

**Notice of SEPA Determination
Spokane County Little Spokane River Water Bank SEPA**

NOTICE IS HEREBY given that pursuant to WAC 197-11-340, Spokane County Environmental Services did on October 11, 2017 issue a Determination of Non-Significance (DNS) for the proposal to establish a WRIA 55 (Little Spokane Watershed) water bank for water budget neutral water right permits for building permit applicants by placing senior water rights into the State Trust Water Program. The proposal includes acquisition of water rights that are senior in priority to WAC 173-555 (pre-1976) to provide water for instream flow and instream flow mitigation to offset the consumptive water use associated with new exempt and non-exempt water use. The lead agency for this proposal has determined that it does not have a probable adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2)(c) and WAC 197-11. This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

Pursuant to Spokane County Code Title 11 & WAC 197-11 the lead agency will not act on this proposal for 15 days. Any person, affected tribe, or agency may submit comments to the lead agency within 14 days of the date of issuance of the DNS. The lead agency will then: retain, modify or withdraw the decision. The complete checklist and associated documents may be viewed at Spokane County Water Resources, 1004 N. Freya St., Spokane, WA 99202.

Kevin Cooke, Environmental Service Director
Spokane County Environmental Services
1026 W. Broadway
Spokane, WA. 99260
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Publish: Thursday, October 12, 2017 & Thursday, October 19, 2017
Comment Period Ends: Thursday, October 26, 2016.

SPOKANE ENVIRONMENTAL ORDINANCE

(WAC 197-11-970) Section 11.10.230(3)
Determination of Non-Significance (DNS)

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: Spokane County proposes to establish a water bank to provide water budget neutral water right mitigation certificates to exempt well users within portions of Water Resource Inventory Area (WRIA) 55, the Little Spokane Watershed, in Spokane County. The water bank is intended to address Spokane County's responsibilities for establishing legal water availability associated with the 2016 Whatcom Ct. v. Hirst State Supreme Court decision. The County is acquiring existing water rights that are senior in priority to the instream flow rule (pre-1976) to provide water for instream flow and mitigation. The County seeks to be able to provide mitigation certificates in as broad an area of WRIA 55 as possible outside of areas served by public water systems. Water banking-specific County code is also being established to support institutional management of the water bank.

Proponent: Spokane County Environmental Services

Location of proposal, including street address, if any: All areas of WRIA 55 not served by public water supply systems will potentially be served by the water bank, depending on the success of water right acquisition efforts and the approval by Ecology of associated suitability maps delineating where mitigation certificates can be used.

Lead agency: Spokane County Environmental Services

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by 4:00 p.m. Thursday, October 26, 2017.

Responsible official: Kevin Cooke

Position/title: Environmental Services Director, Spokane County
Environmental Services Phone: (509) 477-3604

Address: Spokane County Environmental Services, 1026 W. Broadway Ave.,
Spokane, WA 99260

Date: October 11, 2017 **Signature:** Kevin Cooke



You may appeal this determination to: Kevin Cooke, Spokane County
Environmental Services

at: 1026 W. Broadway Ave., Spokane, WA 99260

no later than: 4:00 p.m., October 26, 2017

by: Filing a written appeal on prescribed forms, containing factual objections,
and accompanied with applicable fees.

Contact the Department of Building and Planning to read or ask about the procedures
for SEPA appeals.

Attachments: SEPA Checklist, Public Notification

This DNS was emailed to the following on October 11, 2017.

1. City of Spokane Water District, Dan Kegley
2. Spokane County Water District No. 3, Kelly Williquette
3. Whitworth Water District No. 2, Tim Murrell
4. City of Deer Park Building & Planning Dept., Roger Krieger
5. Washington State Dept. of Commerce, Dave Andersen
6. Washington State Dept. of Ecology, Kevin Brown
7. Washington State Farm Bureau, John Stuhlmiller
8. Washington State Dept. of Fish and Wildlife, SEPA Unit
9. Washington State Dept. of Health, Dorothy Tibbetts
10. Washington State Dept. of Natural Resources, NE Regional Office, SEPA Coordinator
11. Spokane Regional Health District, Eric Meyer
12. Futurewise, Kitty Klitzke
13. Spokane Conservation District, Walt Edelen
14. Spokane Home Builders, Arthur Whitten
15. Spokane Association of Realtors, Rob Higgins

