

Water woes

County's Joint Meeting presents staff reports, gathers opponents, a few proponents

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ELLENSBURG, WA, Aug. 22, 2013 — The recent joint legislative meetings concerning a withdrawal limit on all new wells outside the upper county's Groundwater Rule areas gave the Board of County Commissioners and the Planning Commission a lot of information to chew on. And folks in the upper county are naturally wondering about the effects of any new rule and how they might respond to issues like metering and daily limits on consumption.

Gary Berndt, District 2 County Commissioner said that he felt that the meeting went well, understanding that the public couldn't really talk much about the issues.

"This was really about staff reports and presentations to the joint commission. There was no opportunity for public input at this stage. Members from most of the water user groups were there to see what was going on, and there was another Planning Commission meeting on Wednesday, August 10th with more to come."

Where the Water Lies

The issue under discussion is really a lower Kittitas County question since the upper county is under a mitigation agreement that requires people who use groundwater to compensate for that use by purchasing a senior water right from an existing water bank. The limit of their withdrawal is still pegged at 5,000 gallons per day. The proposed plan will only affect people who are rural residents living in the lower county who purchase land and place a new house on that land. Again, all lands currently under the state's Groundwater Rule are exempt from this proposed regulation.

The Playas

Critics of the plan generally feel that any exempt, or non-mitigated use of groundwater is inconsistent with their concept of a stable water supply.

Irrigation districts are lining up for a fight, many of whom feel that any groundwater use subtracts from their ability to deliver water to their users.

Homebuilders are naturally interested in the proposal since the availability of water directly affects both the cost and ultimately the quantity of new housing that will be permitted in Kittitas County.

Conservationists and environmentalists, many of whom oppose sprawl and continued development in Kittitas County, see precious habitat and wildlands disappearing and wish to control development by controlling water availability.

And finally, municipalities are keeping an eye on Kittitas County's actions. Logically, they see any action taken here as symptomatic of the kind of regulation they will see in the future within their municipal boundaries. Future use restriction rules might alter a city's growth potential by limiting the amount of water they can offer to either industry or residential development.

In its barest form the proposal retains the concept of an exempt well, a staple of Washington water law since statehood, while compensating higher water use with a mitigation plan.

Simply, Kittitas County is trying to set a threshold level where mitigation becomes necessary.

Mitigation triggers are a common practice in other regulatory schemes, essentially determining the use below which any activity has no definable effect.

Berndt goes on to explain, “The proposal is that any new exempt well is allowed 350 gallons a day, metered, and, for now, voluntarily reported annually. How that is handled administratively in the future is difficult to foretell today. It may require that the county set up its own water bank, though I am not in favor of that, because that implies meter readers, reporting, penalties, enforcement, all the things that you might expect from a city water system. It would be a whole new arm of government.”

As an example of the interest that are circling the fray he points out what David Brown, chair of the Yakima Basin Joint Board, said in a recent letter to the Kittitas County Board, “...our water users cannot be expected to approve any additional negative impact to their rights.”

The group is comprised of the Sunnyside, Kittitas Reclamation, Roza, Yakima-Tieton and Kennewick irrigation districts and the City of Yakima, all big players in the arena of water usage in the Yakima River Basin.

Berndt closes by saying this, “We need to take a leadership position and stand on it for awhile and see if it is going to fly. And then we will have to accept that these proposals will change as all the parties weigh in. Our job is to lead, and try to do the best we can at this time. “I’m learning it is extremely complicated and I’m learning to listen. This won’t be easy but we think it’s the right thing to do, for both the environment and our citizens.”

Water rules summary points

If you own land in rural Kittitas County and your land is not within the areas served by the existing water banks set up as a result of the state’s groundwater rule, you may want to pay attention to these proceedings. These rules may and probably will change as stakeholders weigh in with the inevitable lawsuits. For a more comprehensive look at the new proposed rules, call the Kittitas County Community Development Services Department or visit their web site at: www.co.kittitas.wa.us/cds/default.asp

- Limits on new groundwater wells in the county proper are to be set at 350 gallons per day (GPD) per house, limiting watered lawns to 500 square feet.
- You won’t be able to use more than 1,050 GPD on any high flow day and the aggregate cannot exceed your yearly total withdrawal at 350 GPD. That’s 127,750 gallons per year, a tad more in leap years.
- The new program will not apply to existing municipal and other class A systems at this time. Any uses prior to November 1, 2013 will be grandfathered as an existing use.
- Replacement wells are exempt from the new rules as are industrial uses as defined by the Growth Management Act.
- Replacement residences or adding space to existing residences will not trigger the need for a meter.

- If you have a current unexpired building permit but have not started building, or if you apply for a building permit before November 1, 2013, you will not be required to meter and report water usage.
- Any fees associated with the metering and reporting system will be assessed in the future though they will probably model after a contemporary municipal system with drive by meter reading and yearly rental of meters.

Is 350 gallons a day enough?

Want to know how much water you need to live? Here are a few places to go to find out how your water needs are determined, and estimate your water use:

- www.wsscwater.com/home/jsp/content/water-usagechart.faces
- <http://ga.water.usgs.gov/edu/qa-home-percapita.html>
- www.epa.gov/WaterSense/pubs/indoor.html
- www.csgnetwork.com/waterusagecalc.html

Here is a water use calculator that will compute your uses and then give you a comparison on where you stand against national averages.

www.csgnetwork.com/waterusagecalc.html

For a quick look at how we might be handling water in 15 years, check out the Palm Springs, California site for their water purveyor, the Desert Water Agency. This may well be the face of water management in Kittitas County in the future: www.dwa.org/

Bruce Coe is a reporter for the Northern Kittitas County Tribune newspaper in Cle Elum, WA. For more information about the publication, please visit www.nkctribune.com.