## Pathways to Plan Adoption for Watershed Plans under RCW 90.94.030

RCW 90.94.030(3) states: *“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…* ***all members of a watershed restoration and enhancement committee must approve the plan prior to adoption****.” (*emphasis added*)*

The Final NEB Guidance states: “*in order for Ecology to make a NEB determination on a locally approved watershed plan, the planning group must submit it with adequate time for Ecology review. Ecology’s review and adoption must occur prior to the relevant statutory deadlines*” (Section 3.2.4, page 13).

### If the Watershed Plan is locally-approved

This pathway explains what happens if the plan is approved by all members of the Committee with adequate time for Ecology review.

The chair will submit the Watershed Plan to Ecology on behalf of the Committee and Ecology will undertake the following steps:

* **State Environmental Policy Act (SEPA) review**: This is a non-project programmatic plan review, with an anticipated 25 day public comment period (minimum 14 days for public comment).
* **Technical review**: Ecology’s technical staff evaluate whether the plan achieves a Net Ecological Benefit as described in the Streamflow Restoration law (RCW 90.94.030), the [Final NEB Guidance](https://apps.ecology.wa.gov/publications/SummaryPages/1911079.html) (GUID-2094), and the [Streamflow Restoration Policy and Interpretative Statement](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol-2094.pdf) (POL-2094).
* **Ecology management review**: The Water Resources Program reviews the plan and prepares a recommendation to the Director.
* **Ecology Director review and determination**: The Director reviews all materials and makes a determination by June 30, 2021 on whether to adopt the plan.
* **Plan adoption**: The Director of Ecology will issue the results of the plan review and the NEB determination in the form of an order. The Streamflow Restoration law has a June 30, 2021 deadline for adoption by the Director of Ecology. If the Director signs adoption orders by June 30, 2021, the planning process is completed.

After plan adoption, the Water Resources Program will review policy, adaptive management, and implementation recommendations across all of the Watershed Plans and make a programmatic decision on where and how to invest resources on recommendations.

### If the Watershed Plan is not adopted by June 30, 2021

This pathway explains what happens if the plan is not adopted by June 30, 2021. This could happen if the Committee fails to approve the plan or does not submit the plan to Ecology with adequate time for Ecology review; or if Ecology finds that the plan does not meet the requirements in the law. This is a summary of the five step process as described in RCW 90.94.030(3)(h).

1. Ecology prepares a final draft plan and submits it to Salmon Recovery Funding Board (SRFB);
2. SRFB conducts a technical review of the final draft plan and prepares recommendations for plan amendments;
3. Ecology shall consider the recommendations and may amend the final draft plan without committee approval prior to adoption;
4. Ecology adopts the plan; and
5. Ecology initiates rulemaking within 6 months, as and if needed depending on plan content and other considerations.

There is no timeline identified in the legislation for Ecology to finalize the plan. Ecology will determine the timeline for plan completion after evaluating the workload based on the number of plans adopted by June 30 and recommendation in plans for rulemaking. Ecology’s rulemaking is a public process guided by the Administrative Procedure Act (APA), ch. 34.05 RCW, and will be undertaken consistent with the requirements of RCW 90.94.030.

There is no role identified in the law for the Committee after June 30, 2021.

### Streamflow Restoration Grants

Ecology will determine the timing for the next grant round after the Washington State Legislature approves a budget for the 2021-2023 biennium.

The [Streamflow Restoration Funding rule](https://apps.leg.wa.gov/wac/default.aspx?cite=173-566) (WAC 173-566) lists the following funding priorities:

1. Geographic location. Projects located in:
	1. A planning WRIA identified in RCW 90.94.020 or 90.94.030; or
	2. A metering pilot project area as designated in RCW 90.94.040.
2. Projects, consistent with the priority and sequencing within the watershed plan or rule-making documentation, identified:
	1. In a watershed plan adopted under RCW 90.94.020 or 90.94.030; or
	2. Through a rule-making process to meet the requirements of RCW 90.94.020 or 90.94.030.
3. Projects that improve streamflows or enhance instream resources and watershed functions which benefit:
	1. Threatened and endangered salmonids (higher preference); or
	2. Other native fish and aquatic species of concern.

Ecology has not developed grant guidance for the next grant round. In the [2020 Streamflow Restoration Competitive Grants Guidance](https://apps.ecology.wa.gov/publications/summarypages/1911089.html), projects in adopted plans or rule supporting documents received 20 points out of a total of 300 points.