

Plan Implementation and Adaptive Management

This section provides a framework for successful implementation of the projects and actions provided in this Plan Addendum and an adaptive management strategy to address changing conditions during the 20-year planning horizon. **Both the implementation and adaptive management of the projects identified in the plan is prioritized and will be managed consistent with local values and basin-specific consideration.** Ecology has recommended that the Plan Addendum include a section addressing plan implementation and adaptive management to provide reasonable assurance that NEB will be met following adoption of the Plan Addendum by Ecology.

Ecology's Final Guidance for Determining Net Ecological Benefit (Ecology, 2019) includes the following definition of reasonable assurance:

Explicit statement(s) in a watershed plan that the plan's content is realistic regarding the outcomes anticipated by the plan, and that the plan content is supported with scientifically rigorous documentation of the methods, assumptions, data, and implementation considerations used by the planning group.

This Plan Addendum provides descriptions of proposed water and non-water offset projects to offset projected exempt well demand in WRIA 49 and demonstrates that when successfully implemented, the offset projects, or a subset thereof, can meet the goal of attaining sufficient water-for-water offsets on a watershed-wide basis. The inclusion of non-water offset projects provides additional support for attaining NEB through habitat improvements. In combination, these offset projects meet and exceed the requirements of RCW 90.94:

- On a watershed basis, the water offset projects far exceed the total projected exempt well demand over the required 20-year planning horizon.
- Offset projects have been included in this Plan Addendum within each subbasin in WRIA 49 to prioritize local mitigation co-located with demand.
- Tier I water offset projects are distributed throughout most subbasins; however, in two subbasins (Loup Loup and Similkameen) water offsets do not meet projected demand. In these subbasins, and in other subbasins in WRIA 49, Tier II water offset and/or additional non-water offset projects are included to support and enhance attainment of NEB.
- The projects are realistic, consist of project types regularly funded by state and federal funding programs, and have a solid scientific foundation based on the investigations funded through Streamflow Restoration Grants.

The WRIA 49 Initiating Governments and Planning Unit recognize that flexibility needs to be incorporated into ongoing plan implementation, with consideration to available offset project funding and implementation, opportunities for modifying and enhancing the project list based on landowner and stakeholder interest, and the progression of actual exempt well demand each year. Successful plan implementation will also require ongoing sources of program management funding, and operation and maintenance funding.

This plan implementation and adaptive management approach has been developed to reflect the strong local values expressed by both the Initiating Governments and Planning Unit members.

Specifically, retention of water rights for both current and future out-of-stream uses, especially agriculture, is a top priority. The water offset and project contributing to NEB presented in this plan will be managed to meet the minimum RCW 90.94 plan requirements identified, while maximizing the amount of water available for future out-of-stream uses.

Plan Implementation Framework

Implementation of the WRIA 49 Watershed Plan Update will be achieved through the efforts of multiple Planning Unit member organizations in the watershed, but will require ongoing management by a lead entity. Tasks envisioned over the 20-year implementation period include:

- Water and non-water offset project development and implementation including:
 - Prioritization of projects based on tributary and/or mainstem offset and NEB requirements, while maintaining or enhancing current reliability and/or future agricultural uses,
 - Identification of funding sources for projects identified in this plan,
 - Securing funding,
 - Project design and project construction;
 - Development of new opportunistic offset project ideas and concepts as part of adaptive management,
- Water and non-water offset project operation and maintenance, including associated monitoring;
- Coordination and tracking of projects implemented to achieve NEB over the planning horizon including:
 - Tracking and documenting locations of projects
 - Current project status (i.e. proposed, in design, under construction, operational)
 - Quantity of water offset provided and/or habitat improvement achieved compared to the existing EDT model predications.
- Tracking WRIA 49 permit exempt demand including number of permit exempt wells authorized each year using a County-based water accounting software based on a review of new building permits.
- Annual reporting of actual exempt well demand, offset project status, offset surplus/deficit tracking, and changes in plan implementation. Every five years, a summary of plan implementation and adaptive management tasks and status will be prepared for submittal to Ecology.
- Communication with Planning Unit members and the public regarding offset project sponsorship, project coordination, plan implementation and associated NEB status.

Roles and Responsibilities

Implementation of this Plan Addendum and associated project implementation, operation and maintenance, monitoring, tracking and reporting will require proactive involvement and management from the WRIA 49 Initiating Governments and other members of the Planning Unit.

