

**FINAL**  
**Meeting Summary**  
**WRIA 54 - Lower Spokane River Watershed**  
**December 20, 2007**

**Location:** Spokane County Public Works, Spokane, WA.

**Planning Unit members and guests recorded on the sign-in sheet were:**

Mike Hermanson, Spokane County	Merrill Ott, Stevens County
Dick Price, Stevens County PUD #1	Bob Derkey, WA DNR
Hank Nelson, Avista Corporation	Jim DeGraffenreid, Lincoln County Planning
Lloyd Brewer, City of Spokane	Charlie Kessler, Stevens County Conservation District
Stan Miller, Citizen	Craig Volosing, Landowner and Palisades Neighborhood
Cynthia Carlstad, TetraTech	Bryony Stasney, Golder Associates Inc.
Wes McCart, Stevens County Farm Bureau and Stevens County Water Conservancy Board	
David Luders, Fairchild Airforce Base and Indian Village Estates Water Assoc.	
Jeanne Barnes, Spokane Association of Realtors and Lake Spokane Park Homeowners Association	

**Call to Order**

Bryony opened the meeting at 1:30 pm. Attendees introduced themselves. Bryony requested that each attendee complete the sign-in sheet.

**Review and Approve November 28, 2007 Meeting Summary**

The draft November 28, 2007 WRIA 54 Planning Unit meeting summary was reviewed page by page. Those present accepted the summary with no edits and approved the summary as final. The final meeting summary will be posted on Spokane County's web site at <http://www.spokanecounty.org/wqmp/wria54.htm>.

**Public Comment**

- Upon local adoption, Department of Ecology will be taking comments on the Spokane County Shoreline Master Program Update. Since the update has not been adopted locally yet, the comment time period is not established. Mike will update the Planning Unit when the comment period is open.
- Bryony noted that Sara Hunt (Ecology) is unable to attend today's meeting and asked if any attendees attended the December 6 meeting of the Columbia River County Commissioners group. Merrill Ott said that this group is focusing on water withdrawals out of the tributaries and within one mile of the Columbia River and on the movement of points of withdrawals / diversions out of Counties. Merrill encouraged Watershed Planning members to attend. The next meeting will be on March 13, 2008 in Moses Lake.
- Wes noted that a date has not yet been confirmed for the water trust / water banking workshop.
- On behalf of Sara, Bryony brought people's attention to the two handouts related to Lake Roosevelt. Ecology is requesting input for scoping the supplemental environmental impact statement for the Lake Roosevelt incremental storage releases project by January 5, 2008. Merrill Ott noted that Stevens County will be requesting that Ecology consider a public health issue associated with recreation and exposure of muddy areas at camp grounds when Lake Roosevelt is lowered. At some camp grounds swimmers have experienced skin rashes caused by organisms burrowing under the skin. Bryony noted that there will also be an opportunity to comment on the draft supplemental environmental impact statement.
- Clay White (Stevens County Planner) has agreed to present on the links between land use planning and watershed planning at the January 23, 2008 Planning Unit meeting. The Planning Unit said that they would appreciate this. Mike said that he would check to see if Spokane County planning could attend.

**Water Management Work Group (WMWG) Issue Paper Presentation by Bryony Stasney, Golder Associates.**

Bryony passed out handouts of the presentation and a graph produced by Ecology showing wells drilled by County in Washington between 2000 and 2007. The primary purpose of the presentation is to present the initial work completed by the WMWG and gather feedback from the Planning Unit. The following sections summarize the presentation.

***Presentation Outline***

- WRIA 54 Watershed Plan
- Planning through Work Groups
- Water Management Work Group

Purpose – present initial work & gather feedback

***WRIA 54 Watershed Plan***

- Introduction/Background
- Technical Information Summary
  - Phase 2, Level 1
  - Level 2 – Instream flow, supplemental storage and water quality
- **Issues and Recommended Actions**
  - **Issue Paper 1**
  - **Issue Paper 2**
  - **Etc.**
- Implementation Framework
- SEPA

***Planning through Work Groups***

- Role of Work Groups
  - Develop scope of the issue paper(s)
  - Identify goals
  - List management alternatives / potential solutions
  - Provide recommendations to Planning Unit
- Early engagement and discussion among eventual plan implementers (i.e. work group members)
- Confirmation by entire Planning Unit
- Focus on “big picture” recommendations. Develop specific actions for the “big picture” during First Year of Phase IV (in the Detailed Implementation Plan).

