



**Snohomish County**

**Public Works**  
*Surface Water Management*

3000 Rockefeller Ave., M/S 607  
Everett, WA 98201-4046  
(425) 388-3464  
www.snoco.org

November 8, 2018

Department of Ecology  
ATTN: Mary Verner, Water Resources Program Manager  
P.O. Box 47600  
Olympia, WA 98504-7600

**Dave Somers**  
*County Executive*

RE: Comments on Ecology's Interim Guidance for Determining Net Ecological Benefit (Publication 18-11-009)

Dear Ms. Verner:

Thank you for the opportunity to comment on the interim guidance for determining "net ecological benefit (NEB)." A large portion of Snohomish County falls in the Section 203 priority watershed for the Watershed Restoration and Enhancement (WRE) planning. Snohomish County also participates on the WRE Committee for WRIA's 7 and 8. Snohomish County Surface Water Management staff include many technical experts with knowledge in evaluating stream/hydrologic conditions and implementing projects that protect instream resources throughout Snohomish County. It is from this perspective that we offer the following comments.

**NEB Evaluation:** The guidance document does not provide guidance for NEB evaluation, but rather describes the planning process that should/could be followed. As an example, the guidance document says, "NEB evaluations should make use of available information on ... hydrogeology, stream flow conditions, fish populations and life histories, current habitat conditions, water use demand, and local salmon-recovery efforts." However, the guidance document does not adequately describe how these factors should be evaluated or, more usefully, linked. Additionally, this description introduces confusion as it states the plans should demonstrate scientific rigor (without defining or describing what that means), while at the same time qualifying that impacts should be quantified "whenever possible." It then goes on to say "when necessary" benefits (presumably impacts as well) can be evaluated qualitatively – or, in a later passage, "plans may provide generalized information about affected reaches."

Our primary recommendation is that Ecology provide explanation and guidance with respect to how the Agency will conduct NEB analysis of plan contents. Describing how NEB analysis will be performed will make the guidance document more useful and is different than providing suggestions as to how planning groups should proceed with their efforts.

With respect to guidance on geographic units for assessing the consumptive impact of new domestic permit water use in order to determine the benefit of highest and lower priority water offset projects, we have the following concerns:

- The draft interim guidance says that, in making such estimates of consumptive impact of new water

use and to determine the benefit of offset projects for prioritization purposes, discreet areas should be used. It suggests partitioning the WRIA into sub-basins or sections of sub-basins, or even stream reaches. This direction of assessing water consumption impacts and determination of benefits of projects by discreet unit would imply an expected level of confidence in the data that may be hard to achieve in relatively small unit areas.

- Already there is the use of WRIA boundaries – that are based on surface water flow – for an initiative that is focused on groundwater, which most likely will not align with surface water boundaries. This alone introduces error in terms of scale. We suggest using a scale for geographic areas that minimizes error, and this might imply using larger scale areas rather than sub-basins and reaches for review.

**Consistent Method for Defining Impact of Exempt Wells on Instream Flows:** Element 1 does not state how impacts to instream resources should be characterized or quantified. The guidance document suggests watersheds use the “[Recommendations for Water Use Estimates](#)” document provided by Ecology to define impacts. However, this document lists a number of scenarios watersheds can use for determining impact of exempt wells. These suggested approaches rely on large assumptions that can produce a wide range of impact results. In order to create consistency across watersheds, consistent methods for defining impact should be provided from Ecology for use. The current guidance doesn’t recommend a modeling or analytical approach, or logic-based approach. It doesn’t recommend any application of watershed characterization, generally. Although it’s useful for planning groups to retain flexibility, it would be more helpful for Element 1 to provide the expectation of performance with definitions, criteria, scale, metrics, and methods.

**Consistent Methods and Metrics for Defining NEB:** In the current guidance, NEB will be determined by the local WRE Committee. In order to maintain consistency across watersheds, there is a need for consistent metrics for defining NEB. NEB guidance should provide methods and metrics WRE Committees can use to define NEB. If models will be used, Ecology should provide consistent and comprehensive guidance on how to use models to determine impact scale and need for NEB. In addition, it is still unclear who will be responsible to implement the determined methods and models needed to determine this, and there has been no funding set aside for this purpose.

In the Conclusion it is stated, “Quantitative analysis of impacts, water and non-water offsets, and NEB should be provided, with clearly identifiable methodology.” The next sentence says, “If quantitative analysis is not possible, any qualitative analyses should be explained in detail.” This brief explanation doesn’t help us understand whether, where, how, or under which limitations qualitative versus quantitative approaches should be pursued. Please provide guidance on when qualitative vs quantitative approaches may be used.

**Planning Horizon Consistent with Land Use Impacts:** Planning horizons are typically 20 years, and so it makes sense to use that timeframe. However, as projects to offset impacts may include capital facilities (i.e. storage), it would make sense to consider a “safety factor” for sizing facilities, to both address uncertainties and because of the efficiencies in costs for construction, when longer timeframes are considered. In this case, for facility sizing purposes, designing recommended facilities for a 50 year timeframe may make sense.

In closing, watersheds state-wide are at varying levels of understanding and agreement related to impacts to instream flows and resources. This demonstrates a need for consistency, in terms of guidance and methodologies for evaluating/defining NEB, across the State.

Thank you for your consideration of these comments. If you have any questions, please contact Erik Stockdale, Snohomish County Surface Water Management Planning Manager, at 425-388-6684.

Sincerely,

A handwritten signature in black ink that reads "Erik Stockdale". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Erik Stockdale

SWM Planning Manager

Snohomish County Surface Water Management