tallying the votes from the meeting and the follow up, then the temporary vote will be considered validated and final.

### **Voting Protocol**

The Committee agenda will clearly identify Items anticipated for voting in advance. When voting occurs, the chair or facilitator will call for the vote. Committee members will signal their vote in the following ways:

- Thumbs up – approval
- Thumbs down – disapproval
- Thumbs sideways – accept, can live with, will not block.
- Five fingers – abstain

The facilitator will record all votes. Where there are dissenting votes or approvals with reservations, the facilitator will record who dissents or has reservations and the reasons for the dissent or reservations, and remaining concerns.

### **Consensus**

Consensus is a group process where the input of everyone is carefully considered and an outcome is crafted that best meets the needs of the group as a whole. The root of consensus is the word consent, which means to give permission to. When members consent to a decision, they are giving permission to the group to go ahead with the decision. Some members may disagree with all or part of the decision, but based on listening to everyone else's input, all members agree to let the decision go forward because the decision is the best one the entire group can achieve at the current time.

The Committee will strive toward consensus. The levels of consensus include:

- I can say an unqualified "yes"!
- I can accept the decision.
- I can live with the decision.
- I do not fully agree with the decision; however, I will not block it.

Minority reports will be allowed for all decisions. In addition, committee meeting summaries and other relevant documents will highlight the pros and cons of the actions discussed by the members.

Committee members shall abstain from decision-making if they have a personal financial interest in a decision.

1   **Approval by Supermajority**

2   Decisions that do not require consensus can be approved if two-thirds (66%) of those voting are either  
3   thumbs up or thumbs sideways. Members abstaining will be counted as present for purposes of the  
4   quorum, but abstentions will not be included in calculating the two-thirds for voting.

5   **Voting on Routine Decisions**

6   The Committee can approve routine Committee items such as meeting summaries with a simple  
7   majority approval and no further decision-making needed.

8   **Voting on Elements Foundational to the Plan**

9   The Committee prefers to reach consensus on foundational elements of the plan (e.g. growth scenarios,  
10   inclusion of individual projects, etc. – See Appendix B) in order to facilitate agreement on the final plan.  
11   In order to meet deadlines, foundational decisions leading up to the plan may be voted on as a way of  
12   assessing and recording the extent of agreement and remaining items to be resolved. If consensus on a  
13   foundational element of the plan is not achieved within the necessary timeline (see Appendix B) the  
14   chair or facilitator may call for a vote and move forward on decisions that obtain supermajority  
15   approval. These votes will be advisory in nature and will serve to clearly document areas of agreement  
16   and remaining differences.

17   When there is not consensus on a foundational element of the plan, the chair and facilitator will  
18   document dissenting opinions and the Committee will make a plan for when and how to revisit this  
19   element and how to reach consensus. The plan may include tasking a workgroup to come up with  
20   options for the group to decide on with a deadline for decisions. As discussed below, at the end of the  
21   process, all entities participating on the Committee must approve the plan for Ecology to accept it for  
22   net ecological benefit review and adoption.

23   If agreement cannot be reached after a reasonable effort or by the deadline, the facilitator or chair may  
24   call for an approval by supermajority.

25   **Parking Lots**

26   A “parking lot” may be used to capture ideas that the group cannot agree on or would like to return to  
27   at a later date for further discussion; however this will not jeopardize meeting deadlines by postponing  
28   issues which must be resolved so deliberations can move forward. Committee members will work  
29   together to establish schedules and deadlines to ensure that final plans can be completed on time.

30   **Conflicts of Interest**

31   Committee members shall abstain from voting if they have a personal financial interest in a decision.

32   **Informal Voting**



From time to time, the chair or the facilitator may ask for an informal vote or straw poll to gather information on group needs. These informal votes do not need to follow the formal voting protocols of this section. Informal votes will be used solely for information-gathering and will not result in a decision.

#### **Electronic voting**

In the case a decision is needed prior to the next Committee meeting, the chair can request an electronic vote or straw poll via non-private survey. Electronic voting will only be used to measure the direction the committee wants to head, gauge interest for meeting topics, times, or locations, consider opening these Operating Principles, follow up on temporary votes, or gather input for other time-critical items that do not include the foundational elements of the plan. The Department of Ecology will allow a minimum of 3 working days for responses. A non-response is considered an “abstention” vote.<sup>3</sup> An electronic vote is invalid if fewer than 2/3<sup>rd</sup> of the Committee Members respond, excluding cities participating in a caucus.

