



Utility Advisory Committee

Deschutes Watershed Plan Briefing and Request for Recommendation

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Title

Deschutes Watershed Plan Briefing and Request for Recommendation

Recommended Action

Receive a briefing on the Deschutes Watershed Plan (Plan) being developed by the Water Resource Inventory Area (WRIA) 13 Deschutes Watershed Restoration and Enhancement (WRE) Committee.

Recommend the Utility Advisory Committee Chair write a letter to City Council indicating support for staff to approve submittal of the Plan to the Washington Department of Ecology (Ecology).

Report

Issue:

Whether to provide a written recommendation to City Council to support approval of the Plan by staff representation on the WRE Committee.

Staff Contact:

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Presenter:

Donna Buxton

Background and Analysis:

The Deschutes WRE Committee

In response to the 2016 Washington State Supreme Court “Hirst Decision” (which changed how counties decide to approve or deny building permits that use wells for a water source), the Legislature passed the 2018 Streamflow Restoration law (law; RCW 90.94). The law supports water availability for both salmon recovery and homes in rural Washington. It requires local watershed planning to improve streamflows and clarifies the process for counties to issue building permits for homes that use a permit-exempt well for a water source.

Under the law, Ecology was required to convene the WRE Committee to estimate the impact of domestic well withdrawals on streamflows. The WRE Committee is also charged with proposing

projects and actions to offset this impact, while providing a net ecological benefit (NEB) to the Deschutes WRIA over a 20-year period.

The Committee (formed in 2018) consists of representatives from tribal, state, county, and city governments; the WRIA's largest non-municipal publicly-owned water purveyor; agricultural, residential construction industry, and environmental interests; and other stakeholders including ex-officio members.

The Deschutes Watershed Plan

The Plan provides a collaborative path forward to address technically and politically complex issues in regional water resources management. The Committee prepared the Plan with the intent of implementation. Plan recommendation proponents have indicated commitment to investigate the feasibility of a proposed project or action.

Key Plan project and action recommendations include:

- Schneider's Prairie off-channel reconnection and infiltration (Thurston County)
- Hicks Lake stormwater retrofit (City of Lacey)
- Donnelly Drive infiltration ponds (City of Lacey)
- Floodplain restoration; managed aquifer recharge; habitat restoration (WRIA-wide projects; locations yet to be determined)
- Water rights - Efficiencies and acquisitions (WRIA-wide; yet to be determined)
- Formation of a Deschutes Watershed Council - a partnership to collaboratively address regional water quality and quantity issues (WRIA-wide; broad representation)
- Policies that call for water supply data for comprehensive water planning and to promote connections to existing water systems
- Instream Flow Rule revisions for new and expanded stream closures

Ecology policy states the law does not obligate any entity to implement projects, actions, or associated rulemaking.

Plan Implementation and Adaptive Management

The WRE Committee identified an adaptive management strategy to address uncertainty in the Plan and provide reasonable assurance of success through implementation. Strategy elements include:

Oversight - Deschutes Watershed Council partners will invest in protecting, conserving, and restoring the watershed. Tasks are proposed to include identifying water management solutions, tracking offsets and permit-exempt wells, reporting, establishing roles and responsibilities via formal agreements, pursuing and managing funding sources, and maintaining institutional knowledge.

Project Tracking - Pilot the Washington State Recreation and Conservation Office's Salmon Recovery Portal to track projects through planning and implementation phases.

Monitoring and Research - The Deschutes Watershed Council will further plan and coordinate data generation and management, to reduce uncertainty and inform decision-making, and support adjustments to the Plan to focus limited resources on the most significant problems and the best solutions.

Funding - The Plan identifies potential funding mechanisms for implementation activities. It does not address funding for projects or actions, which will likely rely on Ecology's \$300M 15-year statewide

competitive grant program. Some funding options for implementation activities are to request sustainable funds from the Legislature; increase permit-exempt well fees; and cost-sharing among Deschutes Watershed Council members.

Net Ecological Benefit

The WRE Committee is developing the Plan to achieve a net ecological benefit for WRIA 13. The consumptive water use offset target (435 acre-feet per year [afy]) is currently exceeded by the estimated total of project offsets of 1,316 afy. The Plan provides benefits to instream resources (fish and wildlife habitat) beyond those needed to achieve quantified streamflow benefits. The Plan's adaptive management strategy also provides further certainty for success.

Next Steps - Plan Approval and Rule Adoption

The WRE Committee must approve the Plan by consensus for submittal to Ecology. If Ecology determines the Plan meets the law, including that it provides a net ecological benefit, Ecology will adopt the Plan as a rule. If the Committee does not reach consensus or the Plan does not meet the law or provide a net ecological benefit, the Salmon Recovery Funding Board will review the Plan and make recommendations to Ecology, which will initiate rule adoption of a revised Plan. The WRE Committee is scheduled to approve the Plan in March 2021 for submittal to Ecology in April 2021.

Neighborhood/Community Interests (if known): Every Committee meeting agenda includes a public comment period. A League of Women Voters representative has attended some meetings. To date, no substantive comments have been received on the Plan by the public.

Options:

- Recommend supporting the staff representative on the WRE Committee to approve the Plan for submittal to Ecology and draft a letter to City Council indicating such support.
- Do not recommend staff support for Plan approval and provide justification for the lack of support.

Financial Impact: No commitment incurred. If the Deschutes Watershed Council forms, one funding proposal includes partners contributing funds to support one or two part-time staff plus basic administrative costs via formal agreements among council members.

Attachments:

RCW 90.94

Draft WRIA 13 Deschutes WRE Plan

Link to Ecology website for the Watershed Restoration and Enhancement Committee. This webpage includes the report and appendices.