Confluence
A Quarterly Newsletter Exploring the State of Washington's Waters and Shorelands
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Legislature boosts salmon funds, adopts new forest approach

According to Ecology Director Tom Fitzsimmons, the 1999 Legislative session was a mixed bag for the environment.

Fitzsimmons praised new measures for forest management and increased funding for a number of areas such as salmon recovery and watershed management, but believes important policy decisions were again deferred.

As an example, Fitzsimmons pointed to the lack of action on proposed legislation on a wide range of water policy issues. The proposals never got out of House committee.

"We were hoping for further progress on some of the tough water policy issues," said Fitzsimmons. "Unfortunately, we still have not found the right answers."

Following are highlights of some of the environmental legislation adopted this session.

Salmon recovery

The Legislature increased funding for salmon restoration efforts dramatically and added a new twist to the state's approach to funding salmon projects.

Last year's Salmon Recovery Act (HB 2496), provided money and policy direction for salmon habitat restoration. That act created an Interagency Review Team (IRT) of members from Fish & Wildlife, the Conservation Commission, and the Department of Transportation to disperse money through locally based entities. Local groups were required to

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Landmark "Forests and Fish" legislation will help protect 60,000 miles of stream habitat in Washington. Photo: Nora Jewett

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Legislative session

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develop lists of projects needed to address the factors limiting salmon survival, such as culverts that fish can't get through or lack of shade causing high stream temperature. The analysis of the limiting factors is still under way.

This year, the Legislature passed **SB 5595**, which creates a citizen-led Salmon Recovery Funding Board to administer grants. The new board will include four citizens and one cabinet member appointed by the Governor, as well as five non-voting members from the Conservation Commission and the state Departments of Ecology, Fish and Wildlife, Transportation, and Natural Resources. *(The IRT is scheduled to sunset July 2000.)*

The Legislature increased the size of the grant pool considerably. Last year's salmon recovery bill was funded at $3.5 million. This biennium there will be as much as $120 million available in state and federal funds. The state is still awaiting a federal decision on $65 million of the federal amount described in the bill.

Governor Locke vetoed sections of the bill that specifically allocated how the funds should be spent. In his veto message, Locke said those sections would have defeated the purpose of the board by taking away its authority, and would have hurt the state's chance to obtain federal funds.

The Governor also vetoed a provision that would have created a "technical review team" to help the board rank projects and activities, saying it was a duplication of effort.

Though the vetoes mean the law no longer prescribes what activities will be funded, projects *could* include such diverse activities as culvert replacement, buying back commercial fishing licenses, conducting critical area updates, monitoring and restoring habitat.

Timber and Fish

The Legislature adopted a landmark "Forests and Fish" law *(ESHB 2091)* that will fulfill requirements of both the federal Clean Water Act and the Endangered Species Act for forested areas across the state.

The law amends the Forest Practices Act and other laws to put in place provisions of agreements described in a "Forests and Fish Report" negotiated by interest groups over the past two years *(see story, page 6)*.

Key provisions of the law are summarized below:

- The Forest Practices Board is given authority to adopt **emergency rules** to implement the provisions of the Forest and Fish Report. The rules must include a science-based **adaptive management process.**
- A **0.80 percent tax credit** is given for timber harvested under a permit subject to "enhanced aquatic resources requirements" such as setbacks for riparian areas, wetlands or steep slopes.
- The **forestry riparian easement program** is created, which includes a small landowner assistance office within the Department of Natural Resources (DNR). Small landowners will be offered one-half of the value of "qualified timber" as compensation for 50-year riparian easements. The program was created to prevent small landowners from being disproportionately impacted by the new buffers.
- For **very small forest landowners** that own less than 80 acres total, parcels of 20 acres or less are exempted from the new riparian buffers. These landowners must comply with existing forest practices rules in effect as of January 1, 1999, but may additionally be required to leave timber adjacent to streams equivalent to 15 percent of the volume of timber covering the harvest area.
- The law allows trees, logs and **large wood debris** to be placed or left in waters as part of habitat restoration efforts.
- The Forest Practices Board is directed to establish a **riparian open space program** to provide for the acquisition of critical "channel migration zone" habitat.
- The DNR is given new **enforcement** powers to require "financial assurances" from an operator who fails to 1) obtain an approved application; 2) comply with the terms of a stop work order; or 3) pay a civil or criminal penalty within the preceding 3-year period. The bill also allows DNR or Ecology to apply for an administrative inspection warrant, and allows DNR to recover interests, costs, and attorney's fees when seeking recovery of a penalty for a violation of the Forest Practices Act.
- A Department of **Fish and Wildlife representative** is added to the Forest Practices Board as a 12th member.
- Certain DNR actions under the Forest Practices Act are **exempted** from the environmental impact statement (EIS) procedures of the State Environmental Policy Act (SEPA). Specific exempted actions are 1) approval of road maintenance and abandonment plans; 2) approval of certain clearcut timber harvests in

The Legislature approved up to $120 million for salmon recovery projects. Photo by John Hanson: Crews work to eliminate a salmon barrier on Little Salmon Creek.

eastern Washington; 3) acquisition of stream channel migration zones, and; 4) acquisition of riparian easements.

- The state's expectations for obtaining **federal assurances** under the Endangered Species Act and Clean Water Act are outlined. The bill sets out a state process if the federal government fails to provide the assurances negotiated in the Forests and Fish Report.
- The bill **repeals** an antiquated provision of law that allows the straightening and dredging of streams to allow logging operations.

Watershed planning

Locally based watershed-planning efforts the Legislature launched in 1998 got a much-needed infusion of funding for the 1999-2001 biennium. Ecology will receive a total of $9 million that will be passed on to local governments to support their planning processes *(see story, page 7).*

Other budget additions

The Governor proposed to add eight new staff to Ecology's Water Quality Program and eleven in the Water Resources Program to improve **compliance with existing laws**. The final budget included money for eight new staff to be divided among water quality and water resource efforts.

The Legislature provided Ecology $290,000 to work with local **water conservancy boards**. Ecology is now seeking public comments on a draft rule that guides the creation and operation of these boards *(see page 8)*.

The Legislature boosted Ecology's budget for additional **Permit Assistance Center** (PAC) staff in three of Ecology's four regional offices. Regional PAC staff will be responsible for both managing, facilitating, and coordinating complex projects; and building relationships with local businesses.

"A primary goal of these new positions is to facilitate early and effective decision-making by applicants and agencies," said Ecology's Scott Boettcher. "By getting out in the regions we can help bring environmental considerations to the table as early as possible in the planning of a project." For more information, contact the Permit Assistance Center at (360) 407-7037, e-mail ecypac@ecy.wa.gov.

Conservation Corps

On the last day of the regular session, the Legislature passed **SB 5255,** reauthorizing and making permanent the Washington Conservation Corps (WCC). The WCC is an "Americorps" training and service program that puts young adults (age 18-25) to work tackling environmental restoration projects. The reauthorization allows the WCC to use additional federal funds for crews to help local salmon recovery efforts *(see back page).*

Dairy waste task force

In **ESSB 5803** the Legislature created a "Dairy Nutrient Management Task Force" to review how Ecology and other agencies have implemented a 1998 state law aimed at protecting Washington's waterways from dairy waste. The law requires Ecology to inspect all the state's 753 dairy farms.

The task force may make recommendations to the agencies and may also recommend statutory changes. The task force expires on December 31, 1999.

The law also requires Ecology to develop a publication entitled "How to Survive a Dairy Nutrient Inspection" and provide it to all dairy producers by January 30, 2000. *(For an update on dairy inspections, see story on page 13.)*

Farmhouses in floodways

In **ESHB 1963**, the Legislature amended Washington's Flood Plain Management Act to allow rebuilding of homes in floodways under certain conditions *(see story, page 14)*.

Water cleanup plans

The Legislature appropriated funds for Total Maximum Daily Loads (TMDLs) or water cleanup plans, but use of that money was tied to the passage of a particular bill.

