

# **SPOKANE COUNTY WATER AVAILABILITY ADVISORY GROUP**

**Thursday, October 4, 2012**

**2:00 – 4:00 p.m.**

**Spokane County Water Resources Center**

**1004 N. Freya St.**

**Spokane, WA 99202**

## **MEETING SUMMARY**

**Attending:** *(This list includes only those who signed the sign-in sheet)*

Rob Lindsay, <i>Spokane County</i>	Mike Hermanson, <i>Spokane County</i>
Doug Greenland, <i>City of Spokane</i>	Jeanne Barnes, <i>Spokane Assoc. of Realtors</i>
Joe Foote, <i>Murray, Smith &amp; Associates</i>	Ty Wick, <i>Spokane Co. Water District #3</i>
Ken Garceau, <i>Spokane Assoc. of Realtors</i>	Michael Cathcart, <i>Spokane Homebuilders Assoc.</i>
Steven Holderby, <i>Spokane Regional Health District</i>	Alene Lindstrand, <i>Realtor</i>
Rachael Osborn, <i>CELP</i>	Rick Dullanty, <i>Witherspoon Kelley Law Firm</i>
Susan Gulick, <i>Sound Resolutions (Facilitator)</i>	

### **1. Review Project Status**

- Mike explained that, after the last Advisory Group meeting in June, the County requested funding from Ecology for five-six additional meetings, as requested by Advisory Group members. However, the County only received money for three additional meetings, plus the completion of a short final report.
- Rob stated that County Commissioners have a lot of interest in this project. They are aware that the State can close basins to exempt wells if there is not additional water for appropriation and instream flows are not met, such as in the Little Spokane basin, and they want to be prepared for this possibility with a full tool box of options. The Commissioners may consider establishing a Water Resource Advisory Committee to continue working on this.
- Susan reviewed the process for the next three meetings and preparation of the final report. A draft report will be discussed at the next meeting and adopted at the final (third) meeting. Any Advisory Group member may submit a letter of support or opposition to the recommendations; the letters will be included as an attachment to the final report.

### **2. Determination of Water Availability Prior to Issuance of a Building Permit**

- The Advisory Group reviewed the recommendations for determination of water availability prior to issuance of a building permit and did not make any changes

### **3. Assessment of Long Term Water Availability**

- The Advisory Group reviewed recommendations for assessing long-term availability of water resources and made some clarifications to the wording. The recommendation regarding best available science was revised to read “Spokane County should continue to only seek funding for hydrogeologic investigations that use the best available scientific methods.”

*If you have questions or comments, please contact Susan Gulick of Sound Resolutions at (206) 548-0469 or by e-mail at [Susan@Soundresolutions.com](mailto:Susan@Soundresolutions.com).*

#### **4. Potential Options Regarding Geographic “Problem Areas”**

- ❑ The Advisory Group had a long discussion of the option to designate geographic areas of concern (or overlay zones) in areas with known water availability problems.
- ❑ As water availability problems are identified, the County should consider an overlay zone to address the specific problems in that area, rather than adopt new regulations county-wide that may not be necessary in other parts of the county.
- ❑ An Advisory Group member stressed that if there are regulations they should come from the county and not from the state.
- ❑ Advisory Group members also suggested breaking the recommendation into three parts to make it more readable.
- ❑ The Advisory Group discussed that overlay zones make a lot of sense but can be difficult to implement: it can be challenging to draw boundary lines for both technical and political reasons.
- ❑ The zones would be very helpful to determine water availability for an entire area and not just for an individual household. This would be an improvement to relying on assessments of water availability only when reviewing building permit applications.

#### **5. Potential Options Regarding Land Division**

- ❑ The Advisory Group had a long discussion about assessing water availability prior to land division. Currently, an assessment of water availability is required for sub-divisions and is not required for Certificates of Exemptions (CE).
- ❑ The issues with the CE process are twofold: 1) It may be better to determine water availability before land is divided into perceived buildable lots rather than wait until the building permit stage; 2) In looking at the potential impact of dividing property into multiple buildable lots, doing it at the CE process allows you to look at the potential impact of the cumulative development, rather than one house at a time through the building permit process.
- ❑ Questions that arose included:
  - Aren't most of these problems addressed via UGA boundaries and restrictions?
  - If not, wouldn't it be easier to change the lot size limitations or density restrictions outside of the UGA?
- ❑ There is a need for more data on the number of cluster developments that have been approved with exempt wells in Spokane County.
- ❑ The Advisory Group will consider a recommendation similar to this: Given the ongoing changes to water management rules and regulations in the state due to court decisions and regulatory updates, Spokane County should be diligent in updating local procedures and enforcement efforts to comply with these regulations.

#### **6. Impairment to Senior Water Users**

- ❑ The Advisory Group discussed options for protecting senior water users from impairment due to new permit-exempt wells.
- ❑ One option is to require notification of neighbors when a pump test is conducted so that the existing user can monitor any impacts to levels or flows during the pump test.
  - In practice under the current process, a pump test is required to receive a building permit. Since a building permit is the stage at which the county is first notified of

the intent to develop a parcel, the pump test must be completed before the county is contacted by the owner of the parcel.

- In reality monitoring one well at the time of a pump test will provide little defensible data related to potential impairment from the proposed new use.
- The time to evaluate impairment may be at the time of land divisions (subdivision or CE). At that time the impact of water use by more than one home can be considered, and the cost of doing a more thorough hydrogeologic investigation can be distributed over many lots instead of just one. This would also allow for the identification of mitigation strategies in the event that an impact is indicated.
- The Advisory Group also discussed the Little Spokane example which is potential impairment of surface water rights from ground water use: Water right holders along the river have junior water rights to the instream flow and are curtailed nearly every year when stream flows drop below a certain level. Yet new wells are going in which are even more junior, and these new wells may be affecting the flows and contributing to the curtailment of the existing users. What protection or recourse is available for the long-term well owners and surface water right holders on the Little Spokane whose water availability is being impacted by new wells?
- The Advisory Group did not have any immediate solutions for these conundrums.

## **7. Next Steps**

- Susan will prepare a DRAFT final report from the Advisory Group that will be distributed for review prior to the next meeting.
- Comments on the draft report will be discussed at the November meeting.

## **8. Next Meeting:**

- The next meeting of the Advisory Group will be on Thursday, November 15, 2:00-4:00 p.m. at the Spokane Water Resources Center.