Commissioners' Proceeding for March 9, 2005

the out-of-pocket expenses. The Board reviewed the letter from the Risk Pool to Mr. Lowe.

TRAC

TRAC Manager Ray Ritari and Marketing Director Maureen Vincent met with the Board. Present in audience: Melissa Hoyos.

Event Update

Recent events at TRAC are listed day by day with attendance figures in parentheses: TCAHA (0), United Pipe Meeting (16), Ski Club (100), Burbank Fire Department (58), BLM Horse Auction Move-in (2), Titans (375), Promociones Noe (3844), Janice Tillman Party (85), BLM Auction (15), Church of Christ Scientist (30), BLM Event (250), Farm Fair Move-in (100), Farm Fair (1000), and TRAC Advisory Board (12). In addition, Walla Walla College played a hockey game in the Pavilion on March 5 and then had a party afterwards.

Upcoming events include: Farm Fair, Canandaigua Wine, and Irish Games.

TRAC Sales Efforts

Ms. Vincent showed the Board what will be published in the Pasco Chamber of Commerce membership directory for this year. She told the Board about the work she has done and some contacts she has made.

Mr. Koch asked if TRAC staff has worked with the <u>Franklin County Graphic</u> yet to let people in the north end of the county know more about TRAC. Mr. Ritari said no. Mrs. Corkrum suggested they make a contact with the Connell Chamber of Commerce to get on their luncheon program.

PLANNING AND DEVELOPMENT

Planning Director Jerrod MacPherson met with the Board. Present in audience: Melissa Hoyos.

Final Approval Subdivision SUB 99-05, Sanderson Estates Partnership

Mr. MacPherson asked for final approval of Phase II for Sanderson Estates Partnership. He understands the partnership is working with a development group to develop the entire project this spring.

Commissioners' Proceeding for March 9, 2005

<u>Motion</u> – Mr. Koch: I move final approval for SUB 99-05 for George Sanderson. The Resolution number is 2005-111. Second by Mrs. Corkrum. 2:0 vote in favor. (Exhibit 6)

Fire Investigation Services

An advertisement has been placed in newspapers for fire investigation services. Applications are being received.

VOUCHERS/WARRANTS

Motion – Mr. Koch: I move we pay the vouchers for County Road Fund payroll for pay period ending 3/10/05 for \$62,560.28; and the Motor Vehicle payroll ending 3/10/05 for \$9424.44. Second by Mrs. Corkrum. 2:0 vote in favor.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

TRAC Computer and Software, and batteries for TRAC's backup lighting system

Motion – Mr. Koch: I so move that we approve the purchase of computer and software, and batteries for backup lighting system for TRAC to be paid from 2005 Miscellaneous TRAC Construction Facilities Fund. This is Resolution 2005-112. Second by Mrs. Corkrum. 2:0 vote in favor. (Exhibit 7)

Recessed at 10:07 a.m.

Reconvened at 10:10 a.m.

Courthouse Restoration

The Board reviewed cost figures for courthouse restoration work, particularly change orders. An additional two benches have been located. If it is determined that they are original benches, they will also be restored.

GWMA

GWMA Coordinator Paul Stoker and GWMA Project Coordinator Carol Miller met with the Board.

Petition to expand boundary area to include Lincoln County and to allow GWMA to expand designation to be able to address regional groundwater issues

Commissioners' Proceeding for March 9, 2005

Adams and Lincoln Counties have already signed the petition. Mr. Stoker reviewed the purpose of the petition which is explained on pages 4 and 5 of the petition. The first purpose is to expand the boundary area to include Lincoln County. The second purpose is to allow GWMA to expand its designation so it can address regional groundwater issues in addition to nitrate work. Throughout the document, it states several times that it is not the intention of the GWMA to serve as a regulatory agency. Attachment K is a list of projects GWMA has been involved with in local water resource issues.