**Q:** Can you give an example of a big-picture recommendation versus details?

**A:** There is a need for better integration between land use planning and water supply planning. The big picture recommendation will identify this need and that the State, Counties and water purveyors will need to work together and may also provide some possible approaches ... but the recommendation will not go into the details of what each entity will do (e.g., Spokane County will amend it's building code to require proof of water availability prior to issuing a building permit).

***WRIA 54 Work Groups***

- Water Management: October 2007 – March 2008
- Water Quality: November 2007 – February 2008
- Land Use: January - March 2008
- Instream Flow ?? (dependant upon ongoing WRIA 55/57 and 54 instream flow work group process)
- Technical Information: March - April 2008
- Education: March - April 2008

**Q:** Is there flexibility with these timelines.

**A:** Yes, within the constraints of project funding and so long as the project deadlines are met as described below.

***Timelines for WRIA 54 Work Groups and Phase 3 Planning***

- Work group meetings: October 2007 – April 2008 (maybe extending to June)
- Draft watershed plan: July 2008
- Final watershed plan: February 2009
- County (Spokane, Lincoln and Stevens) adoption: March – June 2009
- WRIA 54 Phase 3 grant ends: June 30, 2009

***Water Management Work Group - Goals***

- Balance the needs of instream and out of stream uses.
- Ensure that water will be available in the future to protect quality of life, healthy economy, and a healthy environment.
- Ensure sustainable use of water resources.
- *Strive for adequate laws and regulations that are dictated by reality and that support sustainable management of water resources. (Note that this goal is in a draft form – to be approved at the next work group meeting)*
- Coordinate areas of growth and development with water availability.

**Q:** Dick asked if there was opportunity to revise these goals and reminded the group that they have no authority to “ensure” or “balance”. The group has authority to develop a Plan and make recommendations.

**A:** Bryony said that the goals could be revisited at the next Water Management Work Group meeting.

**Q:** Wes asked where discussion on water storage is included.

**A:** Bryony said that water storage is noted as a potential solution for a number of issues.

***Water Management Work Group – Overarching Issues***

**There are systems in place to manage water resources in WRIA 54, such as water allocation and water rights processing, water system planning and land use planning; however, not all components of these systems function to support efficient and effective management of water resources.** These systems hinge on the understanding of surface water and groundwater resources spatially across the watershed in conjunction with the amount of water that is actually being used currently and expected to be used in the future.

**Q:** Wes said that he felt that there is a lack of water management that is not addressed in the overarching issue.

**A:** The WMWG had initially developed an overarching issue saying that systems are not in place to management water. However, as discussion progressed within the work group, the group concluded that there are systems in place but not all components of these systems work to support water management in WRIA 54.

***Water Management Work Group – Scope and Schedule***

- Scoping and issue review (Oct & Nov 2007)
- **Permit-Exempt Wells (Dec 2007) – focus for today’s presentation**
- Water allocation (Jan 2008)
- Water use (Feb 2008)
- Water supply (Mar 2008)
- Regulation (included as components of above)

***What are Permit-Exempt Wells***

Permit-exempt rights are groundwater withdrawals that do not require a permit, as defined in Washington State’s Groundwater Code (RCW 90.44.050). Permit-exempt withdrawals include:

- Water for livestock (no gallon per day limit or acre restriction).
- Water for a non-commercial lawn or garden one-half acre in size or less (no gallon per day limit).

- Water for a single home or groups of homes (limited to 5,000 gallons per day).
- Water for industrial purposes, including irrigation (limited to 5,000 gallons per day but no acre limit).

