

Policy proposal – WRIA 14 WREC

Name: Permit Exempt Well Withdrawal Limits

Entity: Squaxin Island Tribe

Type of policy idea: Regulation

Description of policy idea (a short abstract):

Permit Exempt Well limitations shall be established for this WRIA at the levels set in the WRIA 1 rule:

- Indoor domestic water use shall not exceed 500 gallons per day per connection, and shall not exceed a total of 3,000 gallons pre day for a group domestic system; and
 - Outdoor domestic water use shall be limited to an area not to exceed a total of one-twelfth of an acre, or 3,630 square feet, for each connections, and one-half acre total for all connections in a group domestic system. Outdoor use limits are in addition to indoor water use.
1. *Identify the potential implementers and other key players.*
 - a. Ecology would be responsible for rule development and implementation.
 2. *Describe proposed actions (including current policies or codes, existing programs and their limitations, problems to be corrected, etc.).*
 - a. Rule revision would be required.
 3. *Identify who the action impacts (if different than primary implementer).*
 - a. Owners of homes with new permit exempt wells.
 4. *Describe benefits and challenges/obstacles.*
 - a. Benefits: reduces potential impact of new wells. Provides consistency with requirements for WRIA 1 and other WRIAs adopting these limits.
 - b. Challenges/obstacles: Ecology must expend resources to implement. Compliance may be difficult to achieve and inconsistent.

Description of purpose:

1. *How would this recommendation enhance the WRIA 14 plan? Describe the desired result and its purpose in this plan (we want to be clear how this relates to offsetting impacts from PEW OR be explicit that this is a benefit to the watershed even if not directly related to PEW impacts).*
 - a. These limitations provide a “safety factor” by setting limits on PE well use based on good water conservation practices. This improves the net benefits of offset projects as they are completed to restore streamflows and protect senior water rights.

Description of concerns:

1. *What, if any, concerns with this policy idea have WRIA 14 members expressed or that you anticipate?*
 - a. There may be resistance from homeowners who might have an expectation that there are no limits on their water use.
 - b. Ecology will have to invest resources to implement this as a rule and requirement.
2. *If you have discussed this with concerned members, what was the result of those discussions?*

- a. Concerns mainly are around compliance and enforcement – who is responsible and how would it occur?
- 3. *Are there other potential downsides or objections to the proposal that you anticipate?*
 - a. Counties may be uncertain about their role in compliance or the political response to the limits.
- 4. *In what ways does your proposal address those concerns?*
 - a. The proposal is consistent with a recently adopted rule.
 - b. A separate proposal will address compliance and enforcement issues.

Cost and funding sources:

- 1. *What elements of the proposal are likely to require funding?*
 - a. Ecology's role in development and implementation of the requirement
- 2. *Provide a rough cost estimate (if known) and discuss potential funding sources and whether funding is one time or ongoing.*
 - a. Ecology might be able to estimate from the WRIA 1 experience
- 3. *Explain costs to other affected parties besides implementing regulators (for example: costs will increase for well drilling or new requirements on homeowners/home builders).*
 - a. Reduced water use will likely reduce costs to homeowners.

Policy proposal – WRIA 14 WREC

Name: Durability of Implementation

Entity: Squaxin Island Tribe

Type of policy idea (see list below): Adaptive Management; Regulation

Description of policy idea (a short abstract):

The Plan will identify the mechanisms that add certainty to its implementation over its life. These could include documentation of past practices and standard procedures; and expected linkages to existing policies, regulations, and planning documents.

1. *Identify the potential implementers and other key players.*
 - a. Ecology and Counties
2. *Describe proposed actions (including current policies or codes, existing programs and their limitations, problems to be corrected, etc.).*
 - a. For Ecology, this could include Plan implementation; and rule development, adoption, and implementation.
 - b. For Counties, this could include past practices and current practices with multi-jurisdictional plans; linkage to existing plans such as the Comprehensive Plan; and implementation through permitting rules.
3. *Identify who the action impacts (if different than primary implementer).*
 - a. It will indirectly impact all stakeholders in the Plan since to will improve the likelihood that the Plan will be improved and implemented.
4. *Describe benefits and challenges/obstacles.*
 - a. Benefits: documents procedures regarding how the Plan will be implemented, and increases the likelihood of Plan approval.
 - b. Challenges/obstacles: These descriptions are based on past or current practices, or they are recommendations. There may be reluctance to include anything in the Plan that looks like a commitment.

