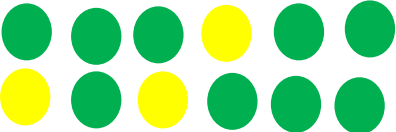
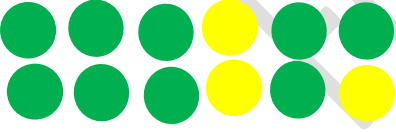

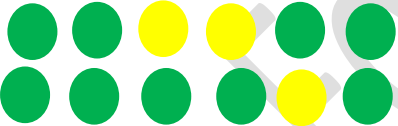
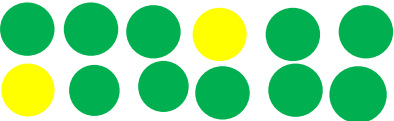
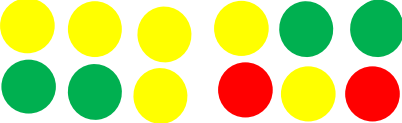


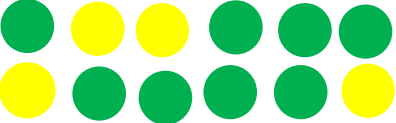
WRIA 10 Policy and Regulatory Ideas – WREC Meeting 05/06/20

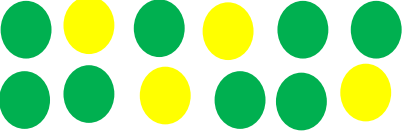
Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
Update the Ecology Well Log Database				
	<p>Potentially a better fit for adaptive management than policy/regulatory recommendations</p> <p>Some information isn't required on well logs and can't be obtained without changing regulations. Blanks could be filled in for what is reported to Ecology</p> <p>May require asking the Legislature for additional funding for Ecology or WDFW to implement this</p> <p>Policy/regulatory ask – not just data (should be clarified in how this is described)</p>	<p>Update from Rebecca: Broad interest. Snoqualmie Indian Tribe developed proposal for WRIA 8.</p>	<p>Not discussed</p>	<p>Update: See "Improve Ecology Well Tracking" proposal, below.</p>
Enhance enforcement by State staff of existing and proposed regulations				
	<p>Make the language clear that this would require legislative funding and possibly regulatory change</p>	<p>South Sound Water Master proposal from Squaxin Island Tribe.</p>	<p>Referenced in relation to metering discussion.</p>	<p>Update: See South Sound Water Master Proposal.</p>

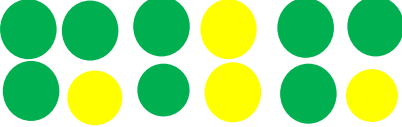
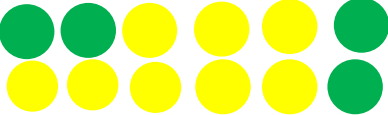
Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
	<p>Interest in this from other committees</p> <p>Expanding enforcement and adding dedicated staff for enforcement</p> <p>Sullivan Creek Case – case law that Ecology can't enforce without adjudication</p>			
Metering PE wells, at least as a pilot project.				
	<p><u>Workgroup</u></p> <p>Puyallup tribe and Muckleshoot tribes strong proponent of metering.</p> <p>TPCHD: for it and against it. Can't even get group A and B wells to submit metering data.</p>	<p>Share proposal for a South Sound Water Master.</p> <p>Follow up with committee to figure out a plan for developing a proposal</p>	<p>More useful to use metering as part of enforcement activities.</p> <p>Benefit from metering might not match the amount of time, energy, and resources needed to implement a metering program.</p> <p>What are results from 90.94 pilot programs?</p>	<p>Update: Initial results from metering pilot included in PE Well Metering External Report. Initial report to the legislature due 12/2020.</p>
Establish Incentive programs for water conservation				
	<p>Needs to be fleshed out a lot – what does this mean? Who would be responsible for leading this type of incentive program? How is it funded?</p>	<p>Cross-WRIA workgroup forming with reps from all 8 030 committees (mostly CDs). WA SCC is also taking part (important for</p>		

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
	<p>A lot of water utilities are already doing conservation. We would want this to be more specific to exempt well users – targeted to them.</p> <p>Purview of the Conservation District?</p> <p>Might be something to talk with Conservation Commission about – approach that could applied across the board.</p> <p>Tacoma-Pierce County Health Department should be contacted about this as well.</p>	coordination among CDs).		
Use a centralized database for tracking project implementation				
	<p>Potentially a better fit for adaptive management than policy/regulatory recommendations</p> <p>May require asking the Legislature for additional funding for Ecology or WDFW to implement this</p>	WDFW presented their proposal for a project tracking system.	Not discussed	