### ***Some Permit-Exempt Well Information***

- Over 4,000 drilled between 2000 – 2007 in Spokane County.
- Indoor domestic use largely (90%?) non-consumptive
- Outdoor domestic use largely (90%?) consumptive
- About 11% of water use in WRIA 54 (assuming 1,412 gpd per single family home).
- Support rural properties where public water not available.
- May be the only option for new water supply in some areas.
- Reduced water quality sampling (no routine requirements such as for public water systems).
- Do not tend to be metered – so actual water use must be estimated.
- Not subjected to water availability tests as are permitted withdrawals.
- Have the potential to impair senior water rights (no review for impairment at time of development), instream flows and water quality.

### ***What are the Permit-Exempt Well Issues in WRIA 54***

OVERALL - There is a potential for detrimental impacts to groundwater and surface water resources in WRIA 54 due to unmanaged growth of permit-exempt wells, particularly in areas where groundwater and surface water resources are already strained / low. If a few permit-exempt wells use excessive water and/or if there is high density permit-exempt well water use, the potential for impacts are higher.

**Q:** Dick noted that whether permit-exempt wells are unmanaged or not, there is still a potential for detrimental impacts.

**A:** The Planning Unit agreed to remove the word unmanaged so that that the overall concern will read:

“OVERALL - There is a potential for detrimental impacts to groundwater and surface water resources in WRIA 54 due to ~~unmanaged~~ growth of permit-exempt wells, particularly in areas where groundwater and surface water resources are already strained / low. If a few permit-exempt wells use excessive water and/or if there is high density permit-exempt well water use, the potential for impacts are higher.”

David Luders provided the Planning Unit with a handout entitled, “Point Paper on Washington’s Water Well 5,000-GPD Domestic Exemption”. A copy of the handout is provided on the project website at: <http://www.spokanecounty.org/wqmp/wria54.htm>.

### ***Handout illustrating where there may be permit-exempt well concerns in WRIA 54***

Bryony brought people’s attention to the handout showing where there may be concerns with permit-exempt wells and where further study to assess this may be warranted:

- Chamokane Creek watershed (including the Camas and Ford WAUs). The USGS is starting a hydrogeologic study of this watershed.
- Suncrest – where there is projected growth and significant low intensity residential land use zoning outside public water system service area.
- West Plains – population growth is projected along Deep Creek and Coulee Creek where there is low intensity residential zoning outside water system service areas. Also, Deep Creek has a surface water source limitation (SWSL) and is therefore essentially closed due to low streamflow concerns. Toe width assessments have been completed for both Deep Creek and Coulee Creek as a component of the WRIA 54 instream flow assessment.
- Mill Canyon and Spring Creek have surface water source limitations (SWSLs) and are therefore closed due to low streamflow concerns. Toe width assessment has been completed for Spring Creek as a component of the WRIA 54 instream flow assessment.

The WMWG agreed with this concept at the December 2007 work group meeting but could not say for sure if

there are / will be problems in these areas. More detailed study will be needed to confirm this.

**Q:** This does not assume that water providers are fully supplied?

**A:** No. Water systems may extend their service areas beyond the current boundaries shown, if these systems have additional water available. However, the infrastructure may not be in place to extend system service areas.

***Possible Solutions for Permit-Exempt Well Concerns in WRIA 54***

To date, the WMWG have identified the following possible solutions (not in order of priority):

1. Groundwater management sub-area.
2. Reservation / requirements within instream flow rule.
3. Program to collect and assess data, develop actions for each problem area and implement the actions.
4. Consistency between Ecology and WDOH for indoor permit-exempt well water use for an equivalent residential unit (i.e., single home) (5,000 gpd currently allowed).
5. Consider limit for permit-exempt well water use for non-commercial lawn or garden less than ½ acre.
6. Land use regulations (e.g., GMA, Comp Planning, zoning and density triggers).
7. Public education.
8. Ecology to enforce against illegal permit-exempt well use.
9. OTHERS ...

**Q:** Bryony asked if the Planning Unit would like to add other possible solutions.

**A:** Jim said that he felt that the Planning Unit should recommend that the legislature change state law to reduce the amount of water that can be used by a permit-exempt well. This essentially covers nos. 4 and 5 in the list above.

