

## PIERCE COUNTY

### Office of the County Council

930 Tacoma Avenue South, Room 1046  
Tacoma, Washington 98402-2176



### Amy Cruver

Councilmember, District No. 3

September 26, 2023

Ms. Marla Koberstein  
Department of Ecology  
Water Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600

Submitted online via Department of Ecology comment form

Re: Comments on Proposed Outstanding Resource Water Designations

Dear Ms. Koberstein,

The opportunity to comment on Ecology's consideration to designate four water resources as Tier III—Outstanding Resource Waters (ORW) is much appreciated.

As the elected representative for the 3<sup>rd</sup> Council District of Pierce County, home of several water resources, I am writing to ask Ecology to postpone rulemaking until at least January 15, 2024. The resource waters in my Council District could very well be nominated for this designation, and I am fully uninformed regarding any potential benefits or potential unintended consequences. My constituents expect me to have that knowledge and I expect there to be outreach to them for their benefit.

Pierce County is focused on its biennial budget, its mandated Comprehensive Plan, and its Countywide Plan, not to mention the introduction of other updates to code and constituent issues. Like every other government this time of year, there has been little opportunity to look outside of our jurisdictions for plans being made that will affect it, such as Tier III—ORW designations. It was a mere coincidence that I learned about ORW designations, similar to when plans were being made for a potential airport greenfield site in my district.

Of most concern to me are the unknown potential impacts and the lack of communication to local governments, property owners and communities, sharing what will or could be affected by this potential ruling. It's easy to paint a picture of benefits that protect the environment, but omitting consequences that do not meaningfully benefit the environment or our constituents leads to a mistrust of our government.

In addition, I am a former elected commissioner (and now the clerk) for a drainage district that connects to a creek that connects to another creek that connects to a major river. What will the impacts be to the agricultural industry and landowners in drainage districts?

I live in WRIA 11, which is quite extensive. How would a Tier III designation affect that watershed? I'm not seeing any lists of options or examples of what could be implemented. Finding out the rules after something is passed doesn't create any warm fuzzies for my constituents.

The protections in place have been more than adequate and my constituents are heavily burdened with the current regulatory systems. Has a cost benefit analysis been done? My district has extensive timber resources and is a recipient of PILT dollars. Will there be impacts on that financial resource?

The state is developing a new park west of Eatonville. What will the impacts be on its development and future use should the Nisqually or Mashel Rivers be designated as ORWs? What happens to timber harvests, recreation and commerce in Pierce County should the Nisqually and/or Carbon River, which joins the Puyallup River, be given the ORW designation?

Just because we can, doesn't mean we should proceed with rulemaking. Extending the deadline to allow Ecology to further research and answer the many unanswered questions presented by elected officials, interested parties and citizens should take precedence. There is no pending urgency here. Postponing a ruling until next year will be most appreciated.

Counties are short staffed and the staff we have are maxed out. Add to that the expected reduction in staff for the upcoming holidays. Please consider a delay in this rulemaking at least until January 15, 2024, and include several zoom meetings to share what policies are being considered and why. This action affects the whole state and the whole state should be well versed on this rulemaking before it is implemented.

Thank you for your consideration of my input and request to postpone the rulemaking to a future date in 2024 and additional zoom meetings for elected officials and the public.

Sincerely,



*Amy Cruver*  
*Pierce County Councilmember*  
*3rd Council District*

AC