SEPA Environmental Checklist

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Little Spokane River Water Bank

2. Name of applicant

Spokane County Environmental Services

3. Address and phone number of applicant and contact person:

Address: 1004 N. Freya St

Contact: Mike Hermanson, Water Resources Manager – (509) 477-7578

4. Date checklist prepared:

09/25/17

5. Agency requesting checklist:

Washington State Department of Ecology (Ecology)

6. Proposed timing or schedule (including phasing, if applicable):

Spokane County intends to have the Little Spokane Water Bank established and operating in fall 2017.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes, Spokane County will continue to seek and acquire water rights for water banking seeding after the initial water right transfer allows the water bank to begin operation.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Minimum instream flows and closure of tributaries in the Little Spokane watershed, also referred to as Water Resources Inventory Area (WRIA) 55, were established in January 1976 by WAC 173-555. As part of each water right transfer to the State Trust Water Right Program in support of water bank seeding, an evaluation of anticipated benefits to instream flows and suitable areas for mitigation will be summarized in a Report of Examination and subject to Ecology approval.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No.

10. List any government approvals or permits that will be needed for your proposal, if known.

The project will require approvals of Reports of Examination for water right transfers and granting of Superseding Permits and Certificates associated with transfers of water rights purchased by Spokane County to the State Trust Water Right Program in support of water bank seeding.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The County is establishing a water bank to provide water budget neutral water right mitigation certificates to exempt well users within portions of WRIA 55 in Spokane County. Discussions are also in progress to potentially extend use of mitigation certificates to Stevens and Pend Oreille Counties, which also include portions of WRIA 55.

The water bank is intended to address Spokane County's responsibilities for establishing legal water availability associated with the 2016 Whatcom Ct. v. Hirst State Supreme Court decision. Spokane County is acquiring existing water rights that are senior in priority to the instream flow rule (pre-1976) to provide water for instream flow and mitigation. The County seeks to be able to provide mitigation certificates in as broad an area of WRIA 55 as possible outside of areas served by public water systems. Water banking-specific County code is also being established to support institutional management of the water bank.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

All areas of WRIA 55 not served by public water supply systems will potentially be served by the water bank, depending on the success of water right acquisition efforts and the approval by Ecology of associated suitability maps delineating where mitigation certificates can be used.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

The area to be served by the water bank is large and encompasses a wide range of terrains, slopes, soils, and bodies of surface water.

b. What is the steepest slope on the site (approximate percent slope)?

See 1.a.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

See 1.a.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

See 1.a.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Surface water exists throughout WRIA 55, including the mainstem of the Little Spokane River, tributaries, and lakes.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

The water bank is expected to reduce existing surface water diversions as part of placing water rights authorizing those diversions into Trust.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

100-year floodplain areas exist in lowlands in portions of WRIA 55.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Yes. The water bank will issue mitigation certificates for new wells based on senior water rights held in trust. The mitigation certificates will serve to establish legal water availability for exempt well users within WRIA 55. Granting of the mitigation certificates will be limited to areas agreed to be suitable by Ecology based on the attributes of the senior water rights placed in the State Trust Water Right Program.

Spokane County will offer a selection of mitigation packages with set quantities of water authorized for domestic and lawn/garden use under the mitigation certificates issued by the water bank. All of the quantities offered will be substantially less than the standard exemption of 5,000 gallons per day established by RCW 90.44.050. New well locations will be located throughout areas of WRIA where suitable areas for use of mitigation certificates have been established. The total number of mitigation certificates granted will be based on the availability of senior water rights for purchase by the County for placing into Trust in support of water bank seeding.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable

4. Plants

a. Check the types of vegetation found on the site:

All types of these plants exist throughout the area involved in this proposal

- ☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☐ shrubs
☐ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Not applicable

- c. List threatened and endangered species known to be on or near the site.

The proposal will have no negative impact upon any threatened or endangered species within WRIA 55.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable

- e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

The WRIA 55 watershed is a large area with a range of wildlife habitat. Birds include hawks, herons, eagles, songbirds, and others. Mammals include deer, elk, bear, beaver, squirrels, and others. Fish include trout, whitefish, pike, carp and others.