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
Outline the process for purchasing water rights and identify barriers				
		<p>Ecology has materials that can be shared as a starting point.</p> <p>Discuss at a workgroup meeting.</p>	<p>Rebecca provided workgroup with Landowners Guide to Washington Water Rights and information from Ecology's website available for the general public.</p>	
Change the gallon per day withdrawal limit (decrease both the streamflow restoration law limit of 950 gpd and the groundwater code limit of 5,000 gpd)				
	<p>Lower than 5,000 gpd limits subdivision potential. TPCHD would need to change regulations.</p> <p>Average use 400 gpd. Septic systems sized on bedrooms for indoor use.</p> <p>How is it applied per subdivisions?</p> <p>Rule cannot change a law (90.94 gives authority to change 950 gpd)</p> <p>TPCHD: 12 lots allowed if each lot is served by individual well(400 gallons per well).</p>	<p>Include TPCHD PE well rules information in the plan</p> <p>Have a metering discussion before determining whether to recommend this</p> <p>Track what other WRIA Committees are doing about withdrawal limits.</p> <p>Need to recognize that without a well monitoring strategy identified or in effect</p> <p>Lowering the limit without a way to measure or enforcement</p>	<p>Not discussed in workgroup.</p>	<p>Update: Other committees do not seem to be moving forward on withdrawal limits.</p>

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
	<p>-Group B designed at 750 gpd.</p> <p>-Group B allowed only 6 connections.</p> <p>_can't talk about it unless we know what people are using (metering)</p>	mechanism would send a message to water users		
Expand research on ways to make use of excess winter stream flows to increase aquifer recharge and groundwater storage				
	<p><u>Committee</u></p> <p>Instead of researching ways of holding winter stream flows, we should instead think of ways to preserve aquifer recharge areas and wetlands. Focus on protecting what we do have before pursuing big MAR projects. Could be part of climate change/resilience component of the plan.</p> <p>Need to be more specific on what this looks like practically – expanded critical areas? Changes to aquifer protection regulations?</p>	<p>Move to the project list as:</p> <p>Project to identify and protect aquifer recharge areas and wetlands. Prioritize protection and enhancements of natural systems before relying on built systems.</p>	<p>Discussed whether retiming projects counted as offsets and noted challenges:</p> <p>Retiming projects (including floodplain reconnection) are estimates only, and can only be verified with baseline information before and monitoring after.</p> <p>Water right projects are a higher priority, but are challenging to find in every subbasin. To offset impacts in each subbasin, retiming or floodplain reconnection</p>	

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
	Could potentially include land acquisition to protect existing resources		projects may be important.	
Review fees for permit-exempt and non-permit-exempt wells for equity/balance				
	<p><u>Committee</u></p> <p>Unclear what the recommendation is – for the workgroup to review fees? To change the fee structure?</p> <p>What do we mean by equity and balance?</p> <p>Need more education on this before we can include it</p> <p>We should be reviewing fees now, and potentially put a recommendation for changes in fees into the plan.</p> <p>Concern about increasing the fee</p> <p>Unclear what the current \$500 fee is used for.</p> <p>Need more specifics.</p> <p>A recommendation like this would need to go through rule making.</p>	<p>If increasing the fee, we would need to be very clear about what that increase is for.</p> <p>Need to know more about how existing fees are being used.</p> <p>Wait until Rebecca has an update on how existing fees are being used.</p> <p>Have a workgroup discussion about potential uses for an increased fee. Then bring the conversation back to the full committee.</p>	<p>Need more information from Ecology before continuing this discussion.</p>	

