



AGENDA

WRIA 15 Watershed Restoration and Enhancement Committee Meeting

November 7, 2019 | 9:30a.m.-12:45 p.m. | [WRIA 15 Committee Webpage](#)

Location

Kitsap County Commissioners
Chambers
619 Division St
Port Orchard, WA

Committee Chair

Stacy Vynne
Svyn461@ecy.wa.gov
(425) 649-7114

Handouts

- Agenda
- Local Plan Review
- Draft Plan Outline
- Regulatory and Policy Actions Discussion Guide
- Workgroup Meeting Notes

Welcome

9:30 a.m. | 5 minutes | Susan Gulick

Meeting Agenda and Meeting Summary

9:35 a.m. | 5 minutes | Susan Gulick

Updates and Announcements

9:40 a.m. | 30 minutes | Stacy Vynne, All

- Overview of WRIA 15 Box Site
- Local Plan Review and Timeline
- Draft Plan Outline
- Other Announcements

Regulatory and Policy Ideas

10:10 a.m. | 60 minutes | All | Breakout Group Discussion

- Overview of Committee Options
- Breakout Group Discussion

BREAK | 11:10 a.m. | 10 minutes | Move your car if you parked in 2-hour parking space!

Growth Projections and Consumptive Use Update

11:20 a.m. | 50 minutes | Stacy Vynne, Workgroup Members | Discussion

- Region Delineation Revision: Recommendation from Workgroup
- Permit Exempt Well Projections: Update from Workgroup and Path Forward
- Consumptive Use Estimate: Update on Outdoor Irrigation Analysis and Path Forward
- Next Steps and Pathway to Agreement

Project Workgroup Report

12:10 p.m. | 10 minutes | Stacy Vynne, All | Discussion

- Roles and Responsibilities
- Project Criteria
- Acquisitions Assessment

Streamflow Restoration Competitive Grant Guidance

12:20 p.m. | 15 minutes | Stephanie Potts | Presentation

Public Comment

12:35 p.m. | 5 minutes | Susan Gulick

Next Steps and Action Items

12:40 p.m. | 5 minutes | Susan Gulick, Stacy Vynne

- Next meeting—Thursday, December 5, 9:30 a.m., Kitsap County Commissioner's Chambers, Port Orchard



MEETING SUMMARY

WRIA 15 Watershed Restoration and Enhancement Committee Meeting

October 3, 2019 | 9:30 a.m.-12:30p.m. | [WRIA 15 Committee Webpage](#)

Location

Kitsap County
619 Division Street
Port Orchard, WA

Committee Chair

Stacy Vynne McKinstry
Svyn461@ecy.wa.gov
(425) 649-7114

Handouts

- Agenda
- Climate Change Discussion Guide
- Adaptive Management Discussion Guide
- Updated Growth Projections and Consumptive Use Approaches

Attendance

Committee Representatives and Alternates *

David Winfrey (*Puyallup Tribe*)

Nathan Daniel (*Great Peninsula Conservancy*)

Stacy Vynne McKinstry (*WA Dept of Ecology*)

Greg Rabourn (*King County*)

Dave Nash (*alternate*) (*Kitsap County*)

Sam Phillips (*Port Gamble S'Klallam Tribe*)

Teresa Smith (*City of Bremerton*)

Mike Michael (*City of Bainbridge Island*)

Dave Ward (*Kitsap County*)

Jacki Brown (*City of Port Orchard*)

Larry Boltz (*ex officio*) (*Mason-Kitsap Farm Bureau*)

Brienn Ellis (*City of Gig Harbor*)

Alison O'Sullivan (*alternate*) (*Suquamish Tribe*)

Dana Sarff (*alternate*) (*Skokomish Tribe*)

Joy Garitone (*Kitsap Conservation District*)

Randy Neatherlin (*Mason County*)

Paul Pickett (*alternate*) (*Squaxin Island Tribe*)

Austin Jennings (*alternate*) (*Pierce County*)

John O'Leary (*alternate*) (*Suquamish Tribe*)

Committee Representatives Not In Attendance*

Washington Water Service (*ex officio*)

City of Poulsbo

Building Industry Association of Washington/ Kitsap Building Association

Kitsap Public Utility District

Other Attendees

Gretchen Muller (*Cascadia Consulting Group, Facilitator*)

Paulina Levy (*WA Dept of Ecology*)

Ingria Jones (*WA Dept of Ecology*)

Angela Pietschmann (*Cascadia Consulting Group, Information Manager*)

Bob Montgomery (*Anchor QEA*)

*Attendees list is based on sign-in sheet.