Dick noted that the 5,000 gpd for indoor permit-exempt well water use is a water right where as the 1,500 gpd for eastern Washington is a WDOH maximum day guideline for sizing pumps and pipes. Stan noted that if a water system applies for additional water rights to serve additional homes, water rights are granted at an average day demand of about 800 – 900 gpd to a maximum day demand of about 1,500 gpd in eastern Washington. So, in effect these numbers can be compared to the 5,000 gpd water right for indoor permit-exempt well water use.

Jim noted that changing the rule to reduce the 5,000 gpd water right for a permit-exempt well does make sense since most homes do not need or use this much water. In Lincoln County, Jim noted that there are studies underway to improve understanding of hydrogeology and to improve the connection between water availability and land use. In Lincoln County, up to 10 homes can be connected to a permit-exempt well as a Group B engineered water system. This includes water conservation measures and results in fewer holes in the ground.

***Groundwater Management Sub-Area (pursuant to RCW 99.44.130, 400-)***

- Relevant for West Plains.
  - The boundary for a sub-area could be drawn to coincide with the contact between the crystalline basement and the Columbia River Basalt Group Rocks and similar age / younger sedimentary rocks.
  - Designation of a sub-area allows for development of a groundwater management plan that could include components such as requirements for any new wells, including permit-exempt wells (e.g., locations, densities, depths, withdrawal rates, etc.).

***Reservations for specific uses, including permit-exempt well water uses, and other requirements as a component of an instream flow rule.***

- Relevant to SVRP aquifer and other sub-basins where instream flow rules are developed.
  - Establish reservations for permit exempt well water use and either: 1) estimate water use (include method in the Watershed Plan); or, 2) meter new permit-exempt wells ... to debit the reservation;
  - Limit withdrawal rates for permit-exempt wells.
  - Limit outdoor irrigation from permit-exempt wells.
  - Do not allow the use of permit-exempt wells if municipal water supply is available.

- No additional permit exempt wells from particular aquifers / sub-basins when density reaches a level or at all without mitigation.

**Q:** Bryony said that she was not sure if groundwater within the tributary watersheds would or could be regulated as a component of the Spokane River instream flow rule.

**A:** Stan said that technically the tributary groundwater can be regulated but there is debate as to whether or not the tributaries are in hydraulic continuity with the Spokane River since many of the tributaries flow into the Spokane River only part of the year.

Wes noted that mitigation is troubling since it may involve purchase of agricultural water rights for mitigation.

***Establish permit-exempt well program in WRIA 54***

Establish a program to: 1) collect and evaluate information to confirm where the permit-exempt water use problems are now and will likely be in the future; 2) develop implementation actions for each area; 3) implement actions. Counties, purveyors and Ecology to work together. Coordinate with WRIA 55/57 and WRIA 34 implementation efforts. Areas where there are / may be problems include:

- West Plains (currently agreed as a problem area by the WMWG reflected by declining groundwater levels in the CRBG aquifers).
- Chamokane (streamflows declining). USGS has begun a study that is expected to evaluate permit-exempt well impacts.
- Sub-basins that have SWSLs in place (i.e., Deep Creek, Spring Creek, Mill Canyon Creek).
- Other sub-basins where significant growth is projected (e.g., Suncrest i.e., Long Lake N and Long Lake S sub-basins).

***Other possible solutions for discussion ..***

- Management even if there is not a problem now – to proactively avoid problems.
- Add language to GMA to include a need to assess the carrying capacity for land, including availability of water supply.
- Proof of water supply for zoning changes and subdivision.