The chair will report the result of an electronic vote at the next Committee meeting and the chair or facilitator may request a procedural vote to reaffirm the electronic vote.

#### **Voting on the final approval of the plan**

RCW 90.94 (3) states that “... all members of a watershed restoration and enhancement committee must approve the plan prior to adoption.” This means that each and all committee members get a vote and that all committee members must vote “yes” in support of a plan in order for it to be approved and provided to Ecology for “net ecological benefit” review and potential adoption.

The vote on the final plan approval will be shown by hands:

Voting:

- Thumbs up – approval
- Thumbs down – disapproval

The facilitator will record all votes.

#### **SECTION 7. USE OF MATERIALS DEVELOPED BY CONTRACTORS**

As needed and agreed to by the Committee, Ecology may hire outside consultants to develop studies or reports.

The Committee shall recognize that the materials are for the sole and exclusive purpose of providing the background information necessary to assist the committee with developing the Watershed Restoration and Enhancement Plan.

Materials developed by other contractors (e.g. Committee member’s contractors) may be shared with the Committee if provided to Ecology with an adequate time to review, provide any necessary feedback,

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<sup>3</sup> If an ‘out of office’ message is received for the primary representative, the alternate representative(s) will be contacted to cast their vote. The chair and facilitator will make at least 3 points of contact with each Committee member before marking their vote as an abstention (e.g. phone, email, text).

and integrate into the appropriate meeting agenda. Ecology must review any information or materials used to justify Net Ecological Benefits.

#### SECTION 8. PUBLIC COMMENTS AND PUBLIC MEETING NOTICE

The agenda will provide time for public comment at each meeting. The chair and facilitator will determine the time and extent of the public comment period based on the agenda for each meeting, with input from the Committee. While the Committee is not explicitly required to follow the requirements of the Open Public Meetings Act, reasonable efforts will be made to post information and materials on the pertinent website in a timely manner to keep the public informed.

#### SECTION 9. ESTABLISHMENT OF WORKGROUPS, ADVISORY GROUPS AND SUBCOMMITTEES

The Committee may establish workgroups or subcommittees as it sees fit. Workgroups may be temporary, established to achieve a specific purpose within a finite time frame, or a standing workgroup addressing the goals of the Committee. The decision to form a workgroup is a procedural decision, as it is not required by the legislature, and may be developed at the discretion of the Committee or the chair in order to support Committee decision making. All Committee workgroups are workgroups of the whole, meaning their role is to support the efforts of the Committee and all Committee members are welcome to participate in any workgroup formed by the Committee. The chair or Committee may also invite non-Committee members to participate on the workgroups if they bring capacity or expertise not available on the Committee. No binding decisions will be made by the workgroups. The workgroups will communicate all issues discussed to the Committee as either recommendations or findings as appropriate and the workgroups will produce meeting summaries to distribute to the full committee. The Committee may, or may not, act on these workgroup outcomes as it deems appropriate.

#### SECTION 10. COMMITTEE AND MEDIA COMMUNICATION

To support clear communication with the Committee, Ecology will:

1. Operate an electronic mailing list for Committee members and interested parties
2. Develop and manage a website for members of the Committee to access documents such as agendas, meeting summaries, technical reports, calendar, and other items as requested by the Committee

The facilitator and Ecology shall prepare a written meeting summary for each Committee meeting within 10 business days of the last Committee meeting. The chair will distribute the meeting summary to the Committee via an email and the facilitator or Ecology will post the summary on the Committee webpage. The summary, at a minimum, will include a list of attendees, decisions, discussion points, assignments, and action items. If comments are cited in such summaries, each speaker will be identified. Meeting summaries will capture areas of agreement and disagreement within the group. The Committee will approve the meeting summary by a vote at the following meeting.

#### **Communication with the media**

When speaking to the media or other venues, the Committee members will clearly identify any opinions expressed as their personal opinions and not necessarily those of the other Committee members or the Committee as a whole. The Committee members will not attempt to speak for other members of the group or to characterize the positions of other members to the media or other venues. Comments to the media will be respectful of other Committee members.

- 1 Following significant accomplishments, the Committee may request Ecology to issue formal news
- 2 releases or other media briefing materials. All releases and information given to the media will
- 3 accurately represent the work of the Committee. Ecology will make every effort to provide the
- 4 Committee with materials in advance for input, recognizing that media timelines may not allow for
- 5 adequate review by the Committee.
- 6 When interacting with the media, the Committee members agree to abide by the protocol established
- 7 by this agreement.