Meeting Agenda and Meeting Summary

Gretchen reviewed the meeting objectives and the agenda.

No revisions to the agenda.

Gretchen acknowledged minor revisions to the September meeting summary, including editorial and additions to some of the discussions. No concerns were shared with the revised version. Ecology will post the final meeting summary on the committee webpage.

No further refinements to the meeting summary provided.

Updates and Announcements

Stacy provided updates from Ecology.

- Ecology will soon share links to Box, which is a tool to share working documents, resources, other committee materials. Meeting agendas, packets, and summaries will continue to live on the committee webpage.
- The streamflow restoration grants guidance is anticipated for publication in late October. Stacy will distribute the guidance as well as information on applicant workshops as soon as available.
- The technical workgroup met twice since the last committee meeting to discuss growth projections, outdoor irrigation analysis method and consumptives use. The workgroup meeting notes are posted on the committee webpage.
- A small subset of the committee met with HDR and Kitsap County to discuss growth projection data in depth and heat maps.
- The project workgroup will meet on October 30th to discuss project criteria and other items.
- Stacy provided an updated committee contact list for members to add to their binders.
- Ecology is developing a number of documents at the request of the committee:
 - Streamflow projects overview/solicitation to provide to potential project proponents.
 - Committee brochure to provide to committee members' leadership/decision making bodies.
 - Progress tracking flip chart.

The project subgroup leads provided updates on meetings held since the September committee meeting.

- East Kitsap: discussed laundry list of all project ideas they could think of; wetlands priority.
- West Kitsap: got hung up on lack of strategies, but did work to identify priorities; headwater wetlands will likely be a priority; interested in beaver habitat projection.
- Vashon: held an open brainstorm to get all ideas on the table.

The committee discussed the following after the updates:

- Beavers are arising as a common theme across the subgroups and more information is requested on how to develop projects around beavers and how to quantify offsets. It will be important to work closely with landowners and see what options are possible. It is important to recognize that projects involving beaver will change over time as we can't predict if the beavers will remain. There may also be policy considerations for the committee around beavers. It was recommended that the committee learns more about beaver opportunity projects.
- A recommendation was raised to consider increasing the building permit fee to raise the amount of funding available for projects in the watershed. Some concerns were expressed regarding whether increasing the fee would result in a reasonable amount of funding (current trends are below projections) as well as potential hardship on homeowners. This may be an issue to consider as part of adaptive management discussions. Also, ~~the~~ the committee will further explore policy and regulatory ideas at the next few meetings.

Climate Change Considerations

Ecology worked with the UW's Climate Impacts Group to develop a discussion guide to initiate a conversation on climate change considerations for the plan.

Reference Material

- Discussion guide (available on [committee webpage](#))

- Flip chart transcription (see end of summary)
- [Box Folder on Climate Change](#)