Okanogan County will take the lead role in plan implementation with primary support from City of Omak and Oroville-Tonasket Irrigation District (OTID). All three Initiating Governments shall participate as members of the Planning Unit, and as necessary work together to assist Okanogan County with the plan addendum implementation and monitoring. In addition, support will be needed from other agencies and tribes to ensure successful plan implementation. Proposed roles and responsibilities are outlined below:

- **Okanogan County** will serve as the lead agency for plan implementation. This work will include:
 - Developing and implementing a funding strategy for Okanogan County's portion of costs associated with implementation program management and operation and maintenance of water offset projects.
 - Conducting operation and maintenance of offset projects where Okanogan County is the lead proponent.
 - Tracking of exempt well demand throughout WRIA 49
 - Tracking of water offset surpluses/deficits relative to demand on a basin wide and subbasin scale.
 - Tracking of overall offset project target list and implementation status.
 - Ongoing canvassing and tracking of new offset project opportunities.
 - Seeking grant funding opportunities for implementation, including preparation of grant applications.
 - Compiling annual and 5-year reports on the status of plan implementation.
 - Communications with Ecology, the Initiating Governments, and Planning Unit members on the status of plan implementation.
 - Updates to and maintenance of County webpage on plan implementation.
- **Oroville-Tonasket Irrigation District** will support Okanogan County with plan implementation in its role as an Initiating Government. Responsibilities include:
 - Serving as lead proponent for the OTID Tributary Supplementation project, including securing of funding, implementation, operation and maintenance, and sharing of information with Okanogan County necessary for project tracking and reporting.
 - Participating in communications among the Initiating Governments.

- **The City of Omak** will support Okanogan County with plan implementation in its role as an Initiating Government. Responsibilities include:
 - Participating in communications among the Initiating Governments.

- Several agencies and Tribes will serve as lead entities for implementation of both water offset and Tier I projects contributing to NEB. Based on the non-water offset projects included in this Plan Addendum these currently include: Okanogan Conservation District, Whitestone Irrigation District, Colville Confederate Tribes, City of Okanogan, and Washington Department of Fish and Wildlife. Responsibilities include:
 - Serving as lead proponent for their proposed projects, including securing funding, implementation, operation and maintenance, and sharing information with Okanogan County necessary for project tracking and reporting.
 - Tracking of new non-water offset project opportunities and notifying Okanogan County of identified potential projects.

Other Planning Unit members, NGOs, and agencies may be added to this list if they become lead proponents for new offset projects as plan implementation progresses. This includes the numerous Tier II project identified in this plan.

Funding

Implementation of the WRIA 49 Watershed Plan Update will require funding for capital projects, project operation and maintenance, and ongoing program management. The following section provides an overview of funding mechanisms in place as a result of ESSB 6091 and RCW 90.94, potential new funding mechanisms, and options for funding plan implementation.

Additional discussion of funding sources and requirements.

Adaptive Management

Given the length of the planning horizon, adaptive management will be an important component of successful plan implementation. Ecology's Final Guidance for Determining Net Ecological Benefit (Ecology, 2019) defines adaptive management as:

An iterative and systematic decision-making process that aims to reduce uncertainty over time and help meet project, action, and plan performance goals by learning from the implementation and outcomes of projects and actions.

Ecology has not identified adaptive management as a required plan element, but suggests that:

An adaptive management component of the plan helps demonstrate the watershed planning group's intent that the plan will be implemented, thereby bolstering the plan's reasonable assurances.

Adaptive management is included in this Plan Addendum to clearly indicate the Planning Unit's goal of successful plan implementation, to the extent possible based on available future offset project

funding from Ecology and from other sources. Adaptive management will add flexibility to the implementation process, allowing adjustments based on actual exempt well demand, offset project status, and new, opportunistic projects that are identified following adoption of this Plan Addendum.

Adaptive management was discussed in a June 11, 2020 WRIA 49 Planning Unit meeting. Several potential components were presented to the Planning Unit, including:

- Project presented in the plan shall be considered a “menu” of options to meet the minimum requirements RCW 90.94 and the 20-year exempt well demand identified in this plan. Identification of a particular project does not obligate the Planning Unit to implement the project and/or dedicate water offset available – in whole or part – or NEB benefits to the RCW 90.94 process.
- A 5-year cycle for reviewing the status of the WRIA 49 Watershed Plan Addendum and associated actions was proposed.
- Several variables to consider for review and associated actions were proposed:
 - Status of actual exempt well demand: Conduct an evaluation of actual new exempt well demand relative to estimates included in this Plan Addendum.
 - Status of project funding and implementation: Review the water and non-water offset projects that have been implemented to date, offset totals, and the availability of project funding for implementation of proposed offset projects.
 - Availability of opportunistic water and non-water offset projects: Update the offset project list to incorporate new projects that have been identified by Planning Unit members following approval of this Plan Addendum, and to remove projects included in this addendum that no longer appear likely to be implemented or are no longer consistent with local values. Opportunistic projects can stem from a variety of sources, including future landowner interest in applicable projects and future studies.
 - Coordinate with County Comprehensive Plan Updates to ensure those efforts are aligned with the WRIA 49 Watershed Plan Update
- Opportunities to accelerate or add offset projects if the decision on the magnitude of 20-year exempt well demand was too low. Likewise, projects may be delayed, substituted, or removed if the demand was too high.
- Opportunities to receive credits for water-for-water offsets in excess of 20-year exempt well demands, in the event a subsequent mitigation requirement is launched in the future.
- Opportunities to use eligible quantities of water in excess of the 20-year offset requirement will be protected from relinquishment and available for other out-of-stream uses. The Planning Unit understands the eligibility requirements under Ecology’s Water Resource Program Final Guidance (GUID-2094) for Determining Net Ecological Benefit, and will work with Ecology to make sure those are satisfied.
- Opportunities to use water protected in tributaries that contribute toward subbasin-specific NEB to be eligible for offset of mainstem other out-of-stream uses.

At the June 11, 2020 meeting, the Planning Unit reached concurrence that adaptive management should be included as a component of the Plan Addendum. The management of projects consistent

with local values, and the opportunity statements above to not only protect water, but make eligible water in excess of the minimum RCW 90.94 planning requirements available for other out-of-stream uses was key in reaching Planning Unit approval on the approach, prioritization of projects to provide increased certainty, and overall projects list, especially those projects that may provide a higher or increased future mitigation opportunity in the WRIA.

Adaptive management provisions of the Plan Addendum include:

Review of Actual Exempt Well Demand

On an annual basis, Okanogan County will conduct a review of actual exempt well demand based on issuance of new building permits. Okanogan County will review the number of new exempt wells in each subbasin and the combined tally for all of WRIA 49. These data will be compared to the projected annual growth rates incorporated into the exempt well demand analysis presented in this Plan Addendum (Appendix X).

On a 5-year basis in support of adaptive management and reporting, Okanogan County will tally and summarize actual exempt well demand by subbasin, with a comparison to the estimates presented in this plan. This information will be shared with the Initiating Governments, Planning Unit, Ecology, and the public.

Review of Water and Non-Water Offset Project Status

On an annual basis, Okanogan County will conduct a review of water and non-water offset projects that have been implemented to date and the availability of project capital funding for implementation of proposed offset projects. As part of this process, review of offset projects for potential submittal of watershed restoration grant applications to Ecology will be conducted, and associated grant applications may be prepared for selected projects. Opportunistic offset projects that have been identified will be considered for inclusion in the prioritized project list.

On a 5-year basis, in support of adaptive management and reporting, Okanogan County will review the status of water offset projects throughout WRIA 49. Water offset projects that have been implemented will be tallied and compared to actual exempt well demand on a subbasin and watershed basis. Surpluses and deficits in the water offset totals compared to actual demand will be noted. Potential changes to the overall water and non-water offset project list presented in this Plan Addendum will be considered based on any new, opportunistic projects that have been identified. Offset projects incorporated into this Plan Addendum that no longer appear to be feasible for implementation based on additional information, such as landowner interest or the inability to obtain funding, may be removed from the target project list.

In addition, and consistent with the Planning Unit's stated values and desire to protect local agricultural, the County – in consultation with the Planning Unit – will manage water offset projects to meet the 20-year exempt well impacts, while retaining excess water for future out-of-stream uses. Specifically, the Planning Unit recommends the following considerations for management of the water offset projects:

- **Antoine Valley Ranch** – The Planning Unit understands acquisition of the land and water right associated with the ranch is pending negotiation and funding. The Planning Unit also understands that this is a transaction between willing buyers and sellers. As a stated value, the Planning Unit does not support acquisition of agricultural land within WRIA 49 for purposes of fallowing and transferring the appurtenant water right(s) to the State's TWRP for benefit of instream flows. In addition, the buyers have applied for funding from the

Streamflow Restoration grant program. Therefore, while the Planning Unit does not support the project concept, it is an opportunistic project that would more than satisfy the 20-year exempt well offset, and the Planning Unit recognizes its responsibility to maximize local benefit of the basin resources, even if it may conflict with group values, and would count available offset toward the 20-year exempt well impacts. If the project is complete and adequate water is available, the Planning Unit does not expect to need to complete a project that contributes to additional water offset.