If the petition is signed, it will be sent to Jay Manning of Department of Ecology who will reply in several weeks. Then a schedule will be set for one public hearing to be held in each county of Franklin, Grant and Adams, with three hearings held in Lincoln County. Mr. Stoker said we are proposing that the GWMA plan will be accepted by Lincoln County with the understanding that for any specific concerns that Lincoln County residents have, we will form a local committee to create appropriate amendments for Lincoln County. For instance, there is no nitrates plan in the GWMA plan for dryland wheat ground with 20 inches of annual rainfall because in Franklin, Grant and Adams Counties, there has not been 20 inches of annual rainfall.

Melissa Hoyos joined the audience. Terrance Casey joined the audience.

By law we have the right to extend services to anywhere we wish to do so.

Services were extended to Lincoln County six months ago. We did not include them as a lead agency member at that time. They are not officially part of the GWMA.

The second document for the Board's approval is Attachment Q which is a resolution titled: In the matter of certain provisions regarding fiscal responsibilities of the Columbia Basin Ground Water Management Area between Adams, Franklin, Grant and Lincoln Counties." It sets the percentages for GWMA funding at 40% by Grant County, 30% by Franklin County, 20% by Adams County, and 10% by Lincoln County, if the counties ever do have to contribute funding. The previous percentages were Grant County 45%, Franklin County 35%, and Adams County 20%. Mr. Stoker said we're not allowed to budget any monies we don't already have in the bank. We have funding for

Commissioners' Proceeding for March 9, 2005

2005 and 2006 already in the bank. The counties haven't put in any money in the last eight years and we don't expect them to but this resolution provides the foundation if it ever does happen. Franklin County is recognized as the fiscal lead agent. This resolution protects Franklin County from accepting all the consequences.

Motion – Mr. Koch: I move to accept and sign the petition as presented. Second by Mrs. Corkrum. 2:0 vote in favor. Mrs. Corkrum will sign as chair pro tem for Frank H. Brock. (Exhibit 8)

Motion – Mr. Koch: I move we accept Franklin County Resolution 2005-113 which is provisions regarding fiscal responsibility of GWMA area between Adams, Grant, Franklin and Lincoln Counties. Second by Mrs. Corkrum. 2:0 vote in favor. (Exhibit 9) GWMA Funding

Mr. Stoker sent letters requesting more funding from Congress last week. He gave an update on the GWMA funding process. After the petition process is completed and approved, some bigger mapping and monitoring programs are planned.

COUNTY ADMINISTRATOR (continuing)

CKJT Architect Terrance Casey met with the Board. Present in audience: Melissa Hoyos.

Courthouse Restoration Change Orders

Mr. Casey reviewed items that are proposed for change orders. He will prepare the official change order paperwork.

Change Order #39 is framing for the clock. Some truss framing is in the way of mounting the clock. Some plywood struts will have to be put in place to reinforce the area.

Change Order #40 is currently expected to cost \$6004. We are hoping it will be less than that.

Change Order #41 relates to refinishing of an additional seven wooden benches. They will be dismantled piece by piece and stripped, then reassembled and refinished. The 14-foot benches need to be rebuilt because of damage over the years. Mr. Bowen asked if a cushion could be placed over the benches to protect them. Mr. Casey said a

Commissioners' Proceeding for March 9, 2005

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until March 14, 2005.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed March 28, 2005.

FRANKLIN COUNTY

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

AMENDMENT TO THE AGREEMENT FOR PROVIDING SUBSTANCE ABUSE SERVICES BETWEEN THE DIVISION OF ALCOHOL AND SUBSTANCE ABUSE AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF **HUMAN SERVICES, #0363-26858-04**

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of County property and management of County funds and business; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached amendment as being in the best interest of Franklin County;

NOW THEREFORE, BE IT RESOLVED that the attached amendment between Benton-Franklin Counties' Department of Human Services and The Division of Alcohol and Substance Abuse is hereby approved by the Board.