Discussion

- Many members of the committee feel it is important to consider climate change in planning processes, but we need to be cautious of the timeline – our planning process is looking at the next twenty years of growth, although projects need to be effective indefinitely. We need to ensure the context for climate change considerations are appropriate for our planning process as they are studies have shown that they can be significant in magnitude compared to the water use we are working to offset.
- In the WRIA 1 rulemaking process, Ecology is looking at climate change in terms of how it considers safety factors around consumptive use.
- We need to be cautious about the language we use and focus more on resiliency.
- Paul Pickett offered his support as a technical resource to the group and provided resources that Stacy will make available on Box.
- Many members of the committee were interested in looking at climate change around consumptive use, which as a 20-year horizon, as well as with project considerations, which are supposed to be sustainable in the long term.
- It was recognized that the streamflow grants guidance does consider climate change resiliency in the scoring criteria. Projects that can demonstrate they are resilient to climate change may be more competitive. Many project proponents are already considering climate resiliency.
- If we consider a safety factor for climate change around consumptive use, many members of the committee are interested in having the safety factor grounded in local projections. There is also interest in ensuring it is an additive /separate safety factor. Stacy will pull in information on local projections and provide on Box.
- Guillaume Mauger of UW's W-CIG Climate Impacts Group (CIG) noted at a recent conference that a "risk management" approach works well for addressing adaptation to climate impacts.
- The committee may also want to look for projects that take advantage of changing climate systems (e.g. storage).
- Port Gamble S'Klallam Tribe is modeling local projections for climate change and may have results ready to share with the committee in the near term.
- We need to ensure that we aren't trying to cover too much with this plan or lose site of the task at hand – offsetting permit exempt wells. Some members of the committee feel that we need to be "pragmatic visionaries". We need to communicate clearly the intent of our plan to the public.
- It's important to recognize that the further we plan out, the greater the uncertainty.
- It was also noted that the comprehensive planning process includes periodic check-ins and adjustments. The ability of this plan to have adaptive management has yet to be determined, so we may have to live with projections we include now.
- The chair and facilitator will summarize the discussion and bring back to the group some packages of options or proposals for consideration.

Growth Projections

Stacy provided a summary of what discussions the committee has had around planning, growth projections and permit-exempt well projections. Stacy summarized the methods used by each of the counties for calculating permit-exempt well projections as well as ranges or scenarios. The workgroup recommends moving forward with the current projections as interim numbers, and bringing back refinements to Kitsap County and Mason County at the next meeting.

Reference Material

- Presentation
- Handouts with updated growth projections (available on [committee webpage](#))

Discussion

- While there is interest in getting general agreement about the path forward, some of the “decisions” are being framed as interim because some members of the committee may need to see the full package (plan) before coming to agreement on components of the plan. Concern was expressed by among some members of putting off too many decisions until the end of the process.
- Members of the committee expressed desire to trust the expert county planners with the numbers they have put forward and recognition that the numbers are likely high.
- Kitsap County recognized that their 20 year projections are very close to full build out potential.
- Most members of the committee are comfortable with the path forward and using the current well projections as interim numbers. The workgroup will review the revised numbers for Kitsap and Mason counties at their next meeting and bring back to the full committee in November.
 - ~~The Squaxin Island Tribe was the only member of the committee that voiced concern. The~~ representative stated that they didn’t necessary feel “comfortable” or “good” with the numbers, ~~as they want to reserve judgement~~but they will “stand aside” until they see the ~~whole package (plan)~~final future PE well consumptive use estimates. They want to ensure that the estimates account for uncertainty by either being conservative or including both medium and high estimates. Their ultimate goal is that the projects are enough to provide offsets to wells as well as improve streamflows.
- Stacy shared a proposal from the Skokomish Tribe to revise the “region” delineation, with a division of the Hood Canal region in the north and south. Stacy acknowledged that the committee is committed to further addressing subbasin delineation in the future (once growth projections and projects are developed) and that the committee is committed to finding projects closest to the anticipated area of impact. There was concern for the Hood Canal division from some members of the committee because of possible workload implications. ~~and it~~ was determined to bring the topic to the workgroup for further discussion and a recommendation back to the committee.

Consumptive Use

Stacy and Bob Montgomery shared an update on consumptive use. Stacy reviewed the information that has been shared and discussed previously with the committee and workgroup. Stacy provided an overview of the three methods for calculating consumptive use (Ecology outdoor irrigation method, USGS method, and metered use data analysis method). Stacy shared a recommendation from the workgroup to continue using the three methods and that the workgroup will bring back recommendations for adjustments to assumptions and outdoor irrigation at a future meeting. Bob walked through the calculator tool.

Reference Material

- Presentation
- Consumptive Use Calculator handout (available on [committee webpage](#))

Discussion

- Interest expressed by some workgroup members to see consumptive use numbers broken out by jurisdiction.
- No concerns were expressed about the proposed pathway.

