

Water Banking and ESSB 6091 in WRIA 55

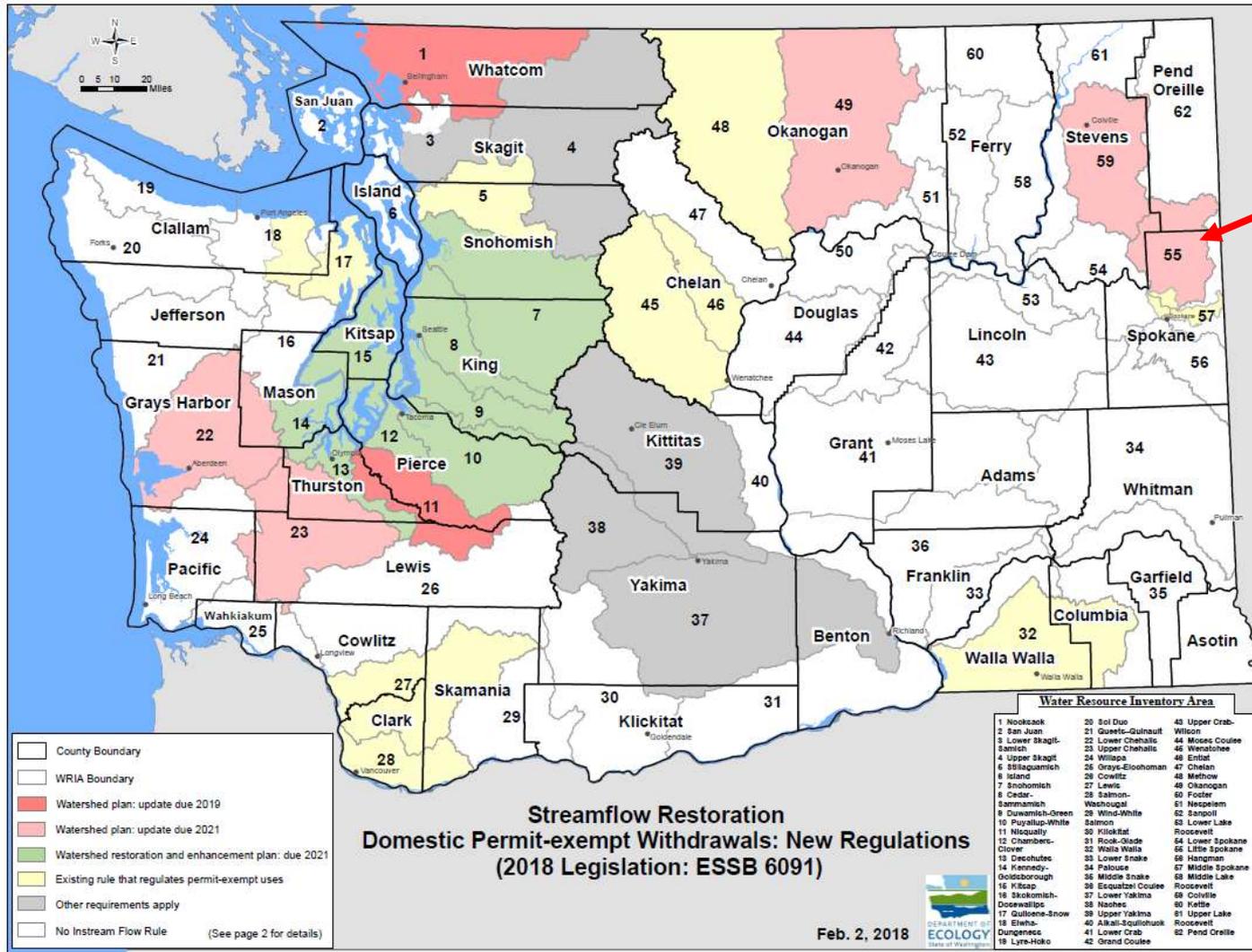
Mike Hermanson
Spokane County Environmental Services
AWWA – April 27, 2018

Presentation Topics

- Water Banking in the Little Spokane Watershed (WRIA 55)
- Changes and opportunities from ESSB 6091
- ESSB 6091 Watershed Plan Update & Water Purveyors