That bill, SB 5670, passed the Legislature, but did not contain TMDL language in its final form. The Governor and Ecology are currently discussing this issue with members of the Legislature to determine whether the money can be used or not.

Without the money, it is doubtful Ecology will be able to meet the terms of a 1998 settlement agreement with the federal Environmental Protection Agency. The agreement launched a 15-year plan to clean up nearly 700 polluted water bodies in Washington. The Legislature is likely to take up the TMDL bill again in the next session.

The Legislature reauthorized and made permanent the Washington Conservation Corps. Corps members work on a wide range of environmental restoration efforts such as fish habitat enhancement, wetland mitigation, streambank stabilization, and trail repair. Photo: Kirk Thomas

Comment period on draft shoreline rule extended to August 4

■ Five more public hearings scheduled for July

Ecology has extended the public-comment period on proposed revisions to state "shoreline master program guidelines" from June 21 to **August 4, 1999**.

The rules are the basis for more than 240 city and county shoreline master programs that regulate uses near certain shorelines and wetlands *(see Confluence, Winter '99)*.

The timeline for comments on a Draft Environmental Impact Statement (DEIS) on the rule has also been extended to August 4.

Ecology has scheduled five *additional* open houses and public hearings on the rule.

Each hearing starts at 7 p.m., preceded by an informal "open house" beginning at 5:30 p.m. Hearings are scheduled for:

■ **Okanogan**, July 7, 1999 at the Cedars Inn Banquet Hall, at the junction of 97 and 20;

■ **Pasco**, July 8, 1999 at the Columbia Basin Community College, 2600 N. 20th;

■ **Bellingham**, July 14, 1999 at Western Washington State University, Miller Hall, Room 163; and

■ **Montesano**, July 15, 1999 at Montesano City Hall.

■ **Vancouver**, July 21, 1999 at the Water Resources Education Center.

Interest is very high

The first four public hearings held in May were well attended, and Ecology received valuable comments and diverse perspectives on the proposed rule.

"In many cases, people are providing good, sharp analysis that points to areas where we can clarify and improve rule language," said shorelands program manager Gordon White.

White said there have also been some inaccurate assessments of the draft rule. Ecology has prepared a short list of what the rule *does* and *does not do* to clarify

What the draft shoreline rule *does* and *does not* do

Proposal *Does:*

■ Comply with legislative direction to eliminate duplication and conflicts between the Growth Management Act and the Shoreline Management Act.

■ Require *new* shoreline development to be designed in a fish-friendly manner, supporting salmon habitat recovery.

■ Attempt to "hold-the-line" on *new* shoreline impacts and restore shoreline functions as re-development occurs.

■ Establish goals that focus on protecting and enhancing natural shoreline "functions."

■ Rely on local governments to develop specific shoreline standards to fit local conditions.

■ Allow local governments flexibility to protect shoreline functions through a variety of means.

■ Rely on science for direction on what shoreline functions require protection and restoration.

Proposal does *not*:

■ Establish "retroactive" requirements.

■ Set rigid "one-size-fits-all" standards; local governments must revisit existing setbacks and buffers and demonstrate how they meet the guidelines and local conditions.

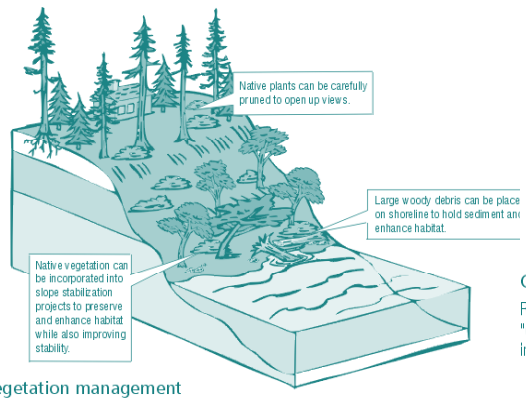
■ Cut the public out of the process. An open public process is **required** as a part of updating the guidelines and as SMPs are updated by local governments.

■ Rely **only** on the views of scientists. The knowledge of local citizens is valued and must be considered.

■ Change requirements of the existing Shoreline Management Act of 1971.

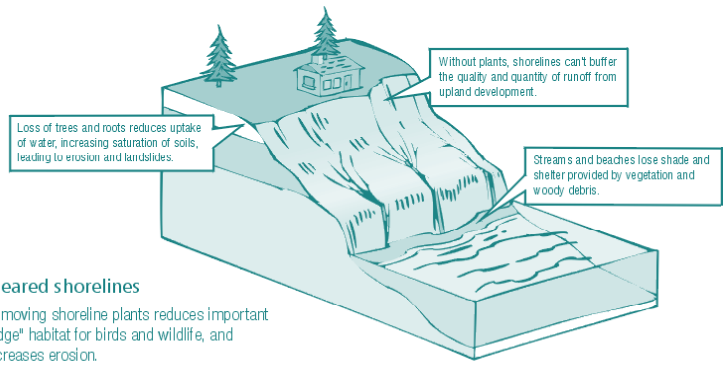
■ Require local governments to regulate forest practices already covered under the Forest Practices Act.

■ Establish mandatory sizes for buffers or "no-touch-zones" on existing farms.



Preferred slope/vegetation management

Leaving native plants undisturbed during site development preserves shoreline habitat and can prevent future erosion problems.



Cleared shorelines

Removing shoreline plants reduces important "edge" habitat for birds and wildlife, and increases erosion.

Natural vegetation prevents erosion and provides shorelines with a source of organic debris and woody material that supports shoreline ecology. Proposed shoreline master program guidelines include new provisions aimed at improving the way local governments manage plants in "vegetation management corridors" along streams and marine shores.

some of the misconceptions *(see sidebar, page 4)*.

"It's clear that we need to do a better job explaining the rule," said White. "However, some of the confusion we are seeing is just the natural outcome of a complex rule that deals with a complex and controversial set of issues."

Money, time

A consistent complaint from local government representatives and others is that the draft rule is not accompanied by a grant program, and the timeline for updating local programs is too short.

Ecology agrees that these are significant issues. Under existing law, local governments must comply with updated guidelines within two years of Ecology's adoption of the rule.

The Legislature did not approve bills Ecology and local governments supported that would have extended the timeline for updating local programs.

The Governor's proposed multimillion dollar grant program to local governments for preparing master program updates over the next two years also failed to pass.

"We are 100 percent in support of funding for master program updates," said White. "We hope to work with local government representatives to fashion a funding package for the next legislative session."

Send comments

Ecology encourages public comments on the draft rule at upcoming hearings or in writing. If you don't yet have a copy of the rule, you can either:

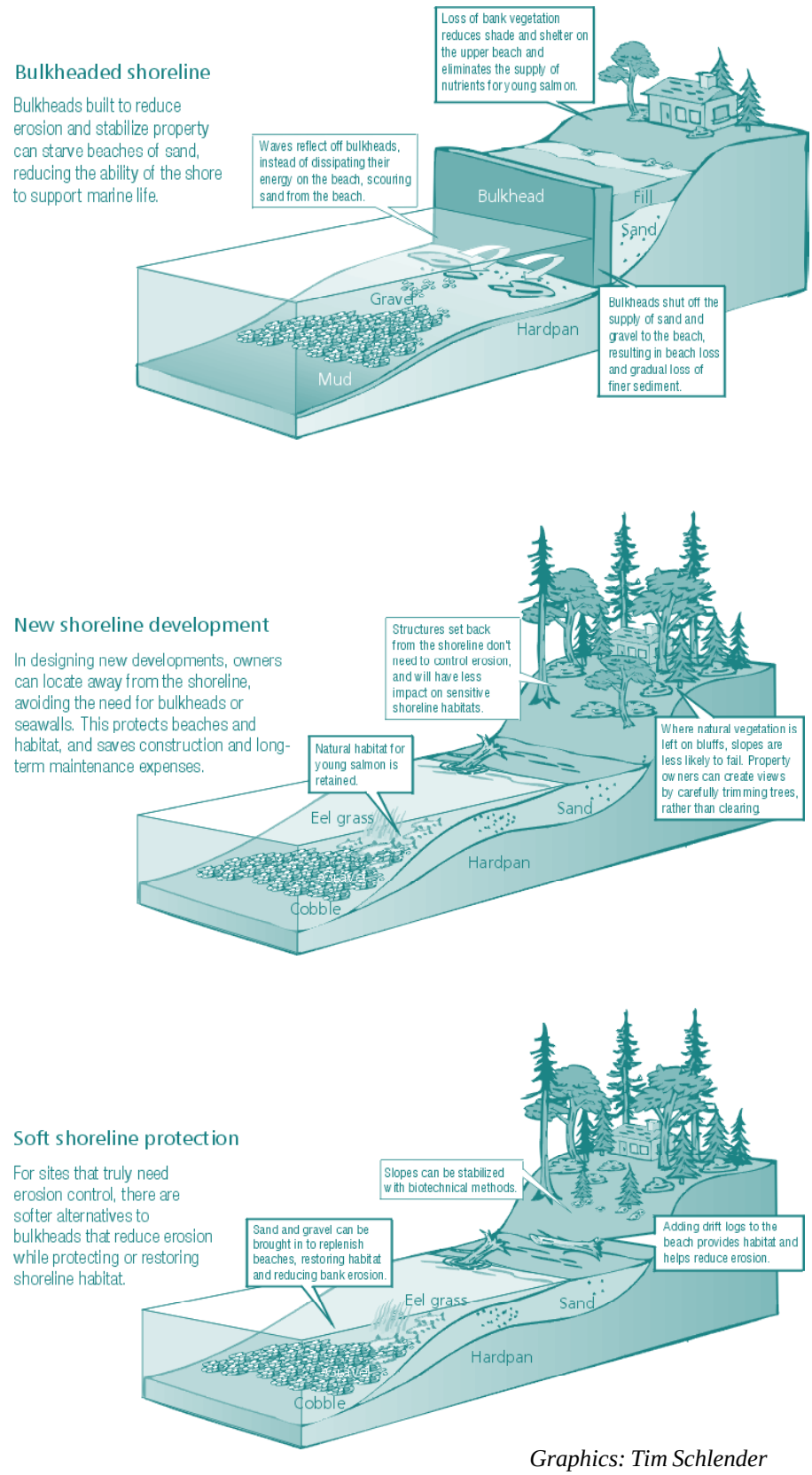
1) **Download the rule** from Ecology's Web site at www.wa.gov/ecology/ under "Shorelands and Wetlands," or

2) If you want a **paper copy**, contact Ecology's Amy Johnson at (360) 407-7291, e-mail ajoh461@ecy.wa.gov.

Submit written comments on the draft rule **by August 4** to Amy Johnson, Department of Ecology, Shorelands and Environmental Assistance Program, PO Box 47600, Olympia, WA 98504

For more information

If you have questions about the **content** of the guidelines, contact Peter Skowlund at (360) 407-6522, e-mail psko461@ecy.wa.gov.



Graphics: Tim Schlender

Under the proposed guidelines, local master programs would need to take stricter measures to slow the spread of bulkheads and other "hard" shoreline modifications. The rule would require that applicants demonstrate a need for new shoreline modifications before installing such structures. The rule also requires that "softer," more environmentally benign methods be used as a first priority.

New forest management rules will protect riparian areas

Washington's new forest management law *(see story, page 2)* was written to support provisions of a "Forests and Fish Report" negotiated by state and federal agencies, tribes, timber industry, and local governments. Environmental groups were involved in early stages of negotiations, but withdrew towards the end of the process.

The new law requires Washington's Forest Practices Board to write rules that will put the provisions of the report into action before the end of the year.

The goals of the report are to:

- Provide compliance with the Endangered Species Act (ESA) for aquatic and riparian-dependent species on non-federal lands;
- Restore and maintain riparian habitat on non-federal forest lands to support a harvestable supply of fish;
- Meet the requirements of the Clean Water Act for water quality on non-federal forest lands; and
- Keep the timber industry economically viable in Washington.

The rules are expected to improve protection for 60,000 miles of forested stream habitat on 8 million acres of private forest. Major changes to current forest practices rules are summarized below.

More area, species protected

Changes to the classification of fish and streams will expand where and how much protection is granted. First, all fish will receive the same protection. Current rules limit protection to salmon and resident game fish. Second, all streams that provide fish habitat will be placed in the same category as streams where fish are currently present.

In addition, riparian protection is extended to the channel migration zones associated with fish habitat streams. These migration areas include off-channel habitat, wetlands and floodplains that are likely to become part of the stream in the future as natural processes work the stream across the valley bottom.

Riparian strategies

Streams will be protected with buffers that extend up to a width equal to one "site potential tree height" from the outer edge of the stream or channel migration zone *(see graphic)*. This buffer size varies depending on the growing capacity of the land near the stream. Timber management in the buffers is progressively more restrictive in the zones closer to the stream *(see graphic, below)*. The report sets out different prescriptions for Western Washington and eastern Washington streams.

Unstable slopes

The forest practices permit processes is revised to prevent landslides. The most hazardous areas will be identified and operation there will be severely restricted.

Forest roads

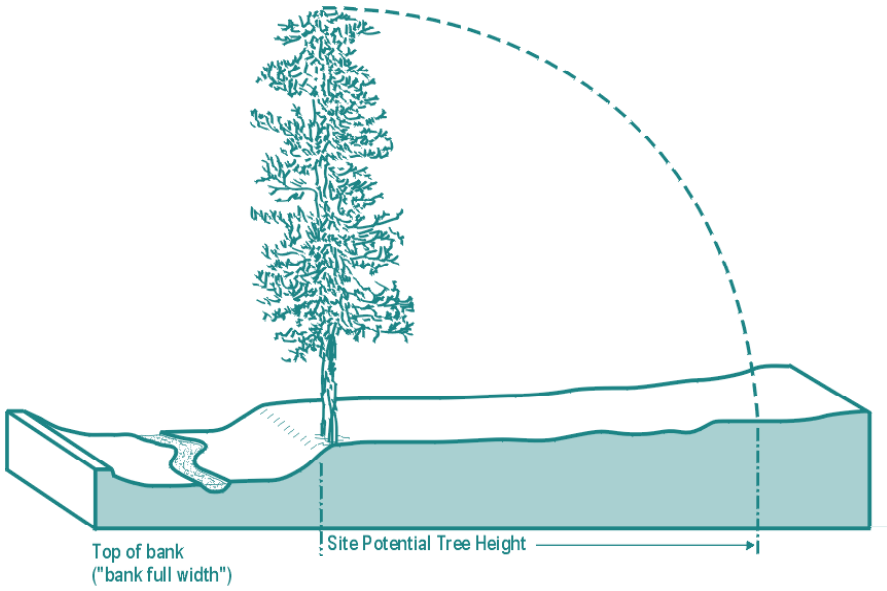
All existing forest roads must be improved and maintained to a higher standard for fish passage, preventing landslides, limiting delivery of sediment and surface runoff water to streams and avoiding capture or redirection of surface or ground water. Landowners must bring all roads into an approved maintenance plan within five years and complete improvements within fifteen years.

Other provisions

The report recommends improved mapping of **wetlands** and clarification of existing rules for wetland protection. A process is recommended for approval of **landowner initiated alternatives** to standard forest practices rules. An **adaptive management** process is recommended to ensure that science continues to guide forestry rules.

For more information

To review the entire report, visit DNR's web page at www.wa.gov/dnr/htdocs/fp/fpb/forests&fish.html



Width of buffers to be based on "site potential tree height"

New forest management rules will protect streams with three-zone buffers, based on the potential height of a tree on a specific site measured from the outer edge of the stream.

- In *Western Washington*, the **core zone** next to the stream is a 50 foot "no-touch" area.