Adaptive Management Considerations

Stacy introduced the discussion guide. The NEB guidance recommends adaptive management but there is no requirement or authority under the legislation to implement adaptive management. The committee broke into breakout groups to provide input on implementation and adaptive management. Stacy and the facilitator will summarize the input to bring back options or proposals to a future meeting for further discussion.

Reference Material

- Discussion Guide (available on [committee webpage](#))

Discussion

- See flipchart transcriptions below.

2020 Schedule

Stacy proposed reinstating the December meeting as well as a schedule for 2020. The proposal includes the committee meeting every other month with a focused project workshop on the off month.

Reference Material

- 2020 schedule handout

Discussion

- The committee feels value in coming together frequently to support decision making and address issues.
- The committee expressed concern around the timing of completing local review and that time needs to be built into the process. It was noted that Ecology will ask all members of the committee to provide their local review process and timeline (by February).
- There was general agreement to keep the monthly committee meetings, including adding the December 2019 meeting, but and-skipping the January 2020 meeting because of the holiday. Project workgroup meeting should continue regularly. Ecology will send out calendar invites once locations are reserved.

Public Comment

No public present.

Action Items for Committee Members

- Next meeting: November 7, Kitsap County Commissioner's Chambers, Port Orchard.
- Project Workgroup and Technical Workgroup will meet October 30 in Bremerton.
- Committee members should send climate change resources to Stacy.
- Committee members should provide additional input on the 2020 schedule to Stacy.

Action Items for Ecology and Consultants

- Ecology will share a link to a Committee [Box folder](#).
- Ecology will schedule the December meeting and 2020 meetings and send out calendar invites.
- HDR will provide consumptive use estimates by jurisdiction.
- Ecology will look into resources or a presentation on beavers.
- Ecology will distribute the grant guidance workshop flyer, project 1-pager and committee brochure.

- Ecology will post any available local climate projections and resources provided by members on Box.
- Ecology will work with the consultant to provide access to GIS layers from webmap. (carryover from June; will put on Box)
- Ecology will work with the project workgroup to discuss the different roles for project identification and development. (carry over from September; scheduled for 10/30)

Flip Chart Transcriptions

Climate Change Considerations

Q1

- What are we planning for? How would we address impacts of climate?
- WRIA 1 rulemaking? Uncertainty factors wrapped into safety factor.
- Potential to increase offset targets.
- Framing important – political / unintended consequences.

Q2

- A. consumptive use estimates nexus with climate change – 20-year projections
- B. projects for climate resilience / success of projects / lifespan of projects
- Identify tradeoffs and how impacts success in grant round – would be more competitive (5pts)
- Safety factor based on climate projections; needs to be well explained; contingency plan; east to overestimate; risk management problem; WDFW addressed in culvert guidance
- Projects required to have lasting benefit
- How can projects take advantage of changing climate / future trends; level of importance that everyone can agree to?
- What tools are out there?
- Adaptive management piece – societal response increase use
- Nexus with adaptive management (safety factor)
- What aspiring to do vs what probable / practical
- Project nexus – comp plan – can't go against that; but not supportive of consumptive use

Adaptive Management Considerations

Group 1

- How does ECY manage AM if plan goes to rulemaking?
- Funding for projects first
- *legislative request – flexible, oversight of implementation
- Checkpoints
 - Success of projects > tracking
 - Growth over time
- Each project includes AM component
- What are the measures?
 - Streamflow
- Understand municipal wastewater Tx discharges
- Plan needs to offset – concern about net loss not NEB
- Continued project identification
 - *role of non-committee members? And public?
 - Role of committee?
 - Capacity, priorities, turnover
 - How do we reconvene?

- Necessary for full committee to reconvene?
 - ECY assistance tracking growth
- Role of project sponsors
 - Consider AM
 - Submit monitoring reports at checkpoints
- Keep process simple
- How to keep politics out of AM process?
- *need some management of plan – no shelf plan
- Include enforcement / implementation mandate in plan
- Tracking
 - Streamflow – understand baseline conditions
 - Species response / ecological response
 - Checkpoints at least every 6 years
 - Identify declining trends and causes
- *if things aren't working, need redirection
 - Evaluate projects, new science
- *need AM component for public support of plan
- What does failure look like and how do we adapt/fix?