Description of purpose:

1. *How would this recommendation enhance the WRIA 14 plan? Describe the desired result and its purpose in this plan (we want to be clear how this relates to offsetting impacts from PEW OR be explicit that this is a benefit to the watershed even if not directly related to PEW impacts).*
 - a. It will improve the likelihood that the Plan will be improved and implemented.

Description of concerns:

1. *What, if any, concerns with this policy idea have WRIA 14 members expressed or that you anticipate?*
 - a. There is reluctance to include anything in the Plan that looks like a commitment.
2. *If you have discussed this with concerned members, what was the result of those discussions?*
 - a. The proposal is based on discussions with the staff of some counties.
3. *Are there other potential downsides or objections to the proposal that you anticipate?*

- a. It takes time to write down and it has no binding impact.
- 4. *In what ways does your proposal address those concerns?*
 - a. The proposal is based on past discussions.

Cost and funding sources:

- 1. *What elements of the proposal are likely to require funding?*
 - a. None anticipated
- 2. *Provide a rough cost estimate (if known) and discuss potential funding sources and whether funding is one time or ongoing.*
 - a. n/a
- 3. *Explain costs to other affected parties besides implementing regulators (for example: costs will increase for well drilling or new requirements on homeowners/home builders).*
 - a. None anticipated

Policy proposal – WRIA 14 WREC

Name: Monitoring and Research

Entity: Squaxin Island Tribe

Type of policy idea (see list below): Information support

Description of policy idea (a short abstract):

The Plan should include a package of proposals for monitoring and research. Ideas to include:

- Support flow monitoring at all sites with ISF levels
- Improve ground water information – data, maps, and models
 - Map and quantify areas of impervious surface and critical recharge zones
 - Improve regional groundwater models
 - Map flow paths and rates for stream baseflow
 - Expand ground water monitoring
- Establish a program for habitat and NEB monitoring
- Monitor project implementation and effectiveness

The Plan should propose the development of a comprehensive monitoring and research strategy as part of Plan implementation. This strategy can refine the specific goals, elements, and priorities for monitoring and research.

1. *Identify the potential implementers and other key players.*
 - a. Various: Ecology, Counties, CDs, Tribes, PUDs
2. *Describe proposed actions (including current policies or codes, existing programs and their limitations, problems to be corrected, etc.).*
 - a. A variety of studies and programs are proposed. Specific studies and proposals will be developed by entities willing to invest time and resources.
3. *Identify who the action impacts (if different than primary implementer).*
 - a. The proposed actions will benefit all citizens in the WRIA by providing improved data and information for water planning.
4. *Describe benefits and challenges/obstacles.*
 - a. Benefits: improved data and information for water planning.
 - b. Challenges/obstacles:
 - i. Specific projects or programs need to be defined in detail
 - ii. Funding will need to be obtained.

Description of purpose:

1. *How would this recommendation enhance the WRIA 14 plan? Describe the desired result and its purpose in this plan (we want to be clear how this relates to offsetting impacts from PEW OR be explicit that this is a benefit to the watershed even if not directly related to PEW impacts).*
 - a. Information on water resources is always in short supply. Decisions are made with limited information, with assumptions made to address uncertainty. As the Plan is implemented, improved information will support adjustments to the Plan to better focus limited resources on the most significant problems and best solutions.

Description of concerns:

1. *What, if any, concerns with this policy idea have WRIA 14 members expressed or that you anticipate?*
 - a. This proposal is general in nature. Different members may interpret it differently or have different priorities for the study or program they'd prefer to focus on.
2. *If you have discussed this with concerned members, what was the result of those discussions?*
 - a. Discussions are supportive of the concept, although Committee members differ about details.
3. *Are there other potential downsides or objections to the proposal that you anticipate?*
 - a. Funding is a challenge, leaving implementation uncertain
 - b. The proposal is very general, and will likely occur piecemeal, if at all.
4. *In what ways does your proposal address those concerns?*
 - a. The proposal for developing a strategy would help to provide a more comprehensive and coordinated approach.
 - b. The proposal is intended to indicate the Committee's desires, while leaving the specifics flexible and adaptable.