In the **inner zone**, up to 150 feet from the stream, activities will be restricted to ensure that trees left behind will grow to become functioning stands.

The **outer zone** will be managed to leave up to 20 trees per acre.

- In *Eastern Washington*, the "no-touch" **core zone** is 30 feet wide.

The restricted **inner zone** extends out to a fixed distance of 75 feet or 100 feet depending on stream width.

Where "site potential tree height" reaches farther from the stream than the fixed inner zone, up to 20 of the largest trees per acre will be left.

Funds boosted for watershed planning

■ Grant applications due August 6

Lawmakers increased their support for local watershed planning efforts to the tune of $4.5 million for each of the next two fiscal years.

The 1999 Legislature appropriated a total of $9 million for Ecology to pass on to local planning efforts for continued support of watershed planning during the 1999-2000 biennium. Last year, Ecology distributed $3.8 million in grant money.

The new funds will be used to advance planning in watersheds that started in 1998, as well as to fund new watershed planning initiatives *(Confluence, Summer '98)*.

Applications from lead agencies must be postmarked by **August 6**, **1999.**

Three step process

Watershed planning grants are available in three phases.

■ **Organization**: Initiating governments *(through a designated lead agency)* may apply for an initial organizing grant of up to $50,000 per Water Resource Inventory Area (WRIA) or $75,000 for a multiple WRIA watershed management area to begin the local watershed planning effort.

■ **Assessment**: Once the organizational phase is completed, a planning unit may apply for up to $200,000 per WRIA to fund detailed assessments of the planning area's current water supply and uses.

■ **Planning**: A planning unit may also apply for up to $250,000 per WRIA for the development of a Watershed Management Plan. The plans are long-term strategies to provide adequate water for fish and future population growth.

Planning units may also choose to develop strategies for improving water quality, for protecting or enhancing fish habitat, and, in collaboration with Ecology, may set minimum instream flows.

Priorities

Ecology will select grant recipients based on the following order of priorities:

■ Planning units moving from Phase 1 to Phase 2 who demonstrate a readiness to proceed within the biennium;

■ Planning units moving from Phase 2 to Phase 3 who demonstrate a readiness to proceed within the biennium;

■ The new planning units located in one of 16 "critical fish basins" identified in the Governor's Draft Salmon Recovery Plan, who meet the eligibility criteria outlined above;

■ Eligible planning units located outside of a critical area that applied last year, but did not receive funding.

For more information

If you would like a grant application, need technical assistance with the application or have general questions on the grant program, call Sue Simms at (360) 407-6491 or Teri Fisher at (360) 407-7232.

A good source of information on watershed management is Ecology's homepage on the World Wide Web at www.wa.gov/ecology/ under "Watershed Planning."

- Melissa Gildersleeve

Fall watershed planning workshop planned

Ecology is hosting two workshops on watershed planning this fall. One workshop is scheduled for October 25, 1999 in **Tacoma**; another will be held in **Moses Lake** at a date to be determined.

The workshop is targeted to planning unit members working under the Watershed Planning Act but it should be educational for anyone interested in watershed planning.

Ecology is still developing the agenda and is seeking ideas to make the workshops useful to participants. Ecology's Website at www.wa.gov/ecology/watershed/fallworkshop.html includes a form to offer suggestions.

Draft agenda

Based on feedback received so far, Ecology is planning a two-track agenda:

Peer to peer sessions that would allow planning units to share:

■ How they are organized

■ What works & what doesn't

■ How to coordinate with habitat efforts

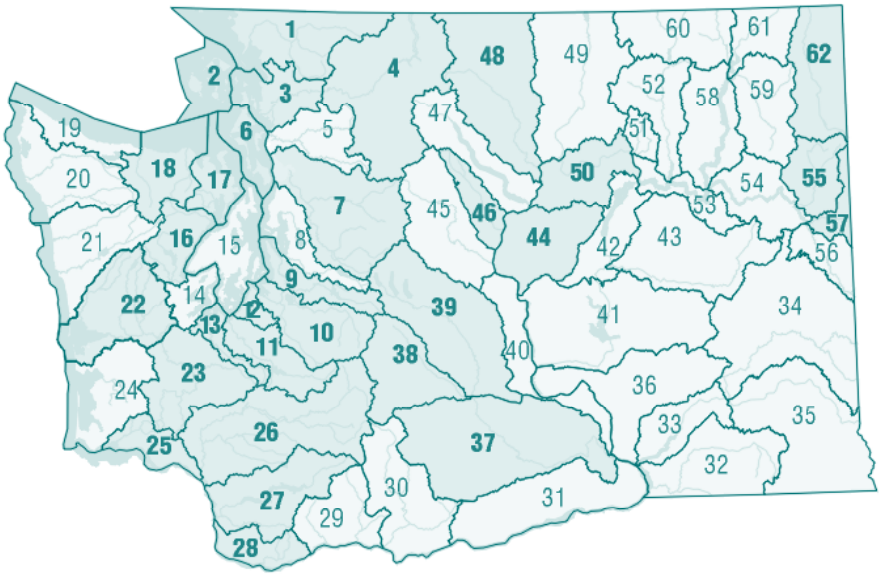
■ How to approach assessments

Technical water rights sessions that would cover:

■ Understanding instream flows

■ Preparing a water balance

For more information, contact Melissa Gildersleeve at (360) 407-6548, e-mail mgil461@ecy.wa.gov.



The 1998 Comprehensive Watershed Planning Act (90.82 RCW, sometimes referred to by its bill number, ESHB 2514) *sets a framework for developing local solutions to water issues on a watershed basis. Framed around watersheds known as WRIAs , the Act allows local citizens and governments to join with tribes to form "planning units" to develop watershed management plans. The 27 WRIAs with dark shading (above) started watershed planning in 1998.*

New ways to change water-right permits coming

Washington State is opening new avenues for making changes to water rights.

In general, state law requires that Ecology process water-right applications on the basis of public health and safety, enhancement to the environment and by the oldest applications first within a geographic basin.

That means pending applications for *changes* to existing water rights are mixed in with applications for *"new"* water.

A water right change may be the place where water is used, the location where water is withdrawn or diverted, adding points where water is withdrawn or diverted from a lake or stream, or changing the purpose of the water right (e.g., from irrigation to domestic use).

In some parts of the state, there is no new water available. Even then, the oldest application must be processed first regardless if it's for a new water right or a change to an existing right.

According to Keith Phillips, Ecology's Water Resources Program manager, "first in line, first in time" is a mainstay of the 1917 water code, however it may have outlived it purpose and made more sense when there was water available for allocating in our state.

Today, much of the water in Washington state is already appropriated, which means it has been spoken for and is being used. Approximately 6,800 water right applications statewide are awaiting decisions by Ecology. About 24 percent or 1,600 of the applications are for changes to existing water rights.

Ecology is working on two different ways to expedite decision-making for these "change applications."

Walla Walla rule

Ecology adopted a rule *(Chapter 173-532 WAC)* in June that that should speed the processing of water rights proposed for changes in the Walla Walla river basin.

Since last summer, Ecology worked with people in the Walla Walla community and local governments to develop ideas for moving forward on making decisions about water rights.

The resulting rule gives applicants who want to change their existing water rights a choice of being processed ahead of other applications *if* their projects either help restore watershed health within the Walla Walla River drainage basin or involve constructing or expanding municipal water-supply systems.

The rule essentially creates a "dual track" approach to making permit decisions: applicants for "new water" are in one line, applicants for changes to an existing right may get in another line.

In the Walla Walla river basin, there are approximately 50 pending applications for new water-right permits, and 60 applications that request changes to existing water rights.

For more information on the rule contact Ecology's Bill Neve at (509) 527-4546, e-mail wnev461@ecy.wa.gov.

Water conservancy boards

In 1997 the Legislature passed a law authorizing counties to establish local *water conservancy boards* to process applications for changes to existing water rights.