BE IT FURTHER RESOLVED that the Chairman of the Board of Franklin County Commissioners is hereby authorized to sign said agreement.

day of **MARCH**, 2005. APPROVED this

> BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

网络沙丘亚拉克沙丘亚亚亚克 化二基环

ABSENT Frank H. Brock, Chair Neva & Corkrum Pro Tem Chair Robert Koch, Member

Clerk to the Board

Attest:

Originals: Auditor's Office

Department of Human Services

Minutes

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Resolution Notebook Prosecuting Attorney's Office

DSHS Agreement Number



COUNTY PROGRAM AGREEMENT

0363-26858

Amendment No.

a to a 4 2005

AMENDMENT

04

This Program Agreement Amendment is by and between the State of Washington Department of Social and Health Services (DSHS) and the County identified below. Administration or Division Agreement Number 8273-4

County Agreement Number

DSHS ADMINISTRATION Health and Rehabilitative DSHS DIVISION

DASA

DSHS INDEX NUMBER 1122

CCS CONTRACT CODE

4000CC

Services Administration DSHS CONTACT NAME AND TITLE Ella Hanks

DSHS CONTACT ADDRESS 1002 North 16th, Third Floor

DSHS CONTACT TELEPHONE

Yakima, WA 98909

DSHS CONTACT E-MAIL

(509) 225-6196 Ext:

DSHS CONTACT FAX (509) 575-2903

hanksem@dshs.wa.gov

COUNTY NAME **Benton County** COUNTY ADDRESS 2624 West Kennewick Avenue

Kennewick, WA 99336-3123

COUNTY CONTACT NAME

COUNTY FEDERAL EMPLOYER IDENTIFICATION NUMBER

916001296 COUNTY CONTACT TELEPHONE

Dave Hopper COUNTY CONTACT FAX

COUNTY CONTACT E-MAIL

(109) 783-0123 Ext

(509) 783-5981

dave@bfdhs.org

THE COUNTY A SUBRECIPIENT FOR PURPOSES OF THIS PROGRAM

CFDA NUMBERS 93.959

AGREEMENT?

Yes

AMENDMENT START DATE 01/01/2005

PROGRAM AGREEMENT END DATE 06/30/2005

PRIOR MAXIMUM PROGRAM AGREEMENT **AMOUNT**

AMOUNT OF INCREASE OR DECREASE

TOTAL MAXIMUM PROGRAM AGREEMENT **AMOUNT**

\$3,354,594.00

(\$5,000.00)

\$3,349,594.00

REASON FOR AMENDMENT;

CHANGE OR CORRECT OTHER: SEE PAGE TWO

EXHIBITS. When the box below is marked with a check (4) or an X, the following Exhibits are attached and are incorporated into this Program Agreement Amendment by reference:

Exhibits (specify): Award and Revenues, Exhibit #A-4

This Program Agreement Amendment, including all Exhibits and other documents incorporated by reference, contains all of the terms and conditions agreed upon by the parties as changes to the original Program Agreement. No other understandings or representations, oral or otherwise, regarding the subject matter of this Program Agreement Amendment shall be deemed to exist or bind the parties. All other terms and conditions of the original Program Agreement remain in full force and effect. The parties signing below warrant that they have read and understand this Program Agreement Amendment, and have authority to enter into this Program Agreement Amendment.

COUNTY SIGNATURE(S)

PRINTED NAME(S) AND TITLE(S)

DATE(S) SIGNED

Neva J. Corkrum, Chair Pro Tem Frank Brock, Chair, FC Commissioners

Claude Oliver, Chair, BC Commissioners 32/-05

DSHS SIGNATURE

PRINTED NAME AND TITLE

DATE SIGNED

Sheryl Turner, Contracts Administrator Division of Alcohol and Substance Abuse

APPROVED AS TO FORM:

DSHS Central County Program Agreement Amendment #6026CF (1-17-01)

Co. Prosecuting

Attorney's Office

Go Prosecuting

Attorney's Office

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FRANKLIN COUNTY ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF	ACTION NEEDED
		図 Consent Agenda
Agreement #0363-26858-4 with	☑ Pass Resolution	Public Hearing
the Division of Alcohol and	□ Pass Ordinance	☐ 1 st Discussion
Substance Abuse	☐ Pass Motion	2 nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

It is the purpose of this Agreement to specify the match requirements and budget adjustments to the funds it provides to the County.