The Little Spokane Watershed



WRIA 55



Spokane County
WASHINGTON

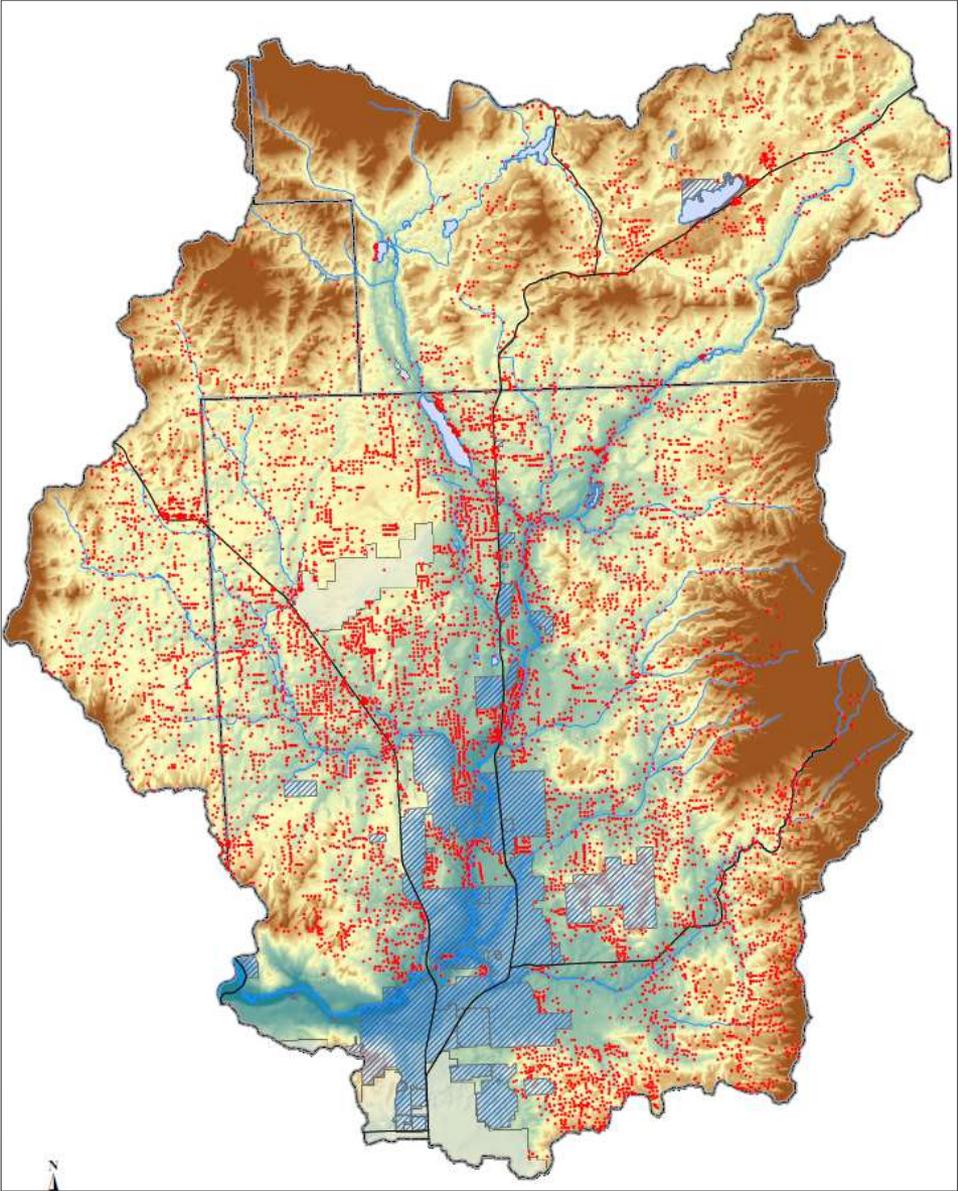
The Little Spokane Watershed

- Estimated 12,400 residences on exempt wells
- Projected increase of 2,900 by 2040.

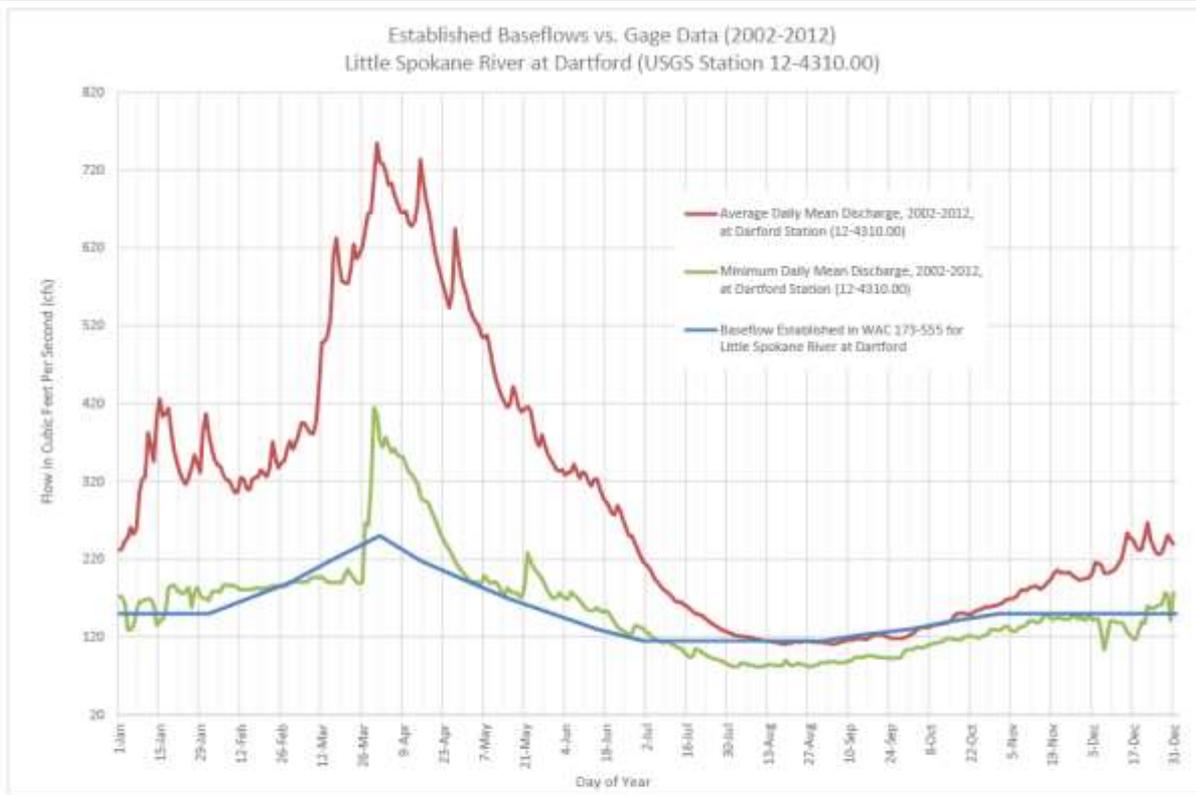
	Current Exempt Well
	Municipal Boundary
	Water District
	County Boundaries