Cost and funding sources:

1. *What elements of the proposal are likely to require funding?*
 - a. All of them
2. *Provide a rough cost estimate (if known) and discuss potential funding sources and whether funding is one time or ongoing.*
 - a. Impossible to estimate.
3. *Explain costs to other affected parties besides implementing regulators (for example: costs will increase for well drilling or new requirements on homeowners/home builders).*
 - a. Costs will depend on what is proposed and who agrees to fund it.
 - b. A monitoring or research study should not generate subsequent costs.

Policy proposal – WRIA 14 WREC

Name: Instream Flow Rule revisions

Entity: Squaxin Island Tribe

Type of policy idea: Regulation

Description of policy idea (a short abstract):

Revise the WRIA 14 Instream Flow Rule (WAC 173-514) to improve protection of streamflows.

1. *Identify the potential implementers and other key players.*
 - a. Ecology
2. *Describe proposed actions (including current policies or codes, existing programs and their limitations, problems to be corrected, etc.).*
 - a. Close all streams with salmonid habitat in WRIA 14 tributary to the South Sound, other than streams currently designated with Instream Flows
 - b. For all streams with Instream Flows designated in the rule, reassess the seasonal periods of closure and Instream Flow values with the most current ISF assessment methodology and salmon habitat information. This may include adding a seasonal period of closure where none currently exists.
 - c. Revise and add conditions to the rule related to permit-exempt wells consistent with the final watershed plan.
3. *Identify who the action impacts (if different than primary implementer).*
 - a. May affect future development by eliminating some sources of water supply.
4. *Describe benefits and challenges/obstacles.*
 - a. Benefits: updates rule for greater protection of aquatic resources from future water demands.
 - b. Challenges: rule-making process may alter the final rule; resistance to reduced access to surface and ground water.

Description of purpose:

1. *How would this recommendation enhance the WRIA 14 plan? Describe the desired result and its purpose in this plan (we want to be clear how this relates to offsetting impacts from PEW OR be explicit that this is a benefit to the watershed even if not directly related to PEW impacts).*
 - a. This recommendation would update the rule to:
 - i. Better protect streamflows from future water demands
 - ii. Support implementation of the Plan
 - iii. Support the goals of the plan for stream flow restoration and NEB
 - iv. Improve protection of Tribal and other senior water rights

Description of concerns:

1. *What, if any, concerns with this policy idea have WRIA 14 members expressed or that you anticipate?*
 - a. Uncertainty of rule-making outcomes

- b. Impacts on economic development
 - c. Workload to develop and implement the rule
- 2. *If you have discussed this with concerned members, what was the result of those discussions?*
 - a. No discussions yet
- 3. *Are there other potential downsides or objections to the proposal that you anticipate?*
 - a. See #1
- 4. *In what ways does your proposal address those concerns?*
 - a. Science-based approach
 - b. Focus on protection of salmonids

Cost and funding sources:

- 1. *What elements of the proposal are likely to require funding?*
 - a. Ecology will have to designate resources to implement.
- 2. *Provide a rough cost estimate (if known) and discuss potential funding sources and whether funding is one time or ongoing.*
 - a. Unknown at this time. Funding proposals have been provided separately
- 3. *Explain costs to other affected parties besides implementing regulators (for example: costs will increase for well drilling or new requirements on homeowners/home builders).*
 - a. May increase costs for development if less expensive water supplies are not allowed because of this rule.