SUMMARY

Award: Decreasing contract by \$5,000 for a maximum consideration of

\$3,349,594.

Period: January 1, 2005 through June 30, 2005.

Funding Source: Division of Alcohol and Substance Abuse

RECOMMENDATION

Sign the resolution to accept the proposed agreement.

名等的 **发**出,因为自己为别,为国际国际的政策和企业的国际。在1970年,

Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

There is no impact on the current expense budget. All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing Agreement #0363-26858 with Division of Alcohol and Substance Abuse to decrease contract by \$5,000, and to authorize the Chair to sign on behalf of the Board.

[1] [1] 在基础 [1] "我们,是有特殊的人性所是的实验的一种的人类。"他们是他们的一样。

FRANKLIN COUNTY RESOLUTION NO. $\frac{20}{5}$

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: AMENDMENT TO THE AGREEMENT FOR PROVIDING DEVELOPMENTALLY DISABILITES SERVICES BETWEEN SUNDERLAND FAMILY TREATMENT SERVICES AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, #0305-MH-SFTS-3

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of County property and management of County funds and business; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached amendment as being in the best interest of Franklin County;

NOW THEREFORE, BE IT RESOLVED that the attached amendment between Benton-Franklin Counties' Department of Human Services and Sunderland Family Treatment Services is hereby approved by the Board.

BE IT FURTHER RESOLVED that the Chairman of the Board of Franklin County Commissioners is hereby authorized to sign said agreement.

APPROVED this 9th day of MARCH, 2005.

BOARD OF COUNTY

COMMISSIONERS

FRANKLIN COUNTY, WASHINGTON

ABSENT

Attest:

Clerk to the Board

Nevad, Corkrano, Chair Pro-tem

₿rock, Chair

Robert Koch, Member

Originals:

Auditor's Office

Department of Human Services

Minutes

cc:

Frank H

Resolution Notebook

Prosecuting Attorney's Office

AMENDMENT NUMBER: 0305-MH-SFTS-3

THIS AMENDMENT is made and entered into by, and between, Benton and Franklin Counties, hereinafter referred to as "Counties" at the location identified below, and the following subcontractor, hereinafter referred to as the "Contractor".

Contact: Dave Hopper, Director	Contact: David Cooley, Executive Director
Benton and Franklin Counties	Sunderland Family Treatment Services
Department of Human Services	8514 W. Gage Blvd., Suite 301
2624 W. Kennewick Avenue	Kennewick, WA 99336
Kennewick, WA 99336	(509) 736-0704
(509) 783-0123	
For purposes of this Agreement, the Contractor is considered a	CFDA Numbers of Federal funds (if any):
☑ Subrecipient □ Vendor	93.959
THE TERM OF THIS AGREEMENT shall start and end on the followers	owing date, unless terminated sooner as provided herein:
Start Date: July 1, 2003	End Date: June 30, 2005
FUNDING: All funding contained in this Agreer	
the Budget and Payment Provisions Section atta	, ,
THIS AMENDMENT replaces the following sections	
	LOTHER TERMS AND CONDITIONS of the original
Agreement, and any subsequent amendments theret	
✓ Budget and Payment Provisions	
Reporting and Monitoring	
✓ Specific Terms and Conditions	
✓ Statement of Work ✓ Exhibits List /listed Exhibits provided upo	lor congrete equar)
Exhibits List (listed Exhibits provided und	
BY THEIR SIGNATURES BELOW, the part	
contained herein, all additional terms and co	and the state of the
Agreement, and those terms and conditions	referenced and incorporated herein:
For the Contractor:	
()1 (200) 1-12 0	- N/A
Claud Coley 1-12-0	3
Director/Administrator () Date	Board of Directors (if applicable) Date
For Benton County:	For Franklin County:
("On 1. 2/11).	1/2 / b
Claure & Odney 32/05	//llocx/arkun 3/h
	Franklin County Commissioners Data
Benton County Commissioners Date	Franklin County Commissioners Date
Attest: CameMcKexce	M 1.7:1
	Attest: //ay Wither 3/9/05
Clerk of the Board	Clerk of the Board
Approved as to Content: Approved as t	o Form: Approved as to Form:
()	
1 War Will	174(1)
Dept. Of Human Services Benton County Prose	ecutor's Office Franklin County Prosecutor's Office
Demon County Tope	Transmit County (Cooccitor 5 Office