SPOKANE COUNTY
WATER RESOURCES
*Little Spokane Ground-Water
Inventory and Mapping Project*



The Little Spokane Watershed



Established Baseflows vs. Gage Data (2002-2012)

Little Spokane River at Dartford Gage

Little Spokane Water Banking Demand Evaluation,
Supply Assessment, and Water Transfer Framework Considerations
WRIA 55, Washington



MAY 2015
PROJECT NO.
140129

BY
CME / RNP
REVISED BY

FIGURE NO.
3



Spokane County
WASHINGTON

Little Spokane Water Bank

- WAC 173-555, The Little Spokane Instream Flow Rule
 - All tributaries in the watershed closed from June 1-October 31
 - “All rights hereafter established shall be expressly subject to the base flows established in sections WAC 173-555-030 (1) through (3)
- Instream Flows are not met, consequently
 - No new permitted water rights have been issued in the basin since the 1990’s.
 - Prior to January 19, 2018 no new building permits could be issued unless an applicant had a water right.
 - After January 19, 2018 the water bank could be used or could follow Section 202 of ESSB 6091



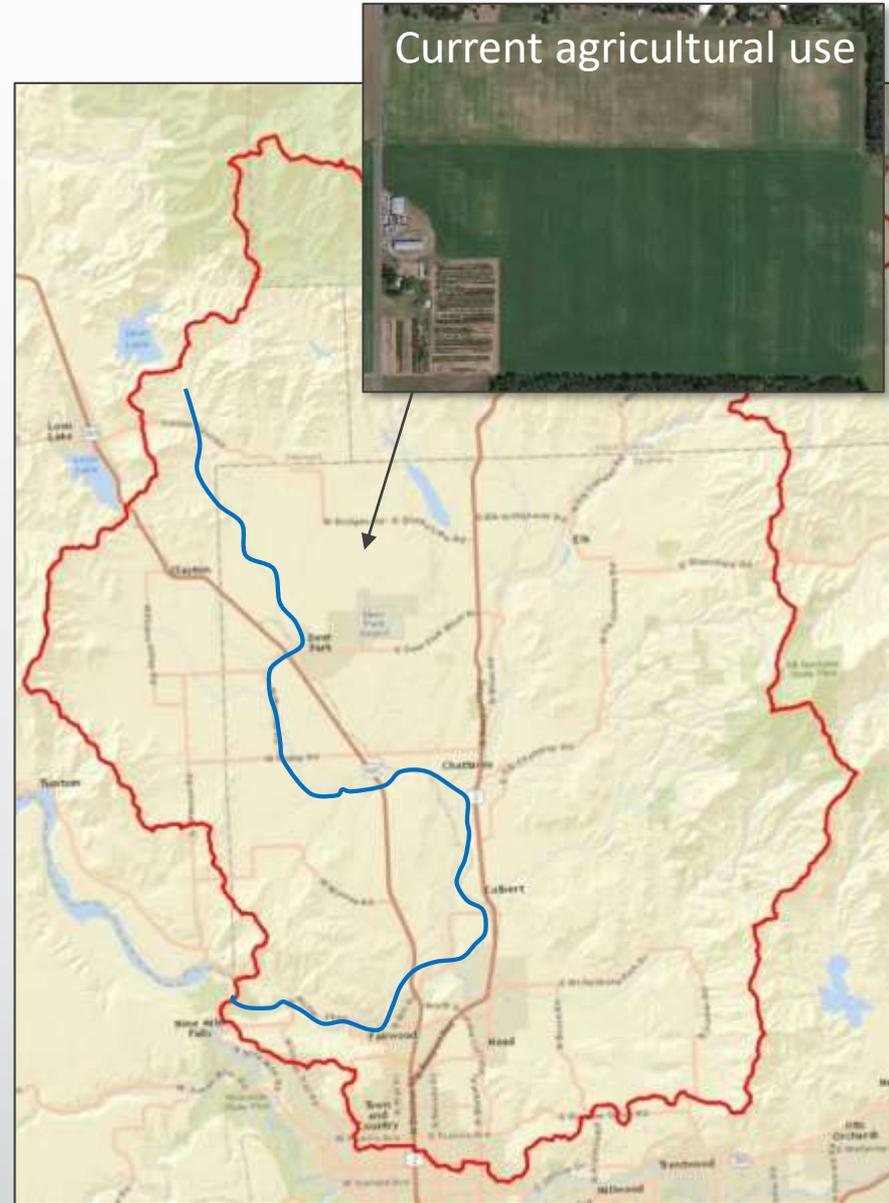
How do you create a water bank?