Group 2

- Yearly check-in on lessons learned
- Assigning immediate (geographic) stakeholders / tribes to adaptively manage certain projects
- [ongoing funding source] for the users that exceed – generate \$ for adaptive management [raises concerns]; where get funding?
- Risk high if don't have it – plan, do, check, act
- Need for bookkeeping – how establish metrics? What measure in envi. to know have success?
- ECY – consistent currency / metric across WRIAs – want this
 - Supporting basic measures
 - Committee can make recommendations
 - Make request
- What happens if projections are over?
- Are we meeting benchmarks of projects? Adaptive management thru projects (county perspective)
- Manage at county level
- Plan B needed – need to define this. What new?
- *1-2 year check-ins - # of wells / # of projects; are we getting off track? Tiered response – preset things will ramp up back off on
- Flow monitoring – hard to measure impact; modeling?
- *governance structure – leader defined
- What is ECY's role?
 - Committee advocating in legislature?

Group 3

- Local request for legislation changes – as a WREC or all WRECs
- From project funding? from top allocation for validation of projects (monitoring) supervised by designated lead
- Every 6-10-year comp plan?
- Frequent evaluation loop (every 1 year?)
- How to track projects with other funding?

- NTA tracking through PSP – with all categories
- WREC rec on \$350 from fee use / purpose for monitoring
- Emergency triggers wrapped into adaptive management if drastic impact to streams
- Enforcement? E.g., during drought – metering
- Fee rulemaking / policy for PEW within service areas as hook-up incentive
- 2 year check ins with subgroup & “urgent/concerning” all group meetings *
- 1 – validation monitoring
- 2 – funding
- 3 – securing ECY involvement
- 2 – for adaptive management & project core funding; WREC gets to set / basic funding for plan resources

WRE Plan Local Approval Process

What is your organization's plan local approval process? All members of the WRIA 15 Watershed Restoration and Enhancement Committee must approve the plan before Ecology's review. The legislation does not require governments and organizations on the Committee to go through a formal internal approval process before approving the plan. Please consult with your organization to determine your internal review process and provide the following information to the Committee chair. The Committee chair will ask members to share information on internal plan approval processes and timelines at the February 2020 Watershed Restoration and Enhancement Committee meeting. Please return this form to the Committee chair by February 6, 2020.

Who at your organization will need to *review* the plan before approval?

- _____

Are there specific individuals or bodies that must authorize approval of the plan prior to your vote?

- _____

Briefly describe the process and timeline for reviews, including meeting schedule and/or frequency.

- _____

How can Ecology help?

- _____

Template: 203 Watershed Restoration and Enhancement Plan Outline

For Committee Review

V21October2019

Purpose: The content below is an interpretation of the law, NEB policy and other guidance in terms of the required and recommended components of the watershed restoration and enhancement plans under chapter 90.94.030 RCW. The content below is intended to take those required and recommended components, along with general information that provides context, and organize into an outline for the watershed restoration and enhancement plans. **This is a draft template intended for the committee's review and feedback.**

Minimum Requirements and Recommended Components for Inclusion in the Watershed Restoration and Enhancement Plans

Executive Summary

Section One. Purpose and Scope (5-6 pages)

1.1 Purpose and scope of plan

- 1.1.1. Provide a brief overview of the legislation history and implementation, what the plan is intended to do (i.e. what issue are we trying to solve), what the plan is not intended to do, and how the plan is intended to be implemented. *Not required, but provides context for the plan.*
- 1.1.2. Describe the relationship of the WRE Plan to other planning processes (e.g. salmon recovery, ecosystem recovery plans, etc). *Required.*
- 1.1.3. Provide a summary of critical, relevant local conditions and ongoing planning work used to assess the impacts. *Recommended in NEB guidance; not called out in legislation.*

1.2 Brief overview on the process

- 1.2.1 Describe the formation of the committee, the committee makeup, the process the committee used to develop the plan (including decision making process) and the process for final plan approval. *Not required, but provides context for the plan.*
- 1.2.2 Provide an overview of the facilitation and technical support. *Not required, but provides context for the plan.*
- 1.2.3 Provide an overview of workgroups, subgroups and any relevant information about the structure of and/or support to the committee. *Not required, but provides context for the plan.*