Policy proposal – WRIA 14 WREC

Name: Funding for Plan Implementation

Entity: Squaxin Island Tribe

Type of policy idea (see list below): Fees

Description of policy idea (a short abstract):

Two strategies are proposed to fund implantation of the Plan:

- New Permit Exempt Well Fees will be increased to \$1,500 per connection, as authorized by RCW 90.94.030 (5)(c). The Plan will identify the specific use of these fees, but the following distribution is suggested:
 - \$450/connection: to Ecology for supporting implementation
 - \$250/connection: retained by the County for administration and implementation costs
 - \$400/connection: to Ecology to distribute to an organization to create capacity to support implementation of the plan. Ecology will identify the organization conducting this work and provide the funding support in accordance with laws and regulations.
 - \$400/connection: to Ecology to fund education and technical assistance for conservation and drought resilience. Ecology will identify organizations conducting this work and provide the funding support in accordance with laws and regulations.
- The Plan will request that the legislature provide sustainable, stable funding for implementation of the Plan. This funding will be available statewide to address priority activities in common with all WRIAs with a Plan or Rule developed under RCW 90.94. These activities might include:
 - Ecology’s role in implementing the Plan and ensuring compliance with WRIA rules.
 - A statewide education and technical assistance program for water conservation and drought resilience.
 - Monitoring, modeling, and research to collect information collection that supports better water management

The Plan recommends a dedicated fee rather than reliance on the general fund. An example might be an annual fee on permit exempt wells charged as part of the annual property tax assessment.

1. *Identify the potential implementers and other key players.*
 - a. Ecology and Counties
2. *Describe proposed actions (including current policies or codes, existing programs and their limitations, problems to be corrected, etc.).*
 - a. Ecology would need to develop and adopt a rule to implement this.
 - b. Counties would play a role in managing fees
3. *Identify who the action impacts (if different than primary implementer).*
 - a. New home buyers would absorb the fee in their purchase price.
 - b. A positive impact to all citizens in the WRIA will occur from funding of implementation
4. *Describe benefits and challenges/obstacles.*
 - a. Benefits: support implementation of the Plan and the ultimate achievement of its goals.

- b. Challenges/obstacles: resistance to increased fees and homebuyer costs

Description of purpose:

1. *How would this recommendation enhance the WRIA 14 plan? Describe the desired result and its purpose in this plan (we want to be clear how this relates to offsetting impacts from PEW OR be explicit that this is a benefit to the watershed even if not directly related to PEW impacts).*
 - a. Funding is critical to have a Plan that is actively implemented and achieves its goals.
 - b. Funding from the legislature is highly uncertain, and the law provides a mechanism to fund implementation through fees on new wells.
 - c. Funding needs are much larger than can be expected to be supported by local fees, so a parallel track to get statewide funding from the legislature should also be included.

Description of concerns:

1. *What, if any, concerns with this policy idea have WRIA 14 members expressed or that you anticipate?*
 - a. Resistance from counties and building industry to fees that add to the cost of homes.
2. *If you have discussed this with concerned members, what was the result of those discussions?*
 - a. Some willingness to accept a reasonable fee has been indicated.
3. *Are there other potential downsides or objections to the proposal that you anticipate?*
 - a. Committee members want the use of the fees to be clearly described.
4. *In what ways does your proposal address those concerns?*
 - a. I have proposed potential uses. As the Plan is more fully developed those uses can be better clarified and refined, or new ones included.
 - b. Fee levels are also proposed that be modified as the Committee chooses.

Cost and funding sources:

1. *What elements of the proposal are likely to require funding?*
 - a. The proposal is about funding.
2. *Provide a rough cost estimate (if known) and discuss potential funding sources and whether funding is one time or ongoing.*
 - a. Summary of PE well fee proposal in the table below.
3. *Explain costs to other affected parties besides implementing regulators (for example: costs will increase for well drilling or new requirements on homeowners/home builders).*
 - a. n/a

			Ecology	County	Implementing Group	Conservation /drought	Total	
	Projected Annual		Rate per well					
	Revenue –		\$ 450	\$ 250	\$ 400	\$ 400	\$ 1,500	
	# wells	current	Total per month					
WRIA 14	215	\$ 107,350	\$ 8,051	\$ 4,473	\$ 7,157	\$ 7,157	\$ 26,838	Revenue - projected per year
								\$ 322,050