

## Sawabini, Annie (ECY)

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**From:** Bill Henshaw <bhenshaw@windermere.com>  
**Sent:** Tuesday, April 23, 2019 1:21 PM  
**To:** Sawabini, Annie (ECY)  
**Subject:** WRIA 1

Annie,

It is inconceivable to me how the government can establish a process directing the Planning Units in most watershed areas, specifically Whatcom Planning Unit 1 to review future demand for private wells and developing a plan for mitigating the "consumptive use" of those wells in the future. There was a tight timeline to accomplish this task and unfortunately the City of Bellingham and the two tribes chose not to participate. Contrary to the statute for establishing the Planning Unit, the County chose to create a watershed staff team, a Watershed Management Board, the WRIA 1 Management team and the Planning Unit. The Watershed Management Board consists of several state departments all working independent of one another and never had a joint meeting. In spite of the fact that the Planning Unit repeatedly requested such a meeting.

The plan update approved by a majority of the Planning Unit Caucuses met the minimum required by the Streamflow Restoration Act. The plan as approved did not delve into issues such as metering or withdrawal limits as these were not required

by the Act. The Department of Ecology expert estimated that over the next 20 years approximately 2100 wells would be drilled. This amount of water usage from permit exempt well use for domestic purposes represents approximately three quarters of 1% of water use in Whatcom County.

Since the various initiating governments were so far apart on the starting point it appears the the Department of Ecology will utilize this breakdown in process to arrive at some rules that will be imposed on rural property owners with no opportunity to provide input and inasmuch as the amount of water is so small it seems particularly onerous to impose these new rules on rural property owners impinging on their property rights. The Planning Unit did submit their recommendation and I believe that should carry a great deal of weight as they were operating in good faith in the midst of a broken system.

Respectfully,

Bill Henshaw  
2653 North Park Drive  
Bellingham, WA 98225