- Water rights are property rights that can be bought and sold.
- Water rights have historically been bought and sold on a 1 to 1 basis for years.
- To use in a different location from a different withdrawal the water right must be transferred through Ecology.
- Purchase and sale involves:
 - all aspects of a property transfer (transfer of deeds, excise tax...)
 - transfer process which includes extent and validity analysis, hydrogeologic analysis, preparation of an ROE.
- Bottom Line – there are significant transaction costs.
 - Cost prohibitive for the small quantity of one domestic use.
- A water bank is an institutional mechanism that allows a 1 to many transfer
 - transaction costs are small for each domestic use.



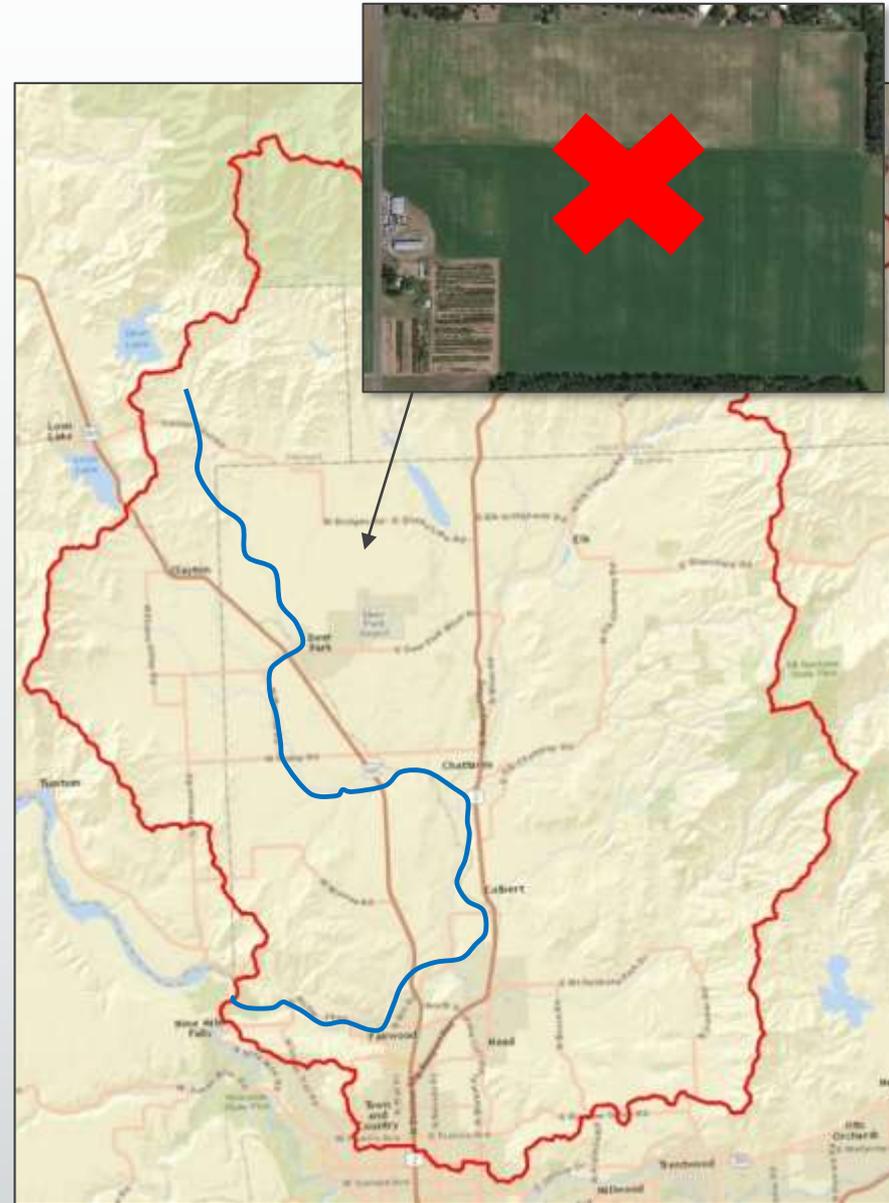
Water Bank – How does it work?