## APPENDIX A: GOVERNMENT AND ORGANIZATIONAL MEMBERSHIP

### Membership

The legislation identifies the membership of the Committee (RCW 90.94.030[2]):

(b) The department [of Ecology] shall chair the watershed restoration and enhancement committee and invite the following entities to participate:

(i) A representative from each federally recognized Indian tribe that has reservation land within the water resource inventory area;

(ii) A representative from each federally recognized Indian tribe that has a usual and accustomed harvest area within the water resource inventory area;

(iii) A representative from the department of fish and wildlife, appointed by the director of the department of fish and wildlife;

(iv) A representative designated by each county within the water resource inventory area;

(v) A representative designated by each city within the water resource inventory area;

(vi) A representative designated by the largest irrigation district within the water resource inventory area;

(vii) A representative designated by the largest publicly owned water purveyor providing water within the water resource inventory area that is not a municipality;

(viii) A representative designated by a local organization representing the residential construction industry within the water resource inventory area;

(ix) A representative designated by a local organization representing environmental interests within the water resource inventory area; and

(x) A representative designated by a local organization representing agricultural interests within the water resource inventory area.”

**Table 1 Participating entities, representatives, and alternates**

	Entity	Representative	Alternate	Alternate
<b><i>Tribes with reservation land or Usual and Accustomed Harvest Area</i></b>	Puyallup Tribe	Russ Ladley	Char Naylor	
	Muckleshoot Tribe	Henry Martin	Carla Carlson	
<b><i>WA Department of Fish and Wildlife</i></b>	WDFW	Liz Bockstiegel	Matt Curtis	
<b><i>County</i></b>	Pierce County	Dan Cardwell	Tiffany Odell	Tom Kantz

	<b>Entity</b>	<b>Representative</b>	<b>Alternate</b>	<b>Alternate</b>
<b>City</b>	City of Auburn	Lisa Tobin	Jeff Tate	Susan Fenhaus
	City of Bonney Lake	Ryan Johnstone	Andrew Fonda	
	City of Edgewood	Jeremy Metzler		
	City of Enumclaw	Scott Woodbury	Chris Searcy	Jeff Lincoln
	City of Fife	Ken Gill	Russ Blount	
	City of Orting	Greg Reed	Mark Barfield	
	City of Pacific	Jim Morgan	Chuck Hendricksen	
	City of Puyallup	Paul Marrinan		
	City of Sumner	Michael Kosa	Robert Wright	Jason VanGilder
	City of Tacoma	Merita Trohimovich	Stephanie Seivert-Wilson	
<b>Publicly-owned water purveyor</b>	Lakehaven Water and Sewer	Stan French	John Bowman	Tim Osborne
<b>Residential Construction Industry</b>	Master Builder Association of Pierce County	Jessie Gamble	Kurt Wilson	Chuck Sundsmo
<b>Environmental Interests</b>	Puyallup River Watershed Council	Carrie Hernandez		
<b>Agricultural Interests</b>	Pierce Conservation District	Ryan Mello	Allan Warren	
<b>Irrigation District</b>	N/A			
<b>Ex Officio Members</b>	Tacoma-Pierce County Health Department	Michelle Harris	Kelly Racke	Jeremy Bush
	Salmon Recovery Lead Entity	Lisa Spurrier		
	Cascade Water Alliance	Michael Gagliardo		
<b>Declined to participate</b>	King County			
	City of Milton			
	City of Buckley			
	City of Carbonado			
	City of Federal Way			
	City of South Prairie			
	City of Algona			
	Town of Wilkeson			

APPENDIX B: ANTICIPATED MAJOR DECISION POINTS TO BE BROUGHT FORWARD FOR VOTING BY THE COMMITTEE<sup>4</sup>

2018 – Charter and Operating Principles

2019 –Sub basins, 20-year rural growth, estimated water use for projected new permit-exempt wells (i.e. consumptive use)

2020 – Projects to offset water use

2020 or 2021 – Plan approval

**Table 2 Plan Development Timeline (proposed)**

Minimum Deliverables	2018	2019 Q1	2019 Q2	2019 Q3	2019 Q4	2020 Q1	2020 Q2	2020 Q3	2020 Q4	2021 Q1	2021 Q2
Committee forms, orientation	x										
Approval of charter and operating principles	x										
Committee trainings and field visits	x	x	x								
Decision on sub basins		x	x								
Decision on growth projection scenarios			x								
Decision on 20 year growth			x								
Decision on consumptive use formula			x								
Decision on consumptive use amount to offset				x							
Orientation to project types and field visits				x	x	x					
Project identification and development					x	x	x				
Determination if projects offset consumptive use and initial net ecological benefit review/ determination (if possible)						x	x	x			
Local jurisdiction review and vetting								x	x		
Final approval of plan by committee									x		