complete document filed with Auditon

FRANKLIN COUNTY ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF	ACTION NEEDED
200 - 100 -	☑ Execute Contract	Consent Agenda
Agreement #0305-MH-SFTS-3	☑ Pass Resolution	Public Hearing
with Sunderland Family	Pass Ordinance	☐ 1 st Discussion
Treatment Services	□ Pass Motion	2 nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services has a subcontract with Sunderland Family Treatment Services for community mental health services. The Department of Human Services would like to amend the agreement to incorporate a number of revisions required in the Counties' agreement with Greater Columbia Behavioral Health and to revise the funding formula.

SUMMARY

Award: Not to exceed the amount in the Budget Summary.

Period: Amendment is effective July 1, 2003 through June 30, 2005.

Funding Source: Greater Columbia Behavioral Health, ESD 123 and HUD

RECOMMENDATION

☑ Sign the resolution to accept the proposed agreement.

Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Greater Columbia Behavioral Health, ESD 123 and HUD. There is no impact on the current expense budget. All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing Amendment #0305-MH-SFTS-3 with Sunderland Family Treatment Services for community mental health services and to authorize the Chair to sign on behalf of the Board.

OUT-OF-STATE TRAVEL REQUEST

THE BOTTOM 2 COPIES OF THIS FORM WILL GO TO THE TREASURER FOR PICK UP OF FUNDS WHICH WILL BE AVAILABLE THE DAY BEFORE DEPARTURE UNLESS OTHERWISE NOTIFIED

Name:		Richard	1 Lathim		
Dates:	· · · · · · · · · · · · · · · · · · ·	June 24-	June 30	2005	
Destinat	ion:	Louis ville	KY		
Purpose	•	National SI	heriffs' Con	ference	
Account	/Budget#	520			-
	·			•	
		ESTIMATE	D EXPENSE		
Mileage		Miles @ Per	Mile \$		
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Recomm		This feltin	3/7/0	<u>5</u>	
	(Ele	ected Official/Dept. H	lead) ' (Date)		
Examined and	allowed by	the Board of Commi	ssioners, Franklin	County, Washington	·
	ABSE	NT	_, Chair		
Thew.	$\sim \sim 1$	ackrem	Member		
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PURA			, Member	·	
		ADVANCE (TO BE FILLED OUT BY		E)	
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Received by:					

MEMORANDUM

RECEIVED

MAR 0 7 2005

FRANKLIN COUNTY COMMISSIONER

Date: March 7, 2005

To: Board of County Commissioners

From: Sheriff Richard Lathim

Re: Out of State Travel request

I am submitting the following out of state travel request to attend the National Sheriffs' Association Annual Conference & Training to be held in Louisville, KY June 25th through June 29th. If I make Reservations and pay for registration now I can save a substantial amount on airfare and registration.

The registration is \$250 and airfare will be about \$300. I have included the hotel, meal costs and other miscellaneous costs on the attached advance travel request.