1.3 Table of Contents

1. 4 Acronyms and Glossary

1.5 Acknowledgements

Section Two. Watershed Overview and Subbasins (2-4 pages)

2.1 Critical history/overview of the watershed

- 2.1.1. Provide a brief overview of the watershed; relevant history around water resources and planning efforts; applicable information as it relates to historic, current and future climate and water availability. Include whether streamflow or streamflow-affected traits are a limiting factor to salmon recovery. *Not required, but provides context for the plan.*

2.2 Subbasins

- 2.2.1. Very brief introduction to the WRIA's geography, hydrology, instream flow rules as relevant for subbasin delineation. *Not required, but provides context for the plan.*
- 2.2.2. Summary of approach to develop subbasins, justification for the delineation, results. *Required.*
- 2.2.3. Map of subbasin delineation. *Required.*

Section Three. Water Use and Impact (3-5 pages)

3.1 Projected Population Growth

- 3.1.1. Summarize anticipated growth (range or number) for each subbasin and technical basis (method summary) for the 20 year estimates. Include summary of uncertainty and/or scenarios and how accounted for in the projections. Climate change considerations are optional. Reference growth projections technical memo in appendix. *Required.*
- 3.1.2. Map with growth projections by subbasin. *Not required, but provides context for the plan.*

3.2 Evaluation of impacts from new consumptive water use

- 3.2.1. New indoor consumptive water uses. Summarize anticipated consumptive water use, range or number and justification if adding safety factor, justification if diverged from ECY recommended methods. Climate change considerations are optional. Estimated water use should be by subbasin. Include summary of uncertainty. *Required.*
- 3.2.2. New outdoor consumptive water uses. Summarize anticipated consumptive water use, range or number and justification if adding safety factor, justification if diverged from ECY recommended methods. Summarize outdoor irrigation assumptions. Climate change considerations are optional. Estimated water use should be by subbasin. Include summary of uncertainty. *Required.*
- 3.2.3. Consumptive use summary. Include table showing the growth projections, indoor consumptive use/household, outdoor consumptive use/household, total consumptive use per subbasin, etc. Map is optional. Reference consumptive use technical memo in appendix. *Required.*

Section Four. Projects and Actions (5-10 pages)

4.1 Description and evaluation of projects and actions

- 4.1.1. Summary providing an overview of how the list was developed, an overview of the types of projects and actions, their contribution to offsets and NEB, likelihood of implementation, organization of the list (e.g. did you prioritize, sequence or tier? Why?), any issues or

concerns raised by the committee around certain projects or actions. Climate change considerations are optional. *Not required, but provides context for the plan.*

- 4.1.2 List of projects and actions with brief descriptions (*required*) and level of priority, “sequencing”, and / or “tiering”. *Optional*. Reference projects technical memo in appendix.
- 4.1.3. Project and action cost evaluation and estimate. *Required, may be included as part of 4.1.2.*

Section Five. NEB Evaluation (3-5 pages) *Recommended*

- 5.1. Clearly and systematically describe the NEB evaluation and results in a brief summary. Include a clear statement that the planning group finds the plan does/does not provide a NEB. Reference technical memo in appendix. *Recommended in NEB guidance.*

Section Six. Plan Benefit and Summary (2-4 pages)

6.1 Benefit summary of projects and actions

- 6.1.1. Summary paragraph on the offset and NEB contribution of the projects and actions and likelihood of implementation. *Recommended in NEB guidance, may be included as part of Section 5.*

6.2 Adaptive management process

- 6.2.1. Describe the committee’s recommended approach to implementation and adaptive management. *Recommended in NEB guidance.*

Section Seven. References

Appendices (examples)

- A. Committee operating principles?
- B. Detailed technical memo: Subbasins
- C. Additional maps/other versions of the subbasin maps
- D. Detailed technical memo: Growth projection methodologies and scenarios
- E. Detailed technical memo: Consumptive use estimates and assumptions
- F. Detailed technical memo: Project development methodology
- G. Detailed technical memo: NEB evaluation
- H. Detailed Project Lists: May include variations of the lists that have prioritization, tiering and/or sequencing.
- I. Rosters: Committee members, workgroup members
- J. SEPA Summary/Review?
- K. Others...

