

## Raphael Garcia

Thank you for the opportunity to comment on the Department of Ecology's proposed rule for the Deschutes Watershed (WRIA 13) regarding permit-exempt domestic wells. I recognize that clear, workable rules for domestic water use matter for rural homeowners, small builders, and local housing needs, and I also recognize that the long-term health of the Deschutes River system depends on protecting streamflows and habitat, especially during low-flow periods.

As I understand the proposal described here, Ecology would continue allowing new permit-exempt wells in WRIA 13 without requiring mitigation, metering, or monitoring, and without fully considering how additional wells may affect streamflows and habitat in the Deschutes. Stakeholders actively working to restore and enhance the watershed, including the Squaxin Island Tribe and the Deschutes Estuary Restoration Team, have raised concerns that the rule was developed without meaningful consultation with watershed partners and that it does not address recommendations produced through the Deschutes Watershed and Restoration Committee (WREC), including revisiting older instream flow protections and pursuing improved water management tools.

There are legitimate benefits to a permissive, simple approach. It can provide certainty for households and small development, reduce delays and confusion at the county level, and support housing supply and local economic activity in rural areas. At the same time, there are real risks if additional exempt wells are allowed without safeguards. Even if each well is small on its own, many small withdrawals can add up over time, particularly during the summer when streams are already stressed. Without monitoring or metering, Ecology and the public may not have reliable information about how much water is being used, where withdrawals are occurring, or whether cumulative impacts are increasing. That lack of transparency and accountability can also undermine restoration investments and create concerns about fairness if other water users face stronger requirements while new exempt withdrawals continue without comparable obligations. Finally, if the rule is perceived as ignoring instream flow needs, treaty and senior water rights, or watershed planning recommendations, it can reduce public trust and increase conflict and legal risk.

For these reasons, I am not asking Ecology to prohibit permit-exempt domestic wells. I am asking Ecology to revise the proposed rule so that continued well development is paired with basic protections and transparency that are proportional and practical. At a minimum, Ecology should document meaningful government-to-government consultation with tribes and engagement with local watershed partners, and clearly explain how that input shaped the rule. Ecology should also establish an enforceable approach to address cumulative impacts from new wells, whether through mitigation requirements, a credible basin-wide offset strategy, or another mechanism that can be tracked and evaluated. Additionally, Ecology should implement a straightforward monitoring and reporting framework so the public can see annual trends in new wells, estimated withdrawals, and measurable watershed outcomes, while still protecting individual privacy. Finally, Ecology should either incorporate a clear commitment and timeline to address instream flow protections and the WREC recommendations, or provide a transparent explanation for why those issues are not being addressed in parallel with this rulemaking.

In short, domestic water access and watershed health are both important public interests. I urge Ecology to adopt a rule that supports reasonable domestic use while also protecting streamflows and habitat through clear safeguards, transparent data, and genuine collaboration with tribes and

watershed partners. Thank you for considering these comments.