

Seattle Public Utilities

The following are our comments:

1. The definitions for "Action" and "Project" are confusing and appear to not be used consistently. As defined, Actions are subset of a Project, yet the definition for Adaptive Management applies only to "actions". The document should be carefully reviewed to ensure that the terms are being used as intended.
2. The definitions for NEB Determination and NEB Evaluation in the policy are the same as the NEB guidance document and inaccurately refer to "this guidance."
3. Under section 6, second bullet, on bottom of page 5, clearer language would be to replace "over the entire year" with "over an entire calendar year."
4. Under section 6, third bullet, on top of page 6, clearer language would be to replace "limited to using no more than 5,000 GPD" with "limited to a daily maximum of 5,000 gallons". Also the end of the last sentence should be corrected from "950 or 3,000 gallon limit" to "950 or 3,000 GPD limit."
5. Section 6 lacks an interpretation of withdrawal limits during droughts. In parallel with the interpretation during non-drought periods, we suggest the following: "If a Drought Emergency Order is issued for the area in which a property is located, then water use cannot exceed 350 GPD as the daily average over the period when the Drought Emergency Order is in effect."
6. The policy presumes that projects will be funded using the state's Streamflow Restoration Funding Program and have agreements in place, whereas there is no guarantee that projects included in the plans will receive such funding. The section on "acceptable projects" on pages 7-8 that reference such funding mechanisms need to be modified.
7. Will projects not funded through Ecology's Streamflow Restoration Funding still count towards implementation of the approved plans?
8. The rule-making process should be used to formalize the policy.