Under the law *(Chapter 90.80 RCW)*, Ecology must approve establishment of new boards and then train board members in state water laws and rules and hydrologic principles.

Once a conservancy board makes a determination to approve or deny a water right decision, Ecology has 45 days to affirm, modify or deny the water right change. Applicants must elect to have the conservancy board evaluate their applications.

Ecology director Tom Fitzsimmons said water conservancy boards, combined with locally based watershed management, are a positive direction for the state.

"Processing water right changes can be a challenging task, but we believe this shared governance with local communities is another step toward breaking some of the gridlock surrounding the availability of water in Washington," Fitzsimmons said. "We welcome all counties in Washington that have an interest in establishing conservancy boards to contact us."

Draft rule available for review

Ecology is now seeking public comments on a rule that guides the creation and operation of these boards. The draft rule was written with the benefit of lessons learned from two "pilot" conservancy boards that are currently operating in Benton and Lewis counties.

The latest version of the draft rule is available on Ecology's home page at www.wa.gov/ecology/wr/rights/cbrules6.html.

Public hearings on the proposed rule are scheduled for:

- **Olympia**, July 7 at 7 p.m. in the Ecology Auditorium, 300 Desmond Drive
- **Moses Lake**, July 14 at 7 p.m. in the Big Bend Community College, Student Center Auditorium, Building 1400, 7662 Chanute St.

The public comment period on the proposed rule is open through July 21. For more information or to establish a conservancy board, contact Peggy Clifford, e-mail pcli461@ecy.wa.gov, (360) 407-7262.

Ecology plans to make a final decision on the rule this summer. Ecology staff plan to train new conservancy board members in the fall.

Newly created boards may begin processing water-right decisions once board members have received training and the proposed rule is adopted.

Ecology may adopt 'water bank' rule for Methow

Ecology held a meeting in Winthrop June 10 to hear public comments on a draft rule that would create a "water bank" and establish a voluntary water-savings program in the Methow River basin.

Under proposed rule changes, a trust water rights program would be established to "bank" water for future uses. New water uses would come from "saved" water deposited in development and agricultural accounts of the water bank. A portion of the saved water would be dedicated to improving low summer flows in the Methow River.

Ecology is now reviewing comments received at the hearing. For more information, contact Ecology's Thom Lufkin at (360) 407-6631, e-mail tluf461@ecy.wa.gov

Snake River water right moratorium ends, but permits will not be processed

July 1 marked the end of a moratorium for issuing water rights from the Snake River; however, Ecology will not make water right decisions for the Snake until the agency receives more information on fish survival and federal and interstate water management.

The moratorium rule, in effect since 1991, withdrew the Snake River main stem and associated ground water from further appropriation. Several issues remain which Ecology believes should be resolved before it resumes making water right decisions that would divert additional water from the Snake River:

- The National Marine Fisheries Services (NMFS) is expected to issue a biological opinion in 2000 that should detail habitat needs for salmon, including the amount of water they need to successfully migrate through the Snake River;
- Next year the U.S. Army Corps of Engineers should also complete its review of dams on the Snake River and their impacts on fish survival;
- Adequate stream flow for salmon migration is one of the key issues associated with the salmon's decline, although what these flows specifically should be is a subject of continuing debate;
- Ecology wants effective water management that protects existing water uses such as hydropower, agriculture and fish migration. New uses of water must be evaluated to determine whether existing river uses would be harmed;
- More information is needed about the connection of ground water to the river;
- Flow augmentation, which involves the federal government and upstream states putting water into the river system for fish, is also an issue that creates uncertainty regarding whether water is available for additional uses.

"We know that this is disappointing news for some who have been waiting for decisions on their applications to take additional water from the Snake River or nearby ground water," said Tom Fitzsimmons, Ecology's director. "However, we also believe this news should not be unexpected."

Fitzsimmons said there continues to be too much uncertainty regarding the future management of the Snake River to commit additional water to new uses at this time.

Moratorium background

In 1991 NMFS listed Snake River sockeye as *endangered* under the Endangered Species Act. NMFS has since declared spring-summer and fall Chinook stocks as *endangered* and steelhead as *threatened* in the Snake River basin.

The initial listings and the issues they raised regarding fish flow needs and the impacts of water diversions called into question whether sufficient data was available to make sound decisions on water availability from the main stem of the Snake River.

As a result, in 1992, Ecology adopted a rule that withdrew the main stem of the Snake River from further appropriation, thus stopping all water right decision-making on the Snake and nearby ground water. Since early 1992, Ecology has twice re-adopted the moratorium rule.

In the most recent rule, Ecology scheduled the moratorium to expire on July 1, 1999 or when Ecology established a plan to manage the instream flows of the river, whichever occurred first.

Ecology has been reviewing the results of various studies, awaiting the results of other studies, monitoring the actions of various federal agencies and coordinating with neighboring states to determine how best to proceed.

"Continuing to withhold making decisions on water right applications from the Snake River points to a broader problem statewide - how and where we use water," said Ecology director Tom Fitzsimmons. "We need to recognize that the availability of water in many parts of Washington state is a serious problem, especially when the need to restore streamflows for listed fish species is taken into account."

Fitzsimmons urged people to work together to conserve existing water sources and help find new and innovative water sources - transferring existing water rights, conserving water and reusing water, which are all important parts of Washington's water future.

Fisheries Service to review seven Puget Sound fish species

The National Marine Fisheries Service announced in June that it will conduct a year-long biological "status review" of seven species of fish in Puget Sound as a first step to determine if they need protection under the Endangered Species Act (ESA).

The seven species are part of a more expansive petition sent to the agency last February to examine 18 Puget Sound species, the largest number the federal agency has ever been asked to consider under the federal species-protection law.

The seven are Puget Sound populations of Pacific herring, Pacific cod, Pacific hake, walleye pollock and brown, copper and quillback rockfish. It is also the first time the agency has been asked to conduct such a review of a West Coast fish species other than salmon.

Although until the early 1980s there was a commercial Puget Sound hake fishery, and until recently there was a limited fishery for herring and their eggs by both tribal and non-tribal commercial fishermen in Puget Sound, the remaining species are typically targeted by sport fishermen.

The agency said there was insufficient information on the remaining 11 species - all varieties of bottom-dwelling rockfish - to warrant a status review of them.

The status review, scheduled for completion next February, will make a science-based recommendation on whether or not an ESA listing may be warranted. If at that time the agency makes a formal proposal to list any of the seven species, it would have another year to make a final decision to commit to a formal listing.

The agency said it would be working closely with the Washington Department of Fish and Wildlife and the treaty Indian tribes in western Washington as it progressed with its review.

Ecology updates state plan for reducing polluted runoff

Ecology is preparing a major update to the state's plan for managing polluted runoff *(the "Nonpoint Source Management Plan")* for public review this fall.

The President's Clean Water Action Plan requires each state to update its plan to qualify for grants under the Clean Water Act *(Section 319)*. Washington's potential benefit is about $3.8 million per year, half of which would be grants to local governments and private entities.

The plan also addresses a separate set of federal requirements under the Coastal Zone Management Act Reauthorization Amendments of 1990 *(Section 6217)*. This statutory requirement affects approximately $2.8 million in federal coastal zone management funds.

The Nonpoint Source Management Plan is a statewide look at preventing pollution and protecting Washington's natural resources from pollution that all of us contribute. Nonpoint pollution is the leading water pollution problem in our state coming from stormwater runoff, animal waste, septic systems, agriculture and gardening, and other sources.

A collaborative effort

According to Bill Green, an Ecology staff person working on the plan, Washington's nonpoint program is a collaborative effort of a wide range of entities including local, state, federal and tribal governments and nonprofit organizations.

"The plan basically identifies gaps in existing programs, sets a strategy for improving those programs, recommends timelines, and outlines methods for determining success," said Green.

The plan is based on current laws, and proposes no new legislation. Most recommendations are enhancements to current agency programs to target resources and increase efficiencies and cost-effectiveness. For agricultural sources, the approach relies in great part on voluntary programs, especially those of Cooperative Extension offices, conservation districts and the Natural Resources Conservation Service.

