

Kirsten Harma

Thank you for the opportunity to comment on this draft of the NEB. I am submitting these comments as an individual, and they are not specifically supported or endorsed by one of the groups I manage. As an individual, I am drawing on four years of experience I have gained as manager of both our Planning Unit, the Chehalis Basin Partnership, and our Lead Entity for salmon recovery in the Chehalis Basin.

The desire of this legislation and subsequent guidance to offset consumptive water use impacts and improve aquatic resources in the state is commendable. The NEB guidance states that plans should be developed with implementation in mind. My concern is that the guidance does not itself consider practical, on-the-ground realities of moving projects from concept to implementation.

Washington is characterized as having the "Washington Way" to salmon recovery (https://www.rco.wa.gov/salmon_recovery/lead_entities.shtml). That includes "bottoms up" proposals from eligible entities to help meet adopted plans for salmon habitat restoration on a watershed-by watershed basis. Lead Entities in our state have adopted salmon recovery plans, and solicit project ideas to implement those plans on an annual or biennial basis. Eligible project sponsors do not necessarily have a long list of projects that would meet NEB criteria shovel ready or even ready to propose in the next year of the Planning timeline.

My recommendations include:

- *Allow Watershed Planning Units to calculate needed water offset targets, design programs for how to achieve those targets, and outline steps for implementing those programs.

- *As an example, a Planning Unit could come up with a target at the level of a certain number of projects of a certain type in a certain sub-basin with known low instream flows and a high probability of future development. They should provide a strong approach for how to develop sponsor capacity to implement those types of projects in that sub-watershed, a plan for how to conduct public outreach to identify willing landowners, and steps to vet and review conceptual projects prior to submitting them to Ecology for funding. The Lead Entity structure is already in place and would be a suitable mechanism for this outreach, vetting and reviewing of habitat-focused projects for this funding source.

- *The guidance on Page 9 is good guidance for project evaluation. However, all good project ideas will not be developed, and all of the required information will likely not be available to evaluate projects over the next year of this planning timeline. Planning Units can commit that they will use that criteria to vet projects as they are developed over the next 20 years, and then only support development of the highest water-offset value projects. Ecology could commit to providing funding to local technical evaluation or matching funds to Lead Entities to support that effort.

- *Ecology can incentivize early project development by setting clear guidelines and funding amounts for their Streamflow Restoration grants right away. Ecology could commit to holding annual grant rounds for at least the next three years which will incentivize sponsors to develop more project ideas because they have an increased chance of funding success. Having several small project grants will allow for the development of project designs that can later be evaluated and proposed as mitigation projects. A fundamental error in expecting all projects to be developed at the time the Plans are delivered is the fact that not all project concepts lead to good project designs, and

not all good project designs lead to good construction projects. Ecology should be prepared to evaluate projects at all of these steps and provide funding to support local technical evaluation.

In summary, elements that are needed for successful, implementable Streamflow Restoration Act include:

- Recognition that it is not possible to have mitigation projects to account for the next 20-years of exempt well-drilling shovel-ready by the time plan updates are due to Ecology;
- Plans should identify a minimum number of projects, the scale of the required projects, and a strong plan for how they will seek out new projects annually, but not necessarily the projects themselves;
- Planning Units and Ecology should develop a structure to incentivize creation of shovel-ready projects that account for water quantity benefits;
- Public outreach will be needed to encourage landowner willingness and ensure community support. The Lead Entity program is a good model for this work and has an existing structure in place;
- An evaluation plan to evaluate and then monitor the effectiveness of projects as they are developed over the next 20 years and beyond.

Thank you for considering these comments.

~Kirsten Harma