Additional Considerations for Inclusion in the Watershed Restoration and Enhancement Plans

Each committee will need to determine other components that they want to include in the main body of the plan or in appendices. This starting list is developed from initial conversations with our committee.

- [each planner and facilitator should develop here as separate section or can build into the outline above]

Discussion Guide: Policy and Regulatory Actions

WRIA 15 Committee Meeting November 7, 2019

Purpose of Discussion

The committee will need to decide if they want to recommend regulatory or policy actions in the watershed restoration and enhancement plan in addition to projects to offset consumptive use and achieve NEB. The purpose of today's discussion is to initiate a brainstorm and conversation of the types of policy changes and regulatory actions that could be considered, and to identify a process to identify these potential recommendations as we move ahead in the planning process. The options laid out in this document are intended as ideas to start discussion and are not recommendations from Ecology or the consultant teams.

Background

The Streamflow Restoration law (90.94.030) lays out minimum requirements for watershed plans. The law does not require the plan to include any policy or regulatory actions. The law does include a list of optional elements for committees to consider (90.94.030 (3)(f))¹. These include:

- Establish higher or lower fees for building permits and subdivision approvals. The streamflow restoration law established a fee of \$500 for new homes that rely on new wells².
- Change the gallon per day withdrawal limits from the current requirements. For our watershed, the streamflow restoration law set an annual average limit of 950 gallons per day over the course of a year³ AND the groundwater code set a limit of 5000 gallons on any given day⁴). During drought emergencies, this may be limited to no more than 350 gallons per day, for indoor use only. Note: the committee can recommend changes higher or lower than the 950 gallon per day average, but the statute does not allow committees to increase the 5000 per day maximum (though they can recommend lowering it).
- Specific conservation requirements for new water users.
- Other approaches to manage water resources for the WRIA or a portion of the WRIA.

The committee could also consider recommending other policy actions, including such things as:

- New laws or regulations (state or local).
- Amendments to state laws.
- Amendments to state rules.

¹ (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.

² 90.94.030(4)(a)(vi)(A)

³ 90.94.030(4)(a)(vi)(B).

⁴ 90.44.050

- Amendments to local ordinances.
- Education and incentive programs.

Note that a recommendation to change the building permit fee or gallon per day allocation requires rulemaking.⁵

Considerations for the Committee

As this process moves forward, committee members—individually or as a group—are encouraged to share ideas for possible changes to state or local laws and regulations that could enhance the watershed plan and achievement of NEB. As needed, the chair will provide time on meeting agendas for briefings on these topics and committee discussion.

WRE Committees throughout the state may work together on recommendations for changes to laws or regulations and provide a unified request. There are potential benefits to committees coordinating on policy recommendations to state and local governments in order to show broad support for specific proposals. If committees across Puget Sound show interest in similar recommendations, a process for coordination can be established through the facilitation team with leadership from each committee.

Questions for the Committee

1. Do you think the committee should consider including recommendations for policy or regulatory actions in the plan?
 - a. What, if any, concerns do you have about policy or regulatory recommendations?
 - b. Are there policies and actions listed above or discussed by the committee that your entity would not support?
2. Do you have a preferred process for developing an initial list of ideas for potential policy recommendations? Options include:
 - Dedicated brainstorming and discussion time at committee meetings.
 - Create an evolving list that committee members may add to at any time.
 - Ask members to individually keep a list and share at an upcoming meeting.
 - Other ideas?
3. Do you have any ideas for policy and regulatory actions you would like to share with the committee? *note an initial brainstorming exercise on certain “themes” at the November 7 meeting.
4. Do you have any preferences on how and or when these ideas are brought to the committee for discussion on whether to include the action in the plan? The committee will need to balance the need to focus on projects with opportunities for briefings and discussion along the way? Options include:
 - A standing agenda item at committee meetings.
 - Initial discussions at workgroup meetings and workgroup recommendations shared at committee meetings.
 - Committee members share recommendation with chair and request time on the agenda at an upcoming meeting.

⁵ 90.94.030(3)(g)