

Subject: 2019 Emergency Drought Well Pre-applications

Good afternoon,

I'm writing to share information from Ecology's Central Regional office, as we prepare to respond to the current drought emergency declaration made for the remainder of the Yakima Basin today, May 20, 2019; earlier in April, drought was declared in the Upper Yakima basin. These declarations allow Ecology to implement tools to assist water users facing hardship, such as expedited water transfers, emergency well permits and other actions.

My staff and I want to be prepared to act quickly to provide remedies in the event that water supply conditions deteriorate. To that end, we will begin accepting pre-applications for Emergency Drought Well Authorizations for the 2019 irrigation season (See attached form). Consistent with goals and commitments agreed to as part of the Yakima Basin Integrated Plan, Ecology aims operate a drought response program that keeps prorated water users at 70% of normal supply. As you know, the Reclamation forecast is currently for 75% supply for prorated users. We recognize that there is some uncertainty associated with the USBR forecasts coming in June and July, and we understand there may be concerns about water supply through the summer.

We are hoping that you can help convey this information to your growers, or let us know what the best approach would be to quickly activate a pre-application process. As junior districts, you have a better sense for the needs and the impacts to your customers, and this will allow for a better distribution to folks who need it versus Ecology sending materials out to individual applicants.

A pre-application contains essentially the same information that a standard application would require. While Ecology can't take action on these at present, this allows us to begin to identify issues and potential workload to be better prepared to issue a final decision if needed. These pre-applications could be converted to official applications if we get below 70% prorationing, and once the mitigation fees have been paid. The agency is working on the official drought emergency rule, which will allow us to collect these fees. If the program is formally initiated, an applicant can submit the necessary mitigation fees and contract agreements. We will then consider the application complete, and the user will get an authorization within 15 days as outlined in RCW 43.83B.410.

We will be requiring applicants to provide our staff explicit authorization to access and collect metering data, and will make confirmation visits to these sites before drought emergency authorizations will be issued.

While the final details are still being worked out, the mitigation agreements and fees will be based on the understanding that Ecology will acquire and dedicate water to mitigate impacts from these emergency wells amounting to 20% of total pumping for a period of five years. We have structured this year's proposed program on a prevailing market price of \$5,000 per acre-

foot for Ecology to acquire this mitigation water. We anticipate a 50% cost-share with the irrigators, meaning that the mitigation fee would be calculated as: Total Pumping (in Acre-feet)/5\*\$2,500 = Total mitigation fee. As an example, if a user pumped 100 acre-feet, their “mitigated share” would be 20 acre-feet at \$2,500 per acre-foot, or \$50,000 total.

If water users are concerned that they need additional water above and beyond the 70% goal of this program, they may obtain suitable mitigation by other means, such as existing water banks or purchases from senior water rights. If an application is submitted with appropriate mitigation, Ecology can expedite processing of these applications to help these growers meet their water needs.

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