



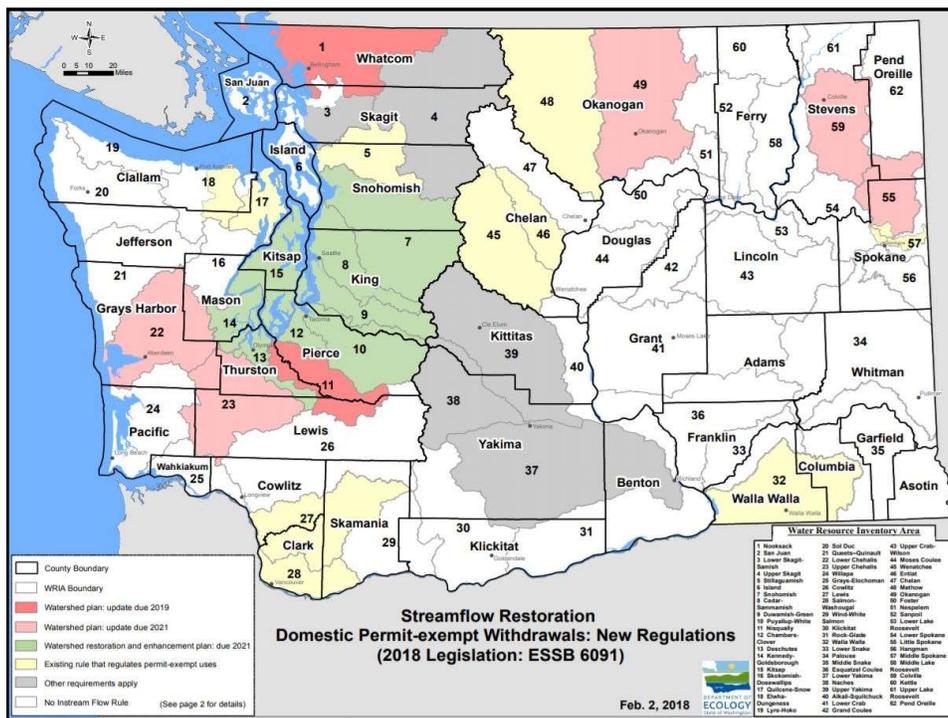
Implementing ESSB 6091: Protecting and Restoring Streamflows in Central Puget Sound

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Summary of Law

- Signed into law on January 19, 2018
- Provides more certainty for rural landowners/well users (i.e., fixes "Hirst")
 - Allows permit-exempt well development / authorizes potential impacts to regulated waterbodies
 - Adds county requirements under the Growth Management Act (sets well fees & withdrawal limits)
- Establishes \$300M over 15 years to fund projects that protect and enhance streamflows
- Sets up new watershed-scale planning processes in 15 affected basins





How does this new law impact WRIAs 5, 7, and 8?

WRIA 5 (Stillaguamish):

- Mostly unaffected/no new planning process required
- Eligible for project funding

WRIAs 7 (Snohomish) and 8 (Cedar/Sammamish):

- Establish new Watershed Restoration Enhancement Committees
- Committees must develop plans by June 2021 that:
 - Identify actions necessary to offset the consumptive impact from new permit-exempt wells
 - Prioritize mitigation that is "in-time and in-place"
 - Meet a "net ecological benefit" standard
- Capacity funding available for tribal and local governments



More on plan development...

- What will Ecology do with committee-approved plans?
 - Evaluate the plans based on the net ecological benefit standard
 - Initiate rule-making where required and/or agreed-upon
- What happens if the plans are not approved by the committees, by consensus?
 - The plan goes to the Salmon Recovery Board to make recommendations to Ecology's Director, followed by rule-making.
- What happens after June 2021?
 - Rulemaking likely
 - Plan implementation and ongoing mitigation project work
 - grant program management



Ecology's near term priorities

1. Issue initial policy interpretations to assist counties in implementing the new law and guide the fast track planning processes in WRAs 1 and 11 (Winter 2018)
2. Develop interim guidance around "**net ecological benefit**" standard (Spring 2018)
3. Develop interim project and funding criteria (summer 2018)
 - Will issue interim criteria, then do rule-making
4. Hire staff, including Ecology chairs for the WRIA 7 and 8 watershed committees, to help the organization through program development and organizational change
5. Develop and initiate watershed planning processes that honor the process outlined in the new law and leverage existing work and relationships in the affected watersheds



Other elements of ESSB 6091

- **Metering:** establishes a domestic metering pilot in two watersheds (Dungeness and Kittitas)
- **Foster “Fix:”** forms a new legislative taskforce to review the “Foster” Supreme Court decision
 - Allows for 5 “Foster” pilot projects
 - This is the only part of the law that affects the water right permitting process



Thank You!

Questions?

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