

**Stakeholder Ideas for Resolving Rural Water Conflicts
(apply to state regulated rights)**

Water Resources Advisory Committee
May 19, 2014

Statutory Changes

1. Statutory Change Suggested: Ecology needs to have clearer authority so that we can balance water resource management.
2. Statutory Change Suggested: Current OCPI is not the right tool. Legislature needs to clarify Ecology's authority to modify established instream flows or allow exceptions for continued new appropriation for permit exempt (or possibly even permitted uses). Exceptions could be obtained through input by watershed planning groups, OCPI, consultation with Tribes/Fish Managers, or otherwise. Exceptions could be broad (such as legislative clarification that domestic permit-exempt wells are not subject to instream flow rules) to narrow (such as exceptions are allowed only where in-kind mitigation is not available).
3. Statutory Change Suggested: Legislature needs to give ECY authority to decide where permit exempt wells aren't appropriate. Use mitigation banking where no longer ok.
4. Statutory Change Suggested: Ecology needs additional flexibility for out-of-kind mitigation.
5. Statutory Change Suggested: Disconnect mitigation from individual home scale (Impact fee approach). Mitigate development as development occurs, and not necessarily upfront.
6. Statutory Change Suggested: Create authority for watershed planning units that went through watershed planning process so they can amend plans.
7. Statutory Change Suggested: Create a domestic priority in statute to provide water for household needs outside of the priority system compared to other consumptive uses.

Rule Changes

8. Rule Change Suggested: Allocate water for future needs first. Then set flows, and base the flows on Maximum Net Benefits.
9. Rule Change Suggested: Exception to allow extension of water lines to rural areas (GMA).
10. Rule Change Suggested: Require use of cisterns or other storage devices to satisfy closure periods.

Implementation Changes

11. Implementation or Rule Change Suggested: Integrate with land use planning so that counties take more responsibility for permit exempt wells.
12. Implementation or Rule Change Suggested: Work outside of rule-making (not basin-by-basin).
13. Implementation or Rule Change Suggested: Get more hydrologic info to understand connection and impact of exempt wells.
14. Implementation Change Suggested: Use “other water resource management technique” allowed under RCW 90.44.055 to include out-of-kind mitigation.
15. Implementation Change Suggested: Don’t adopt instream flows.
16. Implementation Change Suggested: Use maximum net benefits through watershed planning process.
17. Implementation Change Suggested: Use water saved through conservation to mitigate for rural water supply needs.
18. Implementation Change Suggested: Allow water resource conflicts to be addressed through condemnation disputes to be brought into court under current authorities.
19. Implementation Change Suggested: Assess where we are and where we have vulnerability – recent rules.