Dear Board of County Commissioners:	
	01-246 dated June 11, 2001 tal leave be transferred as detailed below:
Transferee: <u>lavon Ham</u>	e l
Department: Shevitt	
Amount of Hours://	PATRICK TOMPEN Printed Name of Transferor
	Signature of Transferor
	3/6/05 Date Signed
	Department: SHIRIFF'S OFFICE
I attest that all accrued paid leave (annual March March Name) Name of Transferee	, sick leave, compensatory, etc) for has been exhausted. **Rondle Month Selected Official / Department Head**
Date Approved: <u>3/9/65</u>	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT
Attest:Withers	Chairman Mentour Mentour Manual Manua
Clerk of the Board	Member

Dear Board of County Commissioners:	
As per Resolution 2001-246 dated June 11, 2001 I am requesting a portion of my annual leave be transferred as detailed below:	
Transferee: <u>lavon Hamel</u>	
Department: Sheriff	
Amount of Hours: 10 Jim Dickenson Printed Name of Transferor	:
of Transfavor	
Signature of Transferor	
<u>03-02-05</u> Date Signed	: : .
Department: Franklin County Shure	4
I attest that all accrued paid leave (annual, sick leave, compensatory, etc) for has been exhausted. Name of Transferee **Lonelle Melson** Elected Official / Department Head**	
Name of Transferee As been exhausted. Name of Transferee Ronelle Melson	
Name of Transferee Lonelle Melson Elected Official / Department Head BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON	
Name of Transferee Anelle Meson Elected Official / Department Head BOARD OF COMMISSIONERS	
has been exhausted. Name of Transferee Conclude Meson	
Name of Transferee April April	
has been exhausted. Name of Transferee Conclude Meson	

Dear Board of County Commissioners:

I am requesting a nortion of my ar	2001-246 dated June 11, 2001 mual leave be transferred as detailed below:
r am requesting a portion of my at	man reave be transferred as detailed below.
Transferee: <u>Javon Han</u>	nel
Department: Sheriff	
Amount of Hours: 5HRS	RICK L. KENT
	Printed Name of Transferor
	Signature of Transferor
	3/2/05
	Date Signed
	Department SHERIFF
I attest that all accrued paid leave (and	mal sick leave compensatory etc.) for
	nual, sick leave, compensatory, etc) for has been exhausted. **Autule Melson** Elected Official / Department Head
Garon Hamel	has been exhausted. Repelle Melson
Name of Transferee	has been exhausted. Repelle Melson
Garon Hamel	has been exhausted. Autilia Misson Elected Official / Department Head BOARD OF COMMISSIONERS
Name of Transferee	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT Chairman
Name of Transferee	has been exhausted. Annual Melson Elected Official / Department Head BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT
Name of Transferee Date Approved: 3/9/05	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT Chairman
Name of Transferee Date Approved: 3/9/05	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT Chairman

Dear Board of County Commissioners:	
As per Resolution 20 I am requesting a portion of my annu	01-246 dated June 11, 2001 al leave be transferred as detailed below:
Transferee: <u>lavon Ham</u>	<u>el</u>
Department: Sheriff	
Amount of Hours:	Printed Name of Transferor
	Timed Name of Transferor
	Signature of Transferor
	3/2/05 Date Signed
	Department: SHERIFFS OFFICE
I attest that all accrued paid leave (annua	
I arrest that all accrued paid leave (annual South Communication) Name of Transferee	has been exhausted.
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Storion Janel	has been exhausted. Ronelle Nelson
Storion Janel	About Muleon Elected Official / Department Head BOARD OF COMMISSIONERS
Storion Janel	Annuales Elected Official / Department Head
Name of Transferee	Has been exhausted. Population Elected Official / Department Head BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON
Name of Transferee	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT Chairman Chairman
Name of Transferee	ABSENT

Dear Board of County Commissioners:	
As per Resolution 200 I am requesting a portion of my annu	01-246 dated June 11, 2001 al leave be transferred as detailed below:
Transferee: <u>Aaron Ham</u>	el
Department: Sheviff	
Amount of Hours:	Printed Name of Transferor
	Jin .
	Signature of Transferor
	3-2-5 Date Signed
	Department: FCSO
I amest that all accrued paid leave (annual Marcon Name of Transferee	Al, sick leave, compensatory, etc) for has been exhausted. Roullever Elected Official / Department Head
Date Approved: 3/9/05	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON
	ARCENT
	Chairman
Attest: Withers	Chairman Melacherum

246 dated June 11, 2001 eave be transferred as detailed below:
HUBER, MONTY rinted Name of Transferor
ignature of Transferor
3-6-05 Date Signed
Department: FC50
ck leave, compensatory, etc) for
Ronelle Relson
s been exhausted.