- Spokane County purchased a 500 gpm, 255 acre-ft water right, 100 acres of alfalfa.



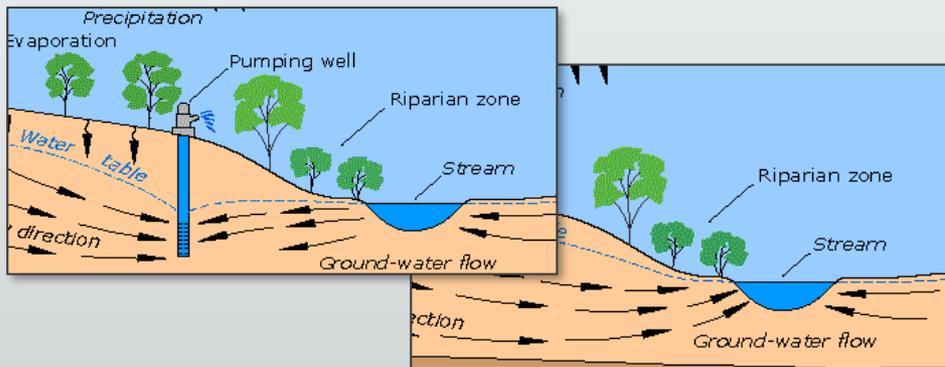
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- After the transfer is complete
 - water use stops.



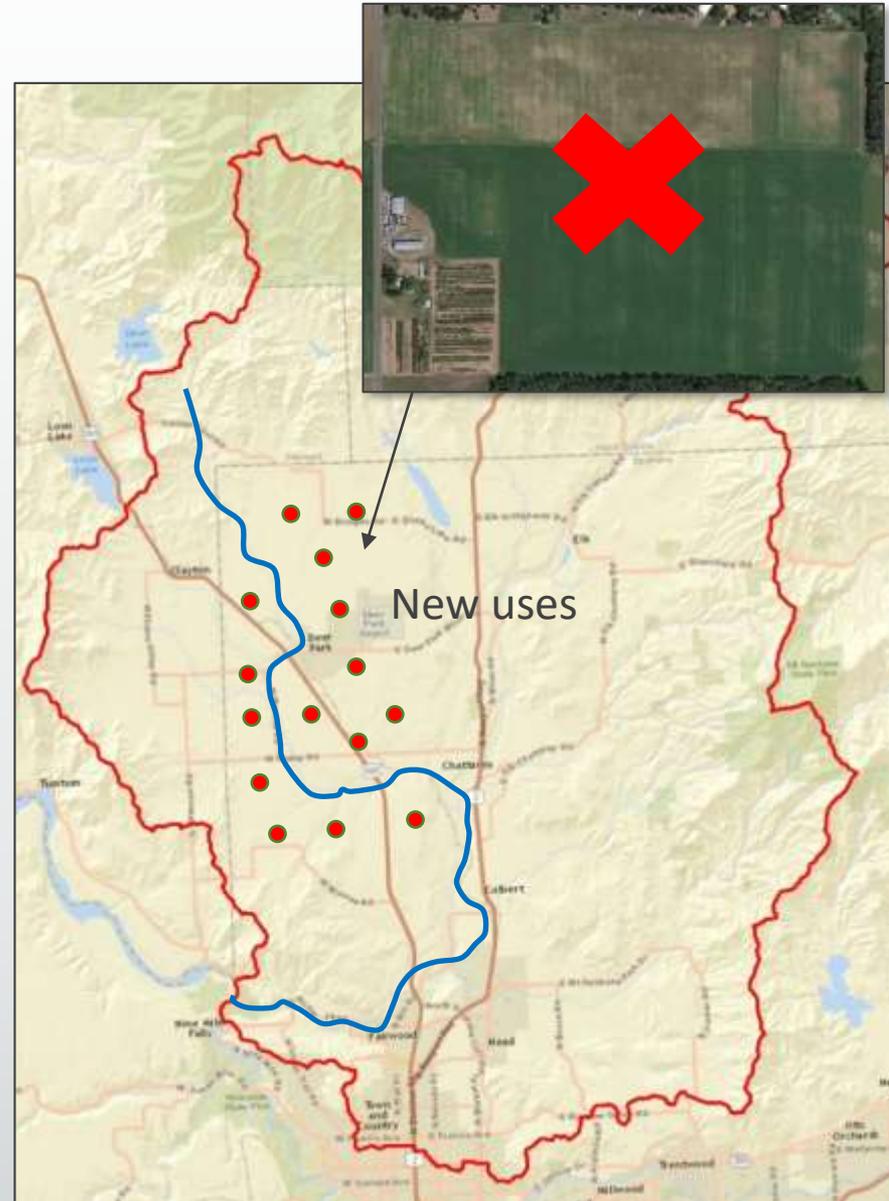
Water Bank – How does it work?