Public involvement

Ecology worked with other agencies and groups to prepare the draft, starting with a statewide workshop in Wenatchee last spring. Green said Ecology has received many excellent ideas for improving the program, and is looking for more ideas.

"To continue to get federal funds to keep nonpoint programs going, our updated plan needs to identify current efforts and capture creative, practical new ideas from all our partners and interested citizens," said Green.

Public meetings on the draft plan are scheduled from 7 to 9 p.m. at:

- **Lacey**, October 12, at Ecology Headquarters, 700 Desmond Drive;
- **Spokane**, October 14, at Regional Health District, 1101 W. College Ave., Room 140.

For more information

The draft plan will be posted on Ecology's Web site at www.wa.gov/ecology/ under "Water Quality" beginning October 1. For more information, or to request a hard copy, contact Bill Green at (360) 407-6795, e-mail wgre461@ecy.wa.gov.

Draft plan uses federal yardsticks to measure current efforts

Washington's draft nonpoint source management plan evaluates current activities and programs to manage pollution from each of six "source" categories: agriculture, forestry, urban, recreation, hydromodification, and wetlands and riparian areas.

The draft plan uses two approaches to evaluate these efforts:

- The nine "Characteristics of a Successful Nonpoint Program" identified by the U.S. Environmental Protection Agency (EPA) to help states comply with section 319 of the federal Clean Water Act; and
- The 56 "management measures" provided in 1992 by federal agencies that describe the minimum elements states should include in their overall state nonpoint source program.

"In some cases we know that Washington is already in compliance, while in others, we know we are not," said Green. "Our initial draft plan includes a wide range of recommendations that we think will get us into compliance with these federal guidelines."

New booklet could save you money, time and trouble

Ecology's new booklet "Working in the Water" is a handy reference for anyone involved in work in or next to the water.

The 16-page booklet includes general guidance on how to manage projects to prevent pollution and reduce erosion, and features tips for preventing water pollution when engaged in specific jobs such as:

- large construction projects;
- painting and sandblasting;
- building boat ramps, bulkheads, residential bridges, docks and piers;
- installing culverts;
- cleaning out ditches;
- realigning channels;
- building small dams and ponds;
- installing residential utility pipes (such as sewer, septic, or water pipes); and
- watershed restoration projects (such as fencing, or placing gravel and woody debris);

The pamphlet also includes information on permits you may need, and references to other information sources.

To order

To order a copy, contact Ecology's Publications Office at (360) 407-7472, e-mail ecypub@ecy.wa.gov and ask for "Working in the Water," Ecology Publication #99-06.

Inspectors find most dairies taking steps to improve dairy waste

After nine months of checking dairy farms to see whether they are polluting Washington state's waters, Ecology continues to find relatively good compliance.

In the past nine months, Ecology inspected slightly more than half of the state's 753 dairy farms. Under a new law aimed at protecting Washington's waterways from dairy waste, Ecology must inspect all dairy farms by October 2000..

Through the inspections, Ecology found most farmers were taking the right steps to keep manure out of streams. However, waste from some farms polluted streams with salmon and caused shellfish bed closures in Puget Sound.

"During the rainy season we inspected several dairy operations that had pollution problems. Most were minor, but a small percentage were significant and resulted in penalties," said Mak Kaufman, an Ecology dairy inspector.

"So far, three quarters of all the farms we've inspected appear to be managing dairy waste correctly," said Megan White, who manages Ecology's Water Quality Program. "We're pleased with the progress so far, but we are only at the halfway point implementing the new law."

In Washington's streams with pollution problems, some agricultural practices, including dairies, account for the majority of the water pollution. When animal manure and contaminated runoff get into surface and ground waters, it can make the water unhealthy for swimming, drinking and shellfish harvesting and can degrade salmon habitat.

Under the law to manage dairy waste, farms must implement plans to manage the waste by December 2003.

The 1999 Legislature created a task force to review how Ecology and other agencies are implementing the dairy inspection program *(see page 3)*.

General permit to be reissued

Ecology issued the current federal wastewater discharge permit for managing waste on dairies in 1994. The general permit expires on September 2, 1999. Certain dairy farms require the permits under the federal Clean Water Act and state Dairy Nutrient Management Act to ensure proper waste management.

Ecology is currently proposing to reissue the permit with minimal changes. The only significant change being considered is that permit waste management plans will need to meet the new minimum elements for dairy nutrient management planning according to the 1998 Dairy Nutrient Management Act. Ecology will notify the state's dairy producers about the new permit and hold informational workshops and public hearings around the state late this summer.

For information, contact Phil Kauzloric at (360) 407-6413, e-mail pkau461@ecy.wa.gov.

Photo: Marilou Pivirotto

Draft stormwater manual available for review soon

Ecology is preparing an initial draft of a new statewide *Stormwater Manual* for public review this summer. Local jurisdictions and businesses will use the manual to design stormwater programs to keep runoff from polluting streams and lakes.

The draft manual is based on Ecology's 1992 Stormwater Manual designed for the Puget Sound Basin. With help from technical advisory committees, Ecology staff have been working for the past several months to review, update and expand the manual for statewide use.

In addition to the proposed changes, the draft manual identifies areas that need further work.

The manual, which will be close to 700 pages, is being divided into five volumes. This will allow Ecology to update the individual volumes, instead of the entire manual.

To review the initial draft of the manual, "Wastewater Management in Washington State" – Volumes I through IV, visit Ecology's Website at www.wa.gov/ecology/ under " Water Quality."

You may also contact the address listed below for a printed copy of the manual. Due to the size of the document, you may be assessed a copying fee.

Workshops this fall

Ecology will hold workshops to discuss the manual revisions this fall and early winter throughout the state.

The final revision of the manual will be completed in the spring of 2000.

To get on Ecology's stormwater mailing list for further information, send your name, address and e-mail if available to:

Donna Lynch
P.O. Box 47600
Olympia, WA 98504-7600
E-mail: dlyn461@ecy.wa.gov.

Agencies restrict in-water boat hull cleaning

As up to 450,000 licensed boats headed for Washington waters this summer, the state departments of Natural Resources (DNR) and Ecology issued an environmental advisory aimed at protecting aquatic resources against pollution and contamination when boat hulls are cleaned.

The advisory, issued in May, directs that commercial divers are not to clean boat hulls painted with "soft paints" while the vessels are in the water.

In-water hull cleaning

Washington waters show evidence of contamination from sloughing and ablative anti-fouling or tin-based paints, known as soft paints, that are used to discourage plant and animal organisms from attaching to boat hulls.

Contamination occurs when commercial divers clean boat hulls painted with soft paints in the water. Cleaning the vessels while they're still in the water can pollute lakes, rivers and marine waters with toxic substances such as metals, grease and oil.

One metal of concern is copper, which is toxic to aquatic life and interferes with a fish's ability to take in oxygen.

In-water hull cleaning is just one more pollution problem that threatens the life of endangered salmon, said Tom Fitzsimmons, Ecology's director.

"Our goal is clean water – for people and for fish," said Fitzsimmons. "We expect boat and marina owners, along with commercial divers, to ensure that vessels painted with soft paints are taken out of the water for cleaning – not scraped and cleaned in the water."

Fitzsimmons explained Ecology hopes for voluntary compliance. However, the agency can take enforcement action, which could mean issuing penalties of up to $10,000 per day per violation.

"Every boat that is cleaned properly helps, and every one cleaned improperly hurts. It's that simple, and every boat owner needs to know this," said Jennifer Belcher, Commissioner of Public Lands and head of DNR. "Boat by boat, it makes a difference to the health of our aquatic resources."

Soft paints are less expensive and may seem to be a bargain, but in the long run they cause the most harm. Soft paints don't last as long, dissolve quickly and pollute the sediments beneath the water.

