

Information provided by Kasey Cykler to Gary Stoyka and Becky Peterson to share with the Planning Unit at the October 11<sup>th</sup> Planning Unit meeting.

1 Kasey Cykler, Department of Ecology, provided Ecology’s perspective on changing fees and  
2 water use allocation based on Adaptive Management. The perspective was provided so that it  
3 could be shared with the Planning Unit for the October 11th meeting. The information relates  
4 to Agenda Item #4, NGWS Policy Proposal discussion.

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6 “Since I won’t be able to be at the meeting on the 11<sup>th</sup>, I want to make sure I  
7 touch base with you both on Ecology’s perspective regarding changing fees  
8 and/or future DGWPE Well quantities **based on Adaptive Management**. I  
9 mentioned this briefly at the last PU mtg, but I’m not sure everyone fully  
10 heard/understood me, and I think it’s imperative that this is clear at next week’s  
11 PU meeting as the group discusses the NGWSC’s policy proposal.

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13 My leadership, in consultation with the Attorney General’s Office, has  
14 determined that ECY cannot accept a Plan Update that Adaptively Manages  
15 those two specific issues (well quantities and/or fees). RCW 90.94 provides the  
16 opportunity to change them as a part of the Update, or not—*and either way is*  
17 *fine*—but it cannot plan to change these two specific attributes via Adaptive  
18 Management later on.

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20 Please note, if the County wants to separately address issues outside of an RCW  
21 90.94 Adaptive Management process (per other existing authorities, etc), it  
22 certainly can entertain doing so; I’m just speaking to specifically to RCW 90.94  
23 and what ECY can accept in a WMP Update.”  
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