

Our main concern with the draft rule is the funding priority under 173-566-150. Our secondary concerns are presented below in redline edits to the original text.

**173-566-150 Funding Priorities**

**(2) Priority of Project Type**

The focus of the funding priorities in the draft rule is inconsistent with the concept of watershed and streamflow restoration. Land acquisition, which is well known as the best measure for providing protection, is relegated to a low priority after-thought. Protection is less expensive and more successful than trying to restore damaged ecosystems after they have been destroyed.

In the heavily urbanized Puget Sound watersheds, the primary emphasis should be on protecting the few remaining natural areas with direct land acquisition, purchasing and transferring development credits, and partnering with other entities in funding land conservation projects.

We have serious concerns with the high priority given to funding water storage projects and finding new water supplies. We fail to see how this emphasis will provide any solutions to help restore salmon or to implement restoration activities developed under 90.94.030. This undermines any hope that any restoration projects the committees establish under 90.94.030 will result in meaningful outcomes. Water storage projects can shave off important flow peaks that are important in salmon life cycles and in important channel habitat forming and maintenance activities. Even off-channel projects have a potentially damaging in-channel component to divert flow. Aquifer storage projects also do not work in the Puget Sound area and throughout western Washington. Leaky aquifers are the norm and any attempts to store groundwater are not successful for storing water for any substantial period.

We fail to see why Ecology is placing such a profound funding emphasis on providing for new water supplies rather than offsetting impacts from new permit exempt wells. This funding should be used predominantly for flow restoration; it seems that the focus has shifted to one of funding only new water supply projects under the guise of streamflow protection. We hope that this is not the case.

**173-566-010 - Purpose**

This chapter contains general rules for grant issuance and performance, and applies to projects pursuant to, and consistent with, chapter 90.94 RCW, to:

(1) Protect and restore streamflows. (2) Improve watershed functions that benefit instream fish and wildlife resources. (3) Offset permit-exempt domestic well impacts. (4) Investigate project feasibility or collect data as part of a qualifying project. This is not one of the primary funding requirements. It's a bit misleading to call this out separately from other actions included in Sec. 208 of ESSB 6091/90.94.070.

**173-566-030 – Definitions.**

Definitions provided here only apply to this chapter.

“Consumptive use” means that portion of withdrawn groundwater that is lost from the water source. Onsite sewer systems often do not return water to the same source or site. For example, water from a source well completed in a deeper aquifer below semi-confined layers may not be returned to that same aquifer or water-bearing zone. Instead it is returned to a more shallow soil layer that is evaporated or discharges to a wetland overlying till; or even to another basin where topographic divides do not coincide with groundwater divides; like in the Covington uplands in south King County. It is best to keep the definition simple so it does not get misconstrued.

“WRIA means a water resource inventory area as established in chapter 173-500 WAC It is too confusion to use a well-established hydrologic noun with a specific meaning to apply to an acronym. It is best to be simple and clear.