DNR and Ecology have worked together on this issue for the past year — DNR as manager of the state's millions of acres of aquatic lands, and Ecology as regulatory protector of environmental resources.

Comments shape advisory

In March 1998, Ecology and DNR issued a draft environmental advisory, stating that the agencies would not support or condone the practice of in-water hull cleaning *(see Confluence, Summer '98)*.

The agencies proposed the advisory as part of a decision not to cover commercial divers in a general wastewaterdischarge permit. Approximately 400 individuals and organizations commented on the environmental advisory.

In response to the majority of the comments, Ecology and DNR revised the final advisory to prohibit only the in-water hull cleaning of vessels painted with soft paints and tin-based paints. These paints pose more of a risk to the environment compared to hard paints.

More data-gathering and analysis are planned to ensure that actions are based on sound scientific data and protective of water quality. Ecology and DNR will continue to work with boat-paint manufacturers to develop information on less-toxic alternatives.

- Mary Getchell

Dustless sanding saves money and keeps water clean

Even if you clean your boat hull out of the water, you can still pollute if you're not careful.

Ecology's Paul Stasch said that copper found in bottom paints can be a major pollutant in stormwater runoff from boatyards. "The biggest problem is the do-it-yourselfer that walks away from a sanding job and leaves the paint to be blown by the wind or washed away by the rain," said Stasch.

The solution, he said, is to keep the paint off the ground in the first place. Stasch said that using a **vacuum sander** puts 98 percent of the dust immediately into a filter bag.

Ecology and the Puget Soundkeeper Alliance recently compared the costs and environmental performance of two different bottom paint removal technologies. In a pilot test project, one side of a test vessel was prepared with a "vacuum sander" while the other side was prepared with a traditional air rotary grinder.

The test found that while labor costs were the same, material costs for the vacuum sander were $235 less than the traditional tool for a 32-foot sailboat.

"The test showed that there is an economic incentive to dustless sanding in addition to the obvious environmental benefit," said Stasch.

For information about the pilot project, contact Ecology's Paul Stasch at (360) 407-6446.

Vacuum sanders clean with 98% of the dust contained in a filter bag, are certified for lead abatement, and workers need only a dust mask and eye protection. Traditional air rotary tools create large volumes of solid wastes, need a respirator and protective coveralls, and the sanding pads gum up rapidly. Photo: Paul Stasch.

Ecology clarifies policy on sewer hook-up bans

Ecology recently adopted a new policy clarifying when and how it will impose sewer connection bans.

Sewer connection bans prevent or limit hookups to sewer systems when the systems are over-capacity or are receiving more waste than the system was designed to treat. As a result the systems cannot prevent pollution, and therefore cause water quality problems.

"The goal of this policy is to strengthen use of this powerful, yet important tool, while getting at the bottom line of clean water," said Megan White, water quality program manager.

The new policy effects sewer hook-ups to the more than 300 domestic wastewater treatment plants providing service to millions of people in Washington.

Ecology has used sewer bans for years. In the past ten years, Ecology has imposed about 30 such bans to correct and prevent water pollution.

Some municipalities impose sewer bans on themselves when their treatment capacity is being reached or exceeded. Ecology's policy favors these locally imposed moratoria. Ecology will work with communities with capacity problems to encourage them to self-impose sewer connection bans.

If treatment capacity is exceeded, there are repeat wastewater violations, and the municipality does not act to impose a sewer connection ban, Ecology will impose the ban through an administrative order. White said that even in those cases, Ecology would work with communities to arrive at an agreed-upon action. "However, if we can't agree and a ban is still needed to reach compliance and protect water quality, Ecology will act to issue an order unilaterally," said White.

Ecology will begin tracking for the first time which sewage systems may be in-line for a hook-up moratorium. Ecology will notify communities that they are in jeopardy of getting a sewer hook-up ban when the community's wastewater treatment system is at 85 percent of its total capacity.

Ecology would lift moratoria once the community makes the appropriate expansion and upgrades to the wastewater treatment facility, and the agency would lift the moratorium via a rescinding order. For lifting self-imposed moratoria, Ecology would notify the community of its agreement in a certified letter.

White emphasized that most communities act responsibly and take actions to avoid exceeding treatment capacity and causing water pollution. "Communities are currently required to plan and take actions to prevent treatment capacity from being exceeded, and many are doing a good job," said White.

White said the new policy is not actually a new way of doing business, but it provides more focus, consistency, and predictability in how Ecology address capacity-related municipal violations and resulting water quality problems.

"We believe a sewer hook-up moratorium is a sensible route to achieving compliance," said White. "It does two things: stops further pollution problems and definitely gets the attention of the elected officials and citizens in a community to address the problem."

Ecology will continue to work with facilities and provide technical assistance. In addition, Ecology provides millions of dollars of grants and loans every year to municipalities for treatment plant upgrades.

Twenty-five wastewater treatment plants praised

Ecology in June announced 25 winners of the 1998 "Outstanding Wastewater Treatment Plant" awards. The annual award recognizes plants for their outstanding performance in treating millions of gallons of sewage and industrial wastes every day.

Ecology evaluated all of the state's 305 municipal wastewater treatment plants. The top performers complied with their wastewater discharge permits throughout 1998. Permits place limits on the quantity and concentrations of contaminants that treatment plants may discharge.

Some of the plants conduct thousands of tests and reports every year to ensure their wastewater discharge is as clean as possible. The data provide information on wastewater, temperature and the amount of discharge and pollutants. The tests, reports and on-site inspections indicate when a facility is in or out of compliance with its permit.

The Chambers Creek plant complied with permit conditions every day in 1998.

Pacific Beach sewer upgrade a model for small communities

The small coastal community of Pacific Beach, north of Ocean Shores, has proved that persistence can help solve sewer problems without causing extreme increases to ratepayers.

For several years, the failing wastewater treatment plant at Pacific Beach was under a county-imposed moratorium on sewer hookups. Nearby beaches were closed to shellfish harvesting because partially treated wastewater was making its way to ocean beaches through Joe Creek. Excessive rainfall and infiltration of ground water to the plant resulted in frequent violations of the permit limits set by Ecology.

Today, thanks to the county's new secondary-treatment plant, many of the nearby shellfish beds are open, except for beaches at the mouth of Joe Creek and near Moclips Flats.

Disinfected wastewater flows into a constructed wetland, then into a natural wetland. Sewer hookups are available along the beach area from Moclips down to Ocean Grove.

Ecology provided Grays Harbor County with technical assistance, a $2.8 million grant and a $5 million loan for the project. Thanks to other federal and state funding, Pacific Beach's sewer rates are $30 per month.

Some rebuilding now allowed in floodway

■ Ecology to write rule this summer

For the past decade, the Flood Plain Management Act *(Chapter 86.16.041 RCW)* has prohibited any new residential development (or substantial improvements to existing residences) in designated floodways. Floodways are considered the most dangerous areas of a floodplain, and the goal of the prohibition was to save lives and prevent repetitive damage to buildings.

The problem with the outright ban was that it applied even to farmland where the entire property is in the floodway. Ecology and local governments worked with legislators to modify the ban to allow floodway construction in limited circumstances.

The 1999 state Legislature changes the prohibition in two ways.

Commercial farm sites

First, it allows repairs or replacement of existing **farmhouses located on commercial farm sites** within a designated floodway *if*:

- there is no building site outside the floodway on the same farm;
- replacement does not increase the total footprint of the existing house;
- the house is elevated one foot higher than the 100 year flood level;
- replaced sewer systems don't discharge into flood waters; and
- replaced utilities are located to minimize flood damage.

The existing farmhouse (if replaced), must be removed from the floodway within 90 days after occupancy of the new house.

Rule to set criteria

The Legislature also established a mechanism for Ecology to consider case-by-case waivers of the floodway prohibition for **residences other than farmhouses on commercial farm sites**.

Ecology is required to develop a rule before January 2000 outlining criteria for how those case-by-case decisions are made. The criteria must include an assessment of the risk of harm to life and property related to specific floodway conditions, such as flood depth, flood velocity and flood-related erosion.

