



Legislative Building
Olympia, WA 98504-0482

Washington State Senate

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December 22, 2022

RE: Chapter 12, Riparian areas.

We are writing to comment on the Nonpoint Source plan as well as the chapters of the so-called Voluntary Clean Water Guidance that have been presented. Above all, our concern is that the hundreds of pages written claim to be voluntary guidance and simple research regarding Best Management Practices (BMP)'s. However, these documents represent overly broad recommendations that may be used to create overly restrictive regulations that threaten the rights of private property owners and threaten to take any functional or economic use of viable agricultural land.

The Department recommends that riparian areas are established along streams and "Ecology's preferred option is to have a fully forested RMZ equal to 1 SPTH at 200 years." This is a policy determination that should be made at the legislative level. Our primary concern is that after the legislative policy failed, the agency has chosen to move forward to make the legislative action to establish an overly broad, riparian zone that could potentially ruin the viability of agricultural operations across the state.

We appreciate that the Nonpoint Source document addresses the nutrient problem in the Puget sound. It is important to focus on actual problems with real solutions when developing policy about salmon recovery. Instead of pontificating about preferred options, Ecology should focus on encouraging and funding ongoing conservation efforts like the Family Forest Fish Passage Program which has over 1,000 pending applications.

These Best Management Practices are impractical and a dangerous overreach by the Department. Stream health and riparian regions can be developed better through technical assistance and customized incentive based plans such as those built by the Voluntary Stewardship Program. Prescriptive Best Management Practices monitored by "windshield surveys" and intrusive satellite mapping will only result in creating resentment in the regulated public as well as discouraging agriculture in this state.

Cordially,

Sen. Judy Warnick, Minority Caucus Chair, 13th District

Sen. Shelly Short, Minority Floor Leader, 7th District



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Mark A. Schoesler

Sen. Mark Schoesler, 9th District

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Sen. Ron Muzzall, Ranking Member, Agriculture, Water, Natural Resources, and Parks Committee
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Sen. Keith Wagoner, 39th District