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
Build structure for plan implementation to support adaptive management				
	<p>Reword in order to fit under policy/regulatory recommendations.</p> <p>Shouldn't be local jurisdictions with the administrative burden. Ask to the Legislature to have Ecology organize this effort.</p>	<p>Not discussed. Adaptive management discussion might be more beneficial when we know what we are managing.</p>		<p>Update: See Adaptive Management Proposal, below.</p>
Ease restoration regulations in the County/local jurisdictions or reduce policy barriers to restoration				
	<p><u>Workgroup</u></p> <p>Intent: increase the rate of restoration and reduce barriers to get mores restoration projects.</p> <p>Permitting barriers (fed, state, local).</p> <p>Needs to be fleshed out more. Need to know which specific barriers related to permitting, but willing to pursue.</p> <p>Policy changes would happen in a different venue.</p> <p>Streamlining water right acquisition?</p>	<p>Add to the Adaptive Management section of the plan; check in ~five years into plan implementation to see what barriers have come up that have delayed project implementation and develop recommendations to address those barriers at that time</p>	<p>Not discussed.</p>	

Votes	Notes	WREC 05/06	Workgroup 05/18	WREC 06/03
	Maybe better as adaptive management?			

For Discussion Only

Improve Ecology Well Tracking—For Discussion Only

5/20/2020

Prepared by Matt Baerwalde, Snoqualmie Indian Tribe

Description of policy idea (a short abstract):

Accurate tracking of the locations and features of permit exempt wells will be required in order to support the Committee's desire to engage in monitoring and adaptive management after plan approval. In order to improve tracking of permit-exempt wells, the Snohomish WREC supports the following improvements to well report tracking:

- Include latitude and longitude of wells on well report forms
 - Identify permit-exempt wells
 - Provide Well ID Tag numbers to older wells, so that decommissioning, replacement, or other well activities can be tracked in the context of tracking plan implementation.
1. *Identify the implementer and other key players.*

Ecology; well drillers

2. *Describe recommended or required actions (including current policies or codes, existing programs and their limitations, perverse incentives, loopholes, etc.)*

ECY and many others are aware of shortcomings of the current database and are working to make improvements and correct incorrect data. This proposed Committee recommendation is intended to support Ecology's well report database improvement efforts on the Washington State Well Report Viewer, which in turn will improve the Committee's ability to track progress during monitoring and adaptive management phases.

3. *Who the action impacts (if different than primary implementer)*

Ecology; well drillers

4. *Describe benefits and challenges/obstacles.*

Benefits: improved well tracking begets improved plan tracking; water resources can be better protected

Challenges/obstacles:

- Lat/long requirement may necessitate WAC change (also may not, being evaluated by Technical Advisory Group per ECY well construction staff).
- Some well drillers expected to resist requiring coordinates, per ECY well construction staff (Many well contractors reportedly resist additional requirements and increased scrutiny)
- Unsure if other changes require WAC or other policy or programmatic changes

Adaptive Management: Proposal for Discussion

Coordination on Recommendations to Legislature regarding Plan Implementation and Adaptive Management

The Streamflow Restoration Law (90.94.030 RCW) does not mention plan implementation or adaptive management. The Final NEB Guidance does not require adaptive management, but recommends inclusion in the plan to increase the reasonable assurance of plan implementation. Several Watershed Restoration and Enhancement Committees are discussing developing a common recommendation to the legislature to address these topics. The same recommendation included in multiple watershed restoration and enhancement plans may give the recommendation more weight.

An example of this could read as follows:

“The WRIA [#] Watershed Restoration and Enhancement Committee recommends that the legislature provide funding and a structure to monitor plan implementation (including annual tracking of new permit-exempt wells and project implementation by subbasin) and develop a process to adaptively manage implementation if Net Ecological Benefit is not being met as envisioned by the Watershed Restoration and Enhancement Plan”.

Discussion Questions:

- Is a high-level recommendation like the above, of interest to you? Does anyone have concerns with including a statement like this in the WRE Plan?

This is intended as starting language for feedback if a committee chooses to include an adaptive management component in the plan. Each committee could provide additional details in their plan that are specific to their WRIA and go beyond the high-level recommendation to the legislature. For example:

- “For WRIA #, we recommend that x data be tracked (how/by whom/etc.). If x does not occur, the Watershed Restoration and Enhancement Committee (or another existing Committee/organization/government) should be convened to modify the plan as needed.”
- “For WRIA #, we recommend an annual (or every 5 year) report generated by x summarizing project implementation status and effectiveness and new permit exempt wells. The report shall be shared with x.”

This specific adaptive management language would be crafted by each committee and can vary among WRIs, though consistency with the over-arching recommendation to the legislature may provide the recommendation more weight.

Discussion Questions:

- What additional adaptive management components do you want to include in the WRE plan? Are there additional ideas that don’t fit into the two topics above? Is there anything that is missing?
- What are the best next steps for moving these elements forward?