- b. List any threatened and endangered species known to be on or near the site.

The WRIA 55 watershed includes, but may not be limited to, the following endangered and threatened species: American white pelican, bald eagle, peregrine falcon, sandhill crane, upland sandpiper.

- c. Is the site part of a migration route? If so, explain.

Portions of the WRIA 55 watershed may function as migration routes.

- d. Proposed measures to preserve or enhance wildlife, if any:

The County's mitigation program using trust water right holdings in the County water bank offsets impacts to aquatic species in surface waters within WRIA 55. In addition, improvements to instream flows are anticipated in some areas of WRIA 55, through the shifting of water use to points further downstream from the current points of surface water diversion and groundwater withdrawal of the senior water rights to be placed in Trust.

- e. List any invasive animal species known to be on or near the site.

Not applicable

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

Not applicable

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

Not applicable

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable

- 4) Describe special emergency services that might be required.

Not applicable

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Residential, agricultural, and minor industrial activity exists throughout the area that will be served by the proposal.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Irrigation use by senior water right holders that sell water rights to the water bank will cease or be reduced. The water right sellers may continue to dryland farm their land, or use the land for other uses in accordance with County regulations. The amount of acreage that may be affected will be determined by the number of water rights sales that occur, which is dependent on seller and buyer interest.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

- c. Describe any structures on the site.

Not applicable

- d. Will any structures be demolished? If so, what?

Not applicable

e. What is the current zoning classification of the site?

The site to be served by the water bank contains all of the land use zones within the County.

f. What is the current comprehensive plan designation of the site?

The site being serviced by the water bank contains all of the land use plan classifications within the County.

g. If applicable, what is the current shoreline master program designation of the site?

The site to be serviced by the water bank contains all shoreline designations in the County's Shoreline Master Program.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Various areas throughout the area affected by the proposal have lands considered as "critical" within the County's Critical Areas Ordinance.

i. Approximately how many people would reside or work in the completed project?

Not applicable

j. Approximately how many people would the completed project displace?

Not applicable

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Not applicable

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable

10. **Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable

- b. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable

11. **Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable

12. **Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The Little Spokane River watershed provides a wide variety of recreational opportunities. Development of the water bank is not expected to impact these activities.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

Not applicable

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The proposal will not increase need for any additional public services.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

Not applicable

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Mike Hermanson

Position and Agency/Organization: Spokane County Water Resources Manager

Date Submitted: October 9, 2017

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal will not result in any production, storage, or release/discharge of toxic or hazardous substances or production of noise since it only involves the establishment of a mitigation process to establish a WRIA 55 water bank.

Proposed measures to avoid or reduce such increases are:

Not applicable

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The County's mitigation program using trust water right holdings in the County water bank offsets impacts to aquatic species in surface waters within WRIA 55. In addition, improvements to instream flows are anticipated in some areas of WRIA 55, through the shifting of water use to

points further downstream from the current points of surface water diversion and groundwater withdrawal of the senior water rights to be placed in Trust.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Not applicable

3. How would the proposal be likely to deplete energy or natural resources?

The proposal will not deplete energy or natural resources such as water since all new water use is mitigated with regard to local impacts in tributary streams and creeks to be water budget neutral.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal will not have any impacts upon environmental sensitive areas or parks, rivers, threatened or endangered species or historic areas since any future project action would still be subject to existing resource regulations. The proposal only involves the establishment of a water permitting process associated with the WRIA 55 water bank.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Existing Spokane County regulations require that all new exempt water use within WRIA 55 be mitigated. Land and shoreline development will not occur without water budget neutral mitigation, and would be conducted in accordance with previously existing County regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal will not increase any demands on transportation or other public services. The proposal will provide a public service by establishing a water bank to allow mitigated water use in WRIA 55.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts with local, state, or federal laws are anticipated from this proposal. The proposal will meet all requirements of RCW Title 90 relating to water rights, and will address Spokane County's responsibilities for establishing legal water availability associated with the 2016 *Whatcom Ct. v. Hirst* State Supreme Court decision.