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 - water use stops.
 - Groundwater levels are higher than when pumping was occurring
 - More water is in the stream



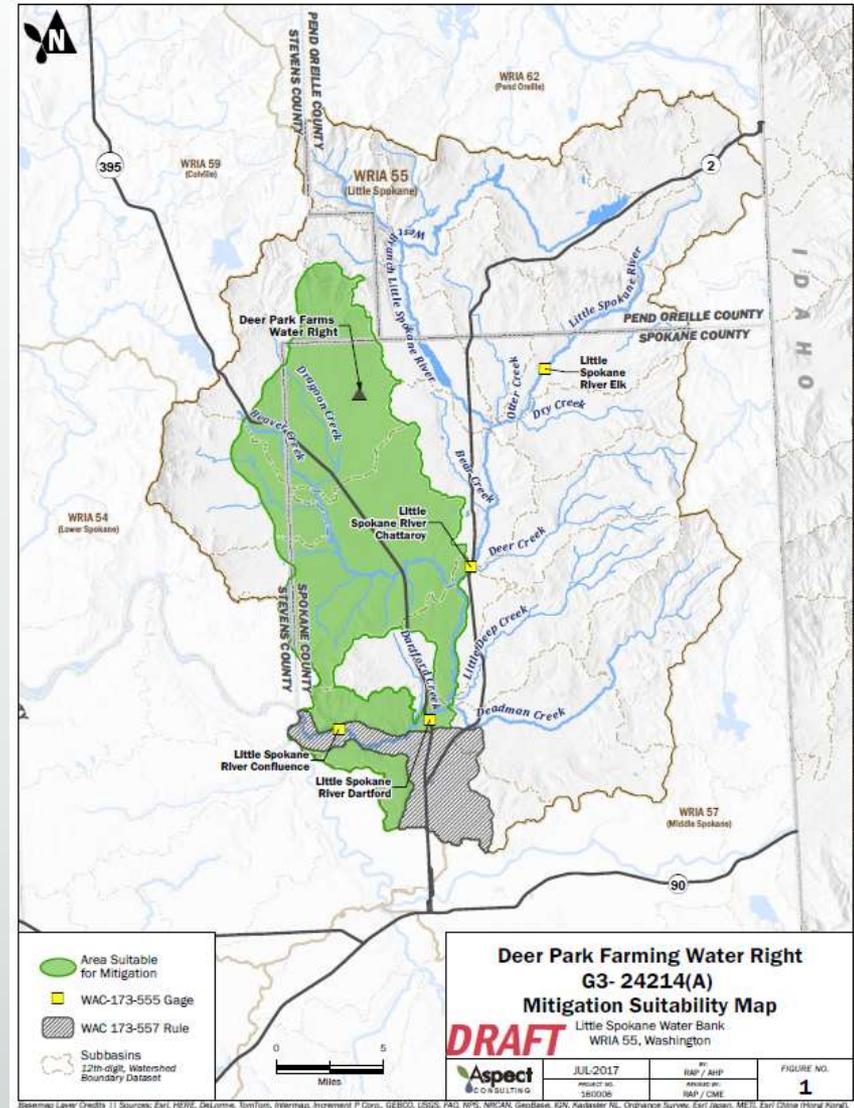
Water Bank – How does it work?

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- After the transfer is complete
 - water use stops.
 - groundwater levels are higher than when pumping was occurring
 - More water is in the stream
- New uses are authorized that impact stream flow