Dear Board of County Commissioners:	
As per Resolution 20 I am requesting a portion of my ann	001-246 dated June 11, 2001 ual leave be transferred as detailed below:
Transferee: <u>Aaron Ham</u>	e^{1}
Department: Sheviff	
Amount of Hours: 54P	JOHN SPIER Printed Name of Transferor
	0 4
	Signature of Transferor
	O3O2-O5 Date Signed
	Department: SHERIFF
I attest that all accrued paid leave (annu Name) Name of Transferee	Anelle Meser Elected Official / Department Flead
	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON
Date Approved: 3/9/05	ABSENT
	Chairman Member Member
Attest: Mary Withers Clerk of the Board	Member

Dear Board of County Commissioners:	
	001-246 dated June 11, 2001 ual leave be transferred as detailed below:
Transferee: <u>laron Ham</u>	el
Department: Sheriff	
Amount of Hours: 80	Jim R. Johns ton Printed Name of Transferor
	Signature of Transferor
	2-3-04 Date Signed
	Department: Sheviff
L	
I attest that all accrued paid leave (annual Daron Hame) Name of Transferee	al, sick leave, compensatory, etc) for has been exhausted. Canal Melson Elected Official / Department Head
aaron Hamel	has been exhausted. Renell Melson
aaron Hamel	Land Long Elected Official / Department Head BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON
Name of Transferee	has been exhausted. Regiller Elected Official / Department Head BOARD OF COMMISSIONERS
Name of Transferee	has been exhausted. Concluded Elected Official / Department Head BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT

	01-246 dated June 11, 2001 al leave be transferred as detailed below:
Transferee: <u>lavon Ham</u> Department: <u>Sheviff</u>	el
Amount of Hours: 10 hrs.	Printed Name of Transferor Signature of Transferor
	3-4-05 Date Signed Department: Franklin County Sheriff
I attest that all acqued paid leave (annua Linna) Name of Transferee	l, sick leave, compensatory, etc) for has been exhausted. **Ronelle Melson** Elected Official / Department Head
Date Approved: <u>3/9/05</u>	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT Chairman

Dear Board of County Commissioners:	
As per Resolution 2001 I am requesting a portion of my annual	246 dated June 11, 2001 leave be transferred as detailed below:
Transferee: <u>lavon Hame</u>	
Department: Sheviff	
Amount of Hours: 30	Printed Name of Transferor
	P Old
	Signature of Transferor 3 - 4 - 05
	Date Signed
	Department: FOSO
Name of Transferee	sick leave, compensatory, etc) for as been exhausted. Royalle Melson Elected Official / Department Head
Date Approved: 3/9/05	BOARD OF COMMISSIONERS FRANKLIN COUNTY, WASHINGTON ABSENT
	Chairman
	How Collen
	Member
Attest: May Wothers Clerk of the Board	Member Member

FRANKLIN COUNTY RESOLUTION NO. 2005 110

BEFORE THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: INTER BUDGET TRANSFER IN THE AMOUNT OF \$6,000 FROM THE 2005 CURRENT EXPENSE INFORMATION SERVICES BUDGET, NUMBER 001-000-350, LINE ITEM 518.80.48.0005 (R&M MAINTENANCE AGREEMENTS) TO THE CAPITAL OUTLAY BUDGET, NUMBER 001-000-710, LINE ITEM 594.00.64.3501 (COMPUTER HARDWARE) TO PAY FOR DEVICES TO BACKUP THE COUNTY NETWORK

WHEREAS, the Information Services Director informed the Board of County Commissioners that County data has not been backed up for some time; and