***Water Management Work Group Plans for 2008***

- Water allocation (Jan): Water rights processing
- Water use (Feb): Conservation, reclamation and reuse
- Water supply (Mar): Needs for population, ag, commerce, industry
- Regulation: Included as components of above

The following summarizes the discussion at the end of the presentation:

- WRIA 55/57 is currently implementing a project to identify areas of strained water resources.
- The WMWG agreed that land use regulation may be the most effective way to manage permit-exempt wells. This will be forwarded on to the WRIA 54 Land Use Work Group.
- The Planning Unit members were hesitant to support recommending additional language to the Growth Management Act (GMA) to better connect land use planning with water availability. This will be forwarded on to the WRIA 54 Land Use Work Group.
- The Planning Unit supported proactive management to address permit-exempt wells.
- Wes noted that water storage on a small or larger scale is a potential solution.
- Merrill described the process that WRIA 59 is going through currently to estimate available water in a WRIA 59 sub-basin as part of the instream flow process. Under GMA, Stevens County is required to protect and enhance agriculture. The WRIA 59 Planning Unit is experiencing conflict between what Ecology and Fish and Wildlife want for instream flow needs and what people need in terms of water.
- Dick Price said that the Stevens County Planning Department has estimated how many lots there are within the sub-basin according to current zoning. The number of current permit-exempt wells were estimated using well logs and land improvement information from the Assessor's office and considering

water system service areas. By subtracting the number of current permit-exempt wells from the maximum number of lots, the WRIA 59 Planning Team has estimated the potential number of permit-exempt wells that may be drilled in the future. The WRIA 59 Planning Team has also estimated water needs for agriculture. The analysis is indicating that there is not enough water to support the growth that is allowed under GMA. The WRIA 59 Planning Team is working with Ecology and Fish and Wildlife on this now.

- Dick said that he would forward the information to Bryony to email to the WRIA 54 Planning Unit.
- Cynthia said that she sees two major topics associated with permit-exempt wells: 1) the issue of 5,000 gpd which could be addressed by WA state; and, 2) a need to understand the potential impact of permit exempt wells and to put solutions into place to make sure they are not creating a problem in WRIA 54 since they are unmanaged (i.e., not required to go through water rights permitting).
- Merrill suggested managing permit-exempt wells on a local scale (e.g., study area or sub-basin). Wes noted that the WMWG started to come to this conclusion at the end of the last meeting.
- The Planning Unit members noted that water storage (including small scale storage) may help to alleviate water supply concerns. Dick Price noted that WRIA 59 is currently working through a storage project and that even relatively small scale projects are complicated to implement (i.e., there are a lot of components that need to be considered).

#### **Water Quality Work Group (WQWG) Report by Cynthia Carlstad, TetraTech.**

Cynthia reported that the WQWG met last week. Since there are many large scale water quality efforts ongoing, the WQWG listed out in a matrix each of ongoing programs and what is being addressed by these programs so that the data gaps and issues for the Planning Unit to address could be identified. The WQWG identified the following as potential issues to address:

- Non-point source sources of water quality impairments
- Groundwater quality issues
- Water quality for tributaries to the Spokane River (e.g., related to land use in Deep and Coulee Creeks)

The WQWG will continue to work on this at the next meeting on January 22, 2008, 1:30 – 3:30 pm.

#### **Instream Flow Update by Mike Hermanson, Spokane County Water Resources.**

Mike Hermanson informed the group that the joint WRIA 54 and WRIA 55/57 instream flow work group met on December 11, 2007. The following sections summarize Mike's recap of the meeting:

##### ***December 11, 2007 WRIA 55/57 and 54 Instream Flow Work Group Meeting***

- Decision Making Agreement
- SVRP Model Scenario with full inchoate right exercised-Mike Hermanson (Spokane County)
- Control Points Presentation-John Covert, Ecology
- PHABSIM Considerations – Hal Beecher (WDFW) and Brad Caldwell (Ecology)

##### ***Decision Making Agreement***

- Strive to reach consensus
- If consensus not reached, group will provide report back to planning units with majority & minority perspectives
- A tally of votes with names and organizations will be provided in the report
- This work group will provide recommendations for the Planning Units to consider. Planning Unit will ultimately decide what recommendation is made to Ecology

**Q:** Was this decision making process agreed to by the work group?

**A:** Yes. No one at the meeting disagreed.

### ***Spokane Valley Rathdrum Prairie (SVRP) Model Run***

- Mike Hermanson performed a model run with full inchoate rights exercised to see predicted impacts on Spokane River flows during critical low flow times (August).
- Results - reduction of between 208 and 280 cfs at the Spokane Gage.