- **Pine Creek** – Ecology’s Office of Columbia River (OCR) has available water available for immediate purchase. The land has already been fallowed, and the water right is currently protected from relinquishment in the State’s TWRP. The water right has 625.7 acre-feet of consumptive use available for mitigation downstream of Janis Rapids on the mainstem Okanogan River, of which 225.7 acre-feet are only available for mitigation within Okanogan County. The remaining 400 acre-feet of consumptive use may be used further downstream out of the County. The mitigation suitability of the water right provides for year-round uses in continuity with the mainstem Okanogan River. However, under the RCW 90.94 process, the water right only provides for water offset, and does not contribute toward NEB. Therefore, the Planning Unit views the Pine Creek water as having a greater long-term mitigation potential beyond Streamflow Restoration. However, it is identified as a highly reliable option that is immediately implementable and has been included in the plan to provide certainty.
- **Salmon Lake Storage** – The project would increase the storage capacity of Salmon Lake. The Draft Environmental Impact statement (reference) indicates that it is not necessary to alter the height of the dam to increase water storage but structures and infrastructure would need to be relocated to prevent inundation. By relocating 12 cabins, approximately 2,000 feet of septic pipe and 8 septic tanks, approximately 1,000 acre-feet of water would be available for storage and release. The additional volume would contribute to the 3,600 ac-ft. dedicated to provide perennial flow downstream of the Okanogan Irrigation District diversion dam. This additional volume would augment or extend the duration of elevated flow during migration or augment winter-time flow to increase over-winter survival of steelhead, resulting in significant NEB. It is the Planning Unit’s expectation that, in addition of the significant contribution to NEB in Salmon Creek, if constructed, the Salmon Lake Storage project would also provide for greater irrigation reliability both in Salmon Creek (although some quantities would be protected instream) and stored water would be available for additional out-of-stream uses from sources in continuity with the mainstem Okanogan River within WRIA 49.

Additional Tier II projects are also available to ensure that the minimum 20-year consumptive use offset set under the RCW 90.94 requirements are fully satisfied. Two of the Tier II projects (Sinlahekin Wildlife Area Improvement Project and Conconully Dam Replacement) have the potential to satisfy a significant portion (if not all) the 20-year exempt well offset. However, specific design details necessary to evaluate project feasibility and cost is pending additional study, including an ongoing appraisal study by Reclamation for the Conconully Dam replacement alternatives. Conversely, the Irrigation Efficiency Projects are regarded as opportunistic throughout the life of the

plan, and will be completed as identified, following landowner agreement and funding. For these reasons, these projects were regarded as Tier II.

Annual and 5-Year Review and Reporting

It is anticipated that as part of Ecology's adoption of this Plan Addendum, Ecology will require annual reporting on the status of plan implementation, as was required by the order adopting the WRIA 11 (Nisqually) watershed plan addendum, the first approved under the RCW 90.94 process.

For WRIA 49, the proposed annual report will consist of a brief narrative report to be submitted to Ecology and posted online (add website address) by June 1 each year for the previous year summarizing:

- Actual new exempt well demand for the preceding year based on a review of building permit data.
- Plan implementation actions to date.
- Any changes in overall approach to plan implementation since the last report.
- Any significant implementation challenges identified that will require a change in approach.
- Specific information regarding the status of implementation of offset projects that Ecology relied on in adopting the plan.

In WRIA 11, Ecology also required a "self-assessment" to be submitted every five years requiring a detailed description of:

- Project implementation
- A calculation of the quantity of water and instream flow benefits realized through implementation of projects identified in plan.

For WRIA 49, the proposed 5-year report will incorporate a summary of plan implementation and adaptive management tasks, including:

- Status of actual exempt well demand by subbasin with a comparison to the estimates presented in this plan.
- Status of water offset projects implemented or in progress, combined with a tally of instream flow benefits by subbasin and for the whole watershed relative to actual exempt well demand.
- Status of non-water offset projects implemented or in progress.
- Comparison of completed projects with the water budget offset requirements and EDT modeling results supporting the NEB determination. Updated EDT modeling results may be used to support an updated suite of projects to demonstrate continued NEB at the WRIA scale.
- Modifications, if any, to the offset project list based on inclusion of new, opportunistic projects and removal of projects, with a description of the rationale for changes to the list.
- Operation and maintenance status active projects, including identification of any concerns and/or corrective actions required.

- Status of offset project capital and O&M funding.

The 5-year report will be submitted to Ecology and posted online (add website address).

DRAFT