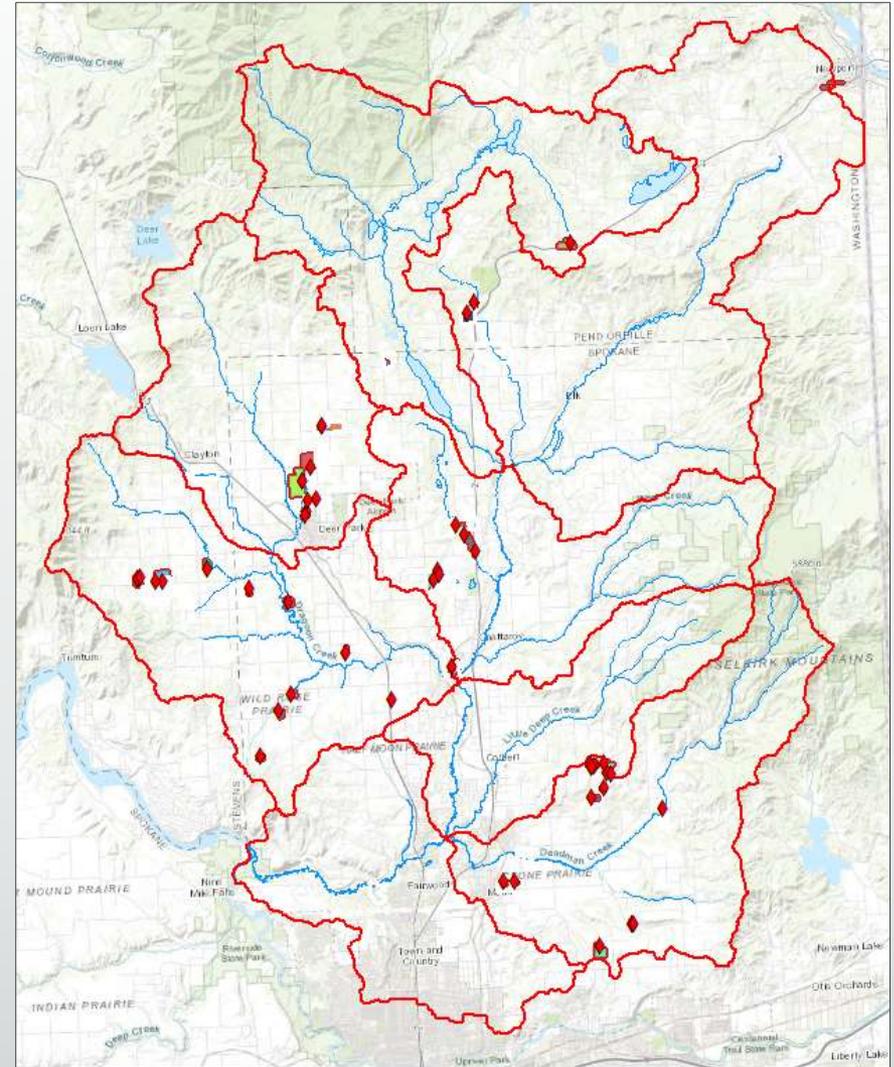
Water Bank – How does it work?

- Established a Trust Water Agreement with Ecology that specifies how we manage the water.
 - The TWA authorizes the County to issue stream flow mitigation certificates
 - Defines where we can issue mitigation certificates
 - Specifies how we will account for bank debits
 - Specifies how we will monitor and report water use
- Transfer had to be in-kind, in-time, and in-place.



Water Banking Constraints

- Prior to ESSB 6091 mitigation needed to be in-time, in-place, and in-kind.
- Some areas of the watershed do not have many water right acquisition opportunities.
- Some areas may not be suitable for streamflow enhancement projects.
- Mitigation availability may not match growth patterns.



ESSB 6091 & Mitigation Flexibility

- Requires an update to the WRIA 55 Watershed Plan by February 2021.
- Update must identify projects that at a minimum replace the consumptive impact of the projected new permit-exempt domestic water use over the next 20 years.
- Projects are not limited to strictly in-time, in-place.
- Projects are to be prioritized
 - Projects that are in the same basin or tributary and during the same time period mitigated use occurs
 - Projects that are in other basins/tributaries and/or replace water only during the critical times for fish
- \$300 million over the next 15 years allocated for projects



Water Banking & ESSB 6091

- Water banking as done prior to ESSB 6091 meets the requirements
- Flexibility may allow plans to incorporate strategies that:
 - Are not in the same tributary
 - Rely on state funded projects (no cost to property owner)
 - Are watershed scale and not associated with a specific property, like a mitigation certificate.
- Projects include
 - acquisition of senior water rights
 - Natural and constructed infrastructure such as floodplain restoration, off-channel storage, and aquifer recharge



