

From: Stohr, Joe (ECY)

Sent: Thursday, June 14, 2007 8:48 AM

To: Barrett, Tony (DOHi); Barry Jenkins; Barry, Kevin (DOHi); Bill Lasby; Brad Harp ; Brastad, Andy (DOHi); Brodie, Nelsa (ECY); Clay White; Clifford, Denise (DOH); Cook, Jay (ECY); Davidson, Don; Deeter, Jerry (DOHi); Dzedzy, Ed (DOHi); Eric Johnson; Faller, Brian (ATG); Fay, Larry (DOHi); Ferguson, Sarah (ECY); Grunenfelder, Gregg (DOH); Higman, Keith (DOHi); James Manson; Jim DeGraffenreid; 'jmacpherson@co.franklin.wa.us'; John Pederson; Karen Vedder; Kernen Lien; Loranger, Thomas J.; Marek, Steve (DOHi); Mark DeSimone; Marquis, Marc (DOHi); Matsuyama, Jim (DOHi); Mike Dixel; Orr, Sean (DOH); Perry Huston; Robert Johnson; Shaver, Audrey (DOHi); Slattery, Ken (ECY); Stoffel, Keith L. (ECY); Sue C Kennedy ; Swenson, Dan (ECY); Tebb, G. Thomas; Tompkins, Mark (DOHi); Walsh, Brian (ECY); Wolpers, John (DOHi) (jwolpers@co.whatcom.wa.us)

Cc: Wallace, Dick (ECY); Summerhays, Jeannie (ECY); Slattery, Ken (ECY); Pfeifer, Grant D. (ECY); Sandison, Derek (ECY); Tebb, G. Thomas (ECY); Stoffel, Keith L. (ECY); Loranger, Thomas (ECY); Swenson, Dan (ECY); Patrick, Barb (ECY); Stohr, Joe (ECY)

Subject: Exempt Well Working Group - "TO DO" List from June 13 Ellensburg Meeting

Hello Everyone: We had a productive meeting yesterday. I am always encouraged by the discussion, participation and interest in resolving some long-outstanding disconnects. About 12 people traveled to Ellensburg and another 5 or 6 on the phone. Here is what we committed to do before our next meeting (late Aug. or early Sept.).

TO DO LIST

- 1) Joe Stohr/Barb Patrick (Joe's assistant) will schedule another meeting of the group during the last week of August or first week of September in Ellensburg.
- 2). Clay White will attempt to have a report from the group added to the WSAC planners meeting in mid-Sept. to discuss group purpose and potential products.
- 3) Brian Faller, Brian Walsh (co-leads), Kernen Lien, Perry Huston, Jerry Deeter and Clay White will look to update and organize guidance on the use/approval of exempt wells for new subdivisions. The guidance is intended to provide clarity and support consistency across the state. Specifically, four key areas will be addressed: a) What is the "test of time" mentioned in the C&G Supreme Court decision; b) What is the base acreage for well use; c)What constitutes a "project"; and d) How do we describe or apply existing standards for the gallons/day required for domestic use?
- 4) In support of d) above, Jerry Deeter (lead), Sue Kennedy, Andy Brastad, Mike Dixel and Melissa Downes will attempt to describe existing standards for gals/day to domestic use and potentially make recommendations to reconcile or integrate these standards. The intent is to seek consistency and reduce confusion.
- 5) Marc Marquis, Mark Thompkins, Andy Brastad (co-leads) Brian Faller, Sean Orr and Ecology Water Resource Regional Supervisors (Brian Walsh to

coordinate) will explore and compose a draft MOU between the state and county Environmental Health Departments for improved coordination and support. The draft will serve as the basis for some pilot agreements between county health departments and state agencies.

6) Brian Faller, Brian Walsh (co-leads), Mark Thompkins and Clay White will develop a concise powerpoint presentation that describes the groups "1 on 40" exempt well statute concept. This effort will result in a communication tool that can be used by group participants to describe the concept, the benefits the concept could provide to regulators, developers and the environment, and a list of outstanding issues and/or questions that we recognize as needing further review. The intent is to use this tool in preliminary discussions with our respective agencies to determine concerns/interests and help shape a path forward. Inclusion of a flow chart that describes how this proposal would integrate with, and aid county decision-making was also suggested.

So, that is what I heard. Let me know if I've got it wrong or you want to adjust/add something. Thanks again for your participation. It feels like we are starting to move some products forward. Good job everyone. Joe