<sup>4</sup> Initial list. Other major items may be brought to vote by the committee such as recommended changes to instream flow rules, recommended changing in building permit fee, recommended daily water use allowance

Minimum Deliverables	2018	2019 Q1	2019 Q2	2019 Q3	2019 Q4	2020 Q1	2020 Q2	2020 Q3	2020 Q4	2021 Q1	2021 Q2
Ecology net ecological benefit review and determination										x	x

#### APPENDIX C: BACKGROUND LANGUAGE OF 90.94.030

“(3) By June 30, 2021, the department shall prepare and adopt a watershed restoration and enhancement plan for each watershed listed under subsection (2)(a) of this section, in collaboration with the watershed restoration and enhancement committee. Except as described in (h) of this subsection, all members of a watershed restoration and enhancement committee must approve the plan prior to adoption.

(a) The watershed restoration and enhancement plan should include recommendations for projects and actions that will measure, protect, and enhance instream resources and improve watershed functions that support the recovery of threatened and endangered salmonids. Plan recommendations may include, but are not limited to, acquiring senior water rights, water conservation, water reuse, stream gaging, groundwater monitoring, and developing natural and constructed infrastructure, which includes but is not limited to such projects as floodplain restoration, off-channel storage, and aquifer recharge. Qualifying projects must be specifically designed to enhance streamflows and not result in negative impacts to ecological functions or critical habitat.

(b) At a minimum, the plan must include those actions that the committee determines to be necessary to offset potential impacts to instream flows associated with permit-exempt domestic water use. The highest priority recommendations must include replacing the quantity of consumptive water use during the same time as the impact and in the same basin or tributary. Lower priority projects include projects not in the same basin or tributary and projects that replace consumptive water supply impacts only during critical flow periods. The plan may include projects that protect or improve instream resources without replacing the consumptive quantity of water where such projects are in addition to those actions that the committee determines to be necessary to offset potential consumptive impacts to instream flows associated with permit-exempt domestic water use.

(c) Prior to adoption of the watershed restoration and enhancement plan, the department must determine that actions identified in the plan, after accounting for new projected uses of water over the subsequent twenty years, will result in a net ecological benefit to instream resources within the water resource inventory area.

(d) The watershed restoration and enhancement plan must include an evaluation or estimation of the cost of offsetting new domestic water uses over the subsequent twenty years, including withdrawals exempt from permitting under RCW 90.44.050.

(e) The watershed restoration and enhancement plan must include estimates of the cumulative consumptive water use impacts over the subsequent twenty years, including withdrawals exempt from permitting under RCW 90.44.050.

(f) The watershed restoration and enhancement plan may include:

(i) Recommendations for modification to fees established under this subsection;

(ii) Standards for water use quantities that are less than authorized under RCW 90.44.050 or more or less than authorized under subsection (4) of this section for withdrawals exempt from permitting;



(iii) Specific conservation requirements for new water users to be adopted by local or state permitting authorities; or

(iv) Other approaches to manage water resources for a water resource inventory area or a portion thereof.

(g) After adoption of a watershed restoration and enhancement plan, the department shall evaluate the plan recommendations and initiate rule making, if necessary, to incorporate recommendations into rules adopted under this chapter or under chapter [90.22](#) or [90.54](#) RCW. Any modification to fees collected under subsection (4) of this section or standards for water use quantities that are less than authorized under RCW [90.44.050](#) or more or less than authorized under subsection (4) of this section for withdrawals exempt from permitting may not be applied unless authorized by rules adopted under this chapter or under chapter [90.54](#) RCW.

(h) If the watershed restoration and enhancement committee fails to approve a plan by June 30, 2021, the director of the department shall submit the final draft plan to the salmon recovery funding board established under RCW [77.85.110](#) and request that the salmon recovery funding board provide a technical review and provide recommendations to the director to amend the final draft plan, if necessary, so that actions identified in the plan, after accounting for new projected uses of water over the subsequent twenty years, will result in a net ecological benefit to instream resources within the water resource inventory area. The director of the department shall consider the recommendations and may amend the plan without committee approval prior to adoption. After plan adoption, the director of the department shall initiate rule making within six months to incorporate recommendations into rules adopted under this chapter or under chapter [90.22](#) or [90.54](#) RCW, and shall adopt amended rules within two years of initiation of rule making.”