**Q:** Where is the Spokane gage located?

**A:** Below the Maple Street Bridge.

### ***Instream Flow Rule Control Points***

- Presentation by John Covert, Ecology Water Resources Program.
- Advocates 3 control points
  - Barker Road – surface water control only
  - Spokane Gage or Seven Mile Gage
  - Near Little Falls Dam
- 9 Mile Location to “bumpy” for realistic regulation on interruptible water rights.

### ***PHABSIM Model Considerations***

- Model reliability diminishes as the water depth increases.
- Model is better at predicting when there is not enough flow not when there is too much flow.
- Be very cautious about expectations of improvement (increased fish production) through flow reduction.

Hal Beecher’s handout is available at <http://www.spokanecounty.org/wqmp/ISFWG/ASP/Home.asp>.

### ***Meeting Discussion***

- Group requested Ecology & WDFW provide a minimum flow they consider adequate at the next meeting. Ecology & WDFW have agreed to do this at the next meeting.
- Pros/cons of specific control points were discussed. WG members should expect to make a final decision at next meeting.
- All meeting summaries, presentations, etc available at:  
<http://www.spokanecounty.org/wqmp/ISFWG/ASP/Home.asp>
- Next meeting: 1:30 – 4:30 pm, Jan 29th, WDFW Building 2315 Discovery Place, Spokane Valley, WA.

The Planning Unit discussed small scale water storage and release as a potential solution for instream flow. The Planning Unit questioned if Ecology would consider small scale water storage and release governed locally. The meeting attendees felt that Ecology / WDFW could consider this but that management of small scale storage and release would be a challenge and would require a dedicated person / people such as a watermaster.

### **Public Comment**

- Merry Christmas and Happy New Year.
- Mayor Larkin (Post Falls) and Mayor Verner (Spokane) met and have committed to continue the regional water dialogues. The next meeting is scheduled in the first quarter of 2008.

### **Administration and General Schedule Announcements**

Mike Hermanson has reviewed public outreach for WRIA 54. Of the twenty-one (21) groups that Spokane County contacted about giving presentations to in Phase I and II, eleven (11) are currently involved in the process. Based on previous communications, five groups do not have an interest in being involved. Spokane County will send the remaining five groups a letter updating them on the process and encouraging them to attend now that the process is in Phase III.



The following meetings are scheduled and open to everyone:

JANUARY 2008:

- WRIA 54 Water Management Work Group, Tuesday January 8, 9 am – noon, Conf. Rm. 4A, Spokane County Public Works Building, 1026 W. Broadway Ave, Spokane, WA.
- WRIA 54 Water Quality Work Group, Tuesday, January 22, 1:30 – 3:30 pm, Conf. Rm. 4A, Spokane County Public Works Building, 1026 W. Broadway Ave, Spokane, WA.
- WRIA 54 Land Use Work Group, Wednesday January 23, 10 am – noon, Conf. Rm. 4A, Spokane County Public Works Building, 1026 W. Broadway Ave, Spokane, WA.
- WRIA 54 Planning Unit, Wednesday January 23, 6 – 8 pm, Lakeside High School Library, 5909 Highway 291, Ninemile Falls, WA.
- WRIA 55/57 and 54 Instream Flow Work Group, Tuesday January 29, 1:30 – 4:30 pm, WDFW Building, 2315 Discovery Place, Spokane Valley, WA.

The Technical Information Work Group, tentatively scheduled for Jan 30<sup>th</sup>, has been cancelled. The Technical Information and Education Work Groups are slated to meet between March and April 2008.

**Next Meeting Date and Adjourn**

The next WRIA 54 Planning Unit meeting is scheduled for Wednesday, January 23, 2008, 6:00 – 8:00 pm at the Lakeside High School library. The library is located opposite the cafeteria. Bryony adjourned the meeting at 3:30 pm.