Any rebuilding in the floodway under this waiver would be subject to the same conditions that apply to farmhouses *(see above)*.

Ecology is currently convening an advisory group and will hold public meetings in late summer.

For more information contact Ecology's Ted Olson at (509) 456-2862, e-mail tols461@ecy.wa.gov.

This photo of the Skykomish River at flood stage shows several farms sites located entirely within the floodway. Photo: Snohomish Co.

Cross-Cascade pipeline proposal dropped

On June 25, the Olympic Pipe Line Company withdrew its proposal to build a 231-mile pipeline across the Cascade Mountains.

The decision followed closely a tragic accident at one of the company's existing pipelines in Bellingham. On June 10, a 16-inch pipeline was breached, releasing 277,000 gallons of gasoline into Whatcom Creek. When the spilled fuel was ignited, three young people were killed, a house was destroyed, and the creek suffered extensive environmental damage.

The catastrophe occurred as the proposed pipeline was in the midst of review by the state Energy Facility Site Evaluation Council (EFSEC). The quasi-judicial board preempts all state and local permits for energy-related projects. The board's role is to make a recommendation to the Governor, who has the final decision to approve or deny such projects.

Ecology's Polly Zehm said Ecology agrees with Olympic Pipe Line Company's decision to withdraw its proposal. "A new pipeline should not be considered until we know the results of a general pipeline safety review requested by Gov. Locke," said Zehm.

During the EFSEC hearings Ecology had expressed concerns that the proposed pipeline would have threatened salmon habitat and damaged water quality during construction and operation *(Confluence, Winter 1998/1999)*.

Zehm said that if Olympic re-applies for a cross-Cascades pipeline, the company should conduct a more thorough environmental analysis of the project's environmental impacts than it did for the abandoned proposal. "In addition, the Energy Facility Site Evaluation Council should require an environmental impact statement to be finished before beginning its hearings on the project," said Zehm.

For current information on the disaster, visit Whatcom County's website at www.co.whatcom.wa.us/

New exhibits open at Padilla Bay Reserve

Fun new exhibits about the fascinating things that happen where a river meets the sea are now open to the public at the Breazeale Interpretive Center at Padilla Bay, near Mt. Vernon.

"People are going to love these new exhibits!" said Terry Stevens, director of the Padilla Bay National Estuarine Research Reserve. "They're colorful, fun and packed with facts about estuaries and how people have affected these fragile coastal habitats. They also show how people can help protect endangered salmon and the watersheds and estuaries near their homes."

Features of the new exhibits include:

- What watersheds are and why they are important;
- Avenues water travels through a watershed on its way to the estuary;
- An interactive exhibit entitled "Is Your Watershed Healthy?"
- The Greater Puget Sound watershed and local watersheds;
- What estuaries are and why they are important;
- A computer tour of other estuaries around the U.S.;
- How humans have changed estuaries over time;
- A focus on Padilla Bay: 3-D model, habitats, tides, people;
- Tide In/Tide Out: An interactive tour of the hidden and not-so-hidden worlds of the estuary;
- Food chains/webs in the estuary;
- Eelgrass and why it's important; and
- How animals adapt to changing conditions in the estuary.

Many thanks to sponsors

The new exhibits were funded with a $150,000 grant from the Washington Department of Natural Resources' Aquatic Lands Enhancement Account (ALEA) and a $220,000 grant from the National Oceanic and Atmospheric Administration. The Padilla Bay Foundation, a private not-for-profit organization, and the Skagit Conservation District each contributed $5,000 to the project.

The Breazeale Interpretive Center is part of the National Estuarine Research Reserve System and is operated by the Department of Ecology.

The Padilla Bay National Estuarine Research Reserve, one of 23 such sites administered by NOAA, was designated in 1980, and the Breazeale Interpretive Center was opened to the public in 1982.

Since then, well over a half-million people have visited the center to learn more about their coastal heritage and estuaries through exhibits, outdoor trails and signs, and educational programs.

For more information

The Padilla Bay Reserve is 1/4 mile North of Bayview State Park in Skagit County, not far from Mount Vernon. For information call (360) 428-1558 Tuesdays through Saturdays.

Ecology's Terry Stevens (left) and Kaleen Cottingham of DNR (right) greet visitors at the May opening of new exhibits at the Padilla Bay Reserve. Photo: Sharon Riggs

E-mail list can help you track Ecology rules

WAC Track

A new e-mail list called "WAC Track" can help you keep up-to-date with the Department of Ecology's efforts to write or amend rules.

The list name comes from the Washington Administrative Code, or WAC, the official name of state rules.

Subscribers to the list are notified automatically of new postings on Ecology's Web site of rule documents, including:

- proposals,
- adoptions,
- scoping documents,
- policy and interpretive statements,
- WAC text updates,
- semi-annual rule agenda updates, and
- other rule-related information that is filed with the Washington State Office of the Code Reviser.

On average, subscribers are notified once or twice a week. WAC Track does not provide advertisements, nor is it a forum for dialog. Subscribers receive messages exclusively from Ecology's Rules Unit, and members' e-mail addresses are not shared with other lists.

To subscribe

To subscribe, set your Web browser to www.wa.gov/ecology/leg/wac_track.html.

For more information

For more information about WAC Track, contact Ecology's Troy Dennis at (360) 407- 6606, e-mail tden461@ecy.wa.gov.

The Office of the Code Reviser maintains a website with all final state laws (RCWs) and rules (WACs) at http://slc.leg.wa.gov/.

WCC to help salmon recovery efforts

The Washington Conservation Corps (WCC) is boosting efforts to help local salmon recovery efforts.

With funds from AmeriCorps, the WCC "Salmon Recovery Initiative" will place a total of 150 Corps members with public and non-profit entities to support on-the-ground salmon recovery efforts. Corps members (18 to 25 years of age) will work directly for organizations for a full year beginning in October, 1999.

Organizations that would like to work with Corps members must submit applications by July 30, 1999.

Eligible activities

Highest priority will be given to requests for members working on activities that make physical improvements to the environment such as bank stabilization, fish structures, stream channeling, fish barrier removal, and animal exclusion fencing.

Other eligible activities include:

- Recruiting, training, and coordinating volunteers to implement field projects;
- Providing environmental education to local schools, landowners, and the general public that raises awareness of salmon issues and restoration efforts;
- Helping senior staff plan field projects and obtain permits and materials; and
- Monitoring stream habitat.

WASHINGTON CONSERVATION CORPS

Crews or individual help

The WCC offers both individual Corps members to be supervised and equipped by sponsor organizations, or a complete WCC Team of five Corps members, a supervisor, transportation and a basic complement of tools.

The WCC pays Corps members salaries and benefits, health insurance, and training. Partner organizations must provide a year's worth of eligible projects; matching funds of $5,000 per individual member or $50,000 for a team placement; and a component of the project that generates and involves community volunteers *(specifically including senior volunteers)* in the salmon recovery effort.

For more information contact Rob Spath, (360) 407-6936, rspa461@ecy.gov.wa

Confluence

con-flu-ence [kon-floo-en(t)s] *n. 1: a flowing together of two or more streams 2: an act or instance of congregating: an assembly: crowd*

Confluence is the quarterly newsletter of the Washington State Department of Ecology. The name symbolizes the flowing together of water quality, water quantity, and shorelands issues into a common forum. The word also refers to a gathering of people, which is what it takes to solve water problems.

Contributors: Peggy Clifford, Mary Getchell, Melissa Gildersleeve, Sandy Howard, Ron Langley, Annie Phillips, Paul Stasch. Graphics: Tim Schlender. Photos: John Hanson, Nora Jewett, Marilou Pivirotto, Sharon Riggs, Kirk Thomas. Editor: Tim Gates.

Address questions or comments to the person(s) identified at the end of the article or Tim Gates at 360/407-7256, e-mail: tgat461@ecy.wa.gov.

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