WHEREAS, the Franklin County Board of Commissioners gave permission during the February 28, 2005 Commissioner Proceeding for the I.S. Department to purchase devices to backup the County network; and

WHEREAS, it is necessary to transfer funds from the Information Services budget to the Capital Outlay budget to pay for said expense; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of Franklin County;

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners hereby approves an inter budget transfer in the amount of \$6,000 from the 2005 Current Expense Information Services Budget, Number 001-000-350, line item 518.80.48.0005 (R&M Maintenance Agreements) to the Capital Outlay Budget, Number 001-000-710, line item 594.00.64.3501 (Computer Hardware) to pay for devices to backup the County network.

APPROVED this 9th day of March 2005.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Frank H. Brock, Chair

Attest:

Clerk to the Board

Originals:

Auditor

Minutes

Information Services

cc:

Accounting Department

Robert E. Koch, Member

Neva J. Corkrup, Chair Pro Tem

Transfer Notebook

Patricia Shults

m:

Toni Fulton

Sent:

Tuesday, March 08, 2005 10:24 AM

To:

Patricia Shults

Subject:

Transfer

importance: High

Hi Pat,

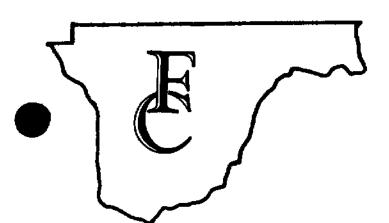
We are going to need to transfer \$6000.00 from our R/M Maintenance Agreements (48.0005) line to the Capital Outlay – Hardware line in order to pay for the recent County-Wide backup system that was purchased.

If we'll need a resolution to do so, is it possible that one could be presented to the board tomorrow?

Thanks, Toni

Toni Fulton, Administrative Secretary Franklin County Information Services 1016 N. 4th Avenue Pasco, WA 99301 (509) 545-3509 FAX: (509) 546-5871

FAX: (509) 546-5871 tfulton@co.franklin.wa.us



FRANKLIN COUNTY

COMMISSIONERS

Courthouse - 1016 North 4th Pasco, Washington 99301 (509) 545-3535

RESOLUTION NUMBER 2005 111

BEFORE THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY PLANNING

RE: Final Approval for <u>SUB 99-05</u>, <u>George Sanderson (Sanderson Estate Partnership)</u>, 750 Kohler Road, Pasco, WA 99301 into twenty one (21) lots—Phase 2.

WHEREAS, this Board did hold a public hearing on <u>February 23, 2000</u> to consider the Subdivision of <u>George Sanderson (Sanderson Estate Partnership)</u> and

WHEREAS, the Board of County Commissioners have determined the following:

- 1. Phase I (17 lots) was granted final approval by the County on June 14, 2000;
- 2. The conditions imposed when the Preliminary Subdivision-Phase II was approved have been met:
- 3. The requirements of the State Law and Subdivision Ordinance have been complied with;
- 4. The Subdivision-Phase II conforms with the general purposes of the Comprehensive Plan and the Zoning Ordinance, and

WHEREAS, the public use and interest will be served by approving the Subdivision-Phase II of George Sanderson (Sanderson Estate Partnership) for recording,

NOW, THEREFORE, BE IT RESOLVED that the Subdivision-Phase II of <u>George Sanderson (Sanderson Estate Partnership)</u> be approved and the chairman so indicate by signing the final Subdivision-Phase II.

SIGNED AND DATED THIS 9th DAY OF MARCH 2005.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Attest:

Clerk of the Board

Chair ProTem

Chairman

Member

FRANKLIN COUNTY RESOLUTION NO.

2005 112

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: APPROVAL FOR THE PURCHASE OF A COMPUTER, SOFTWARE AND BATTERIES FOR THE BACK-UP LIGHTING SYSTEM FOR TRAC TO BE PAID FROM THE 2005 MISCELLANEOUS FC PUBLIC FACILITIES CONSTRUCTION FUND, BUDGET NUMBER 