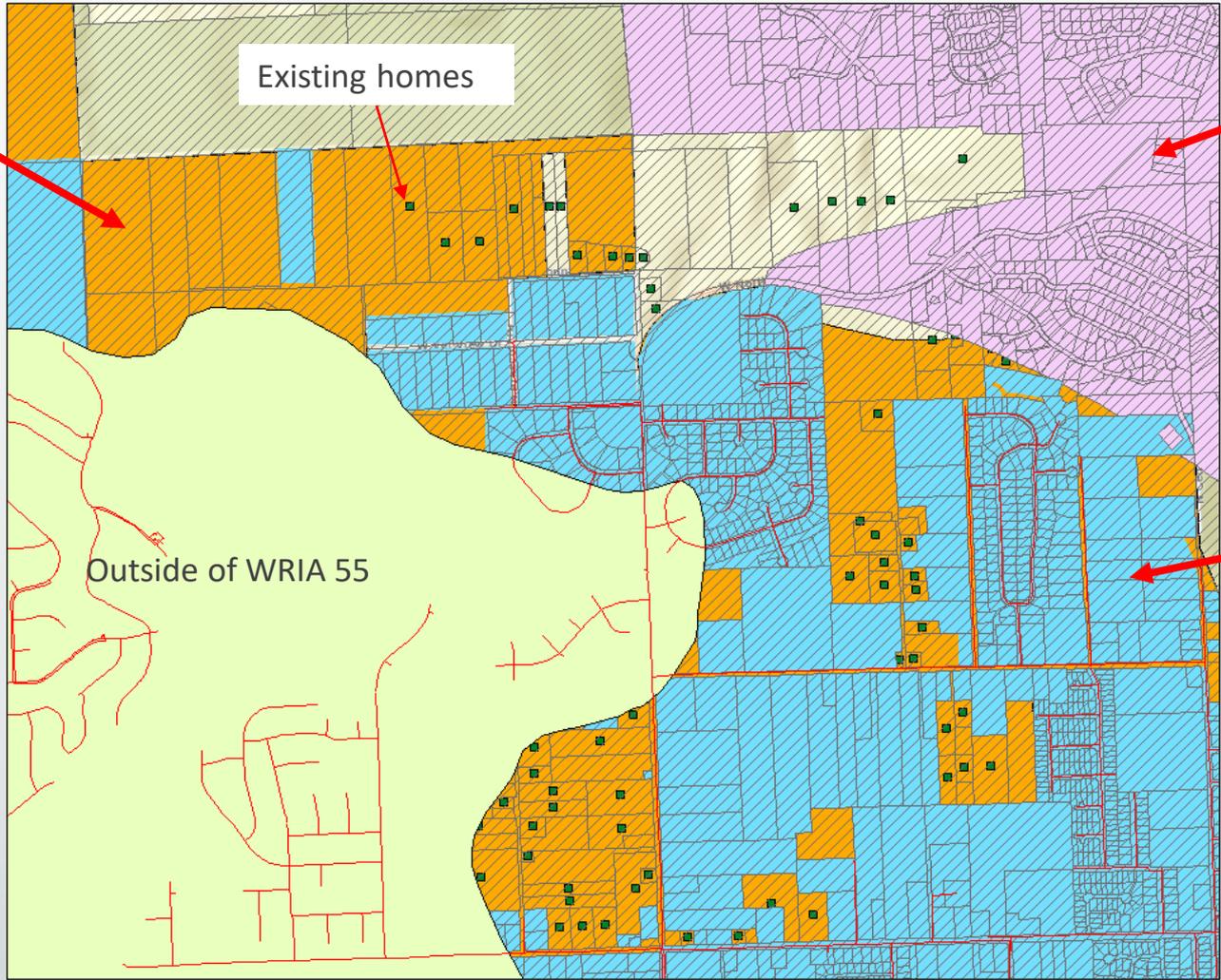
ESSB 6091 & Water Purveyors

- 15 Basins with older instream flow rules (Hirst Impacted Basins)
- Section 202 – Watersheds with RCW 90.82 Adopted Watershed Plan.
 - Water purveyors are an initiating government under RCW 90.82
- Section 203 – Watersheds that will have a watershed restoration and enhancement committee
 - Water purveyors are invited to participate
- This is about permit-exempt wells, why are water purveyors participating?



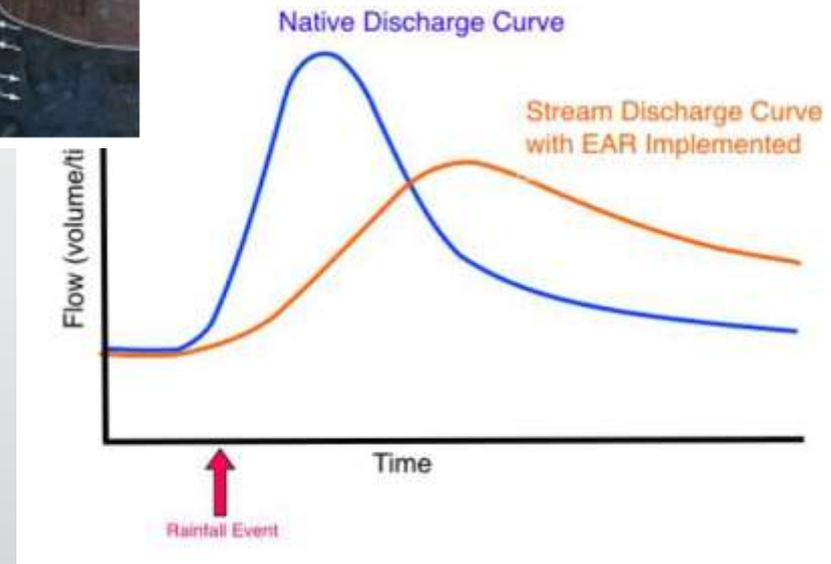
ESSB 6091 & Water Purveyors

- Extension of public water service in appropriate areas



ESSB 6091 & Water Purveyors

- Development and maintenance of infrastructure projects



Contact Information

Mike Hermanson

Spokane County Water Resources Manager

509-477-7578

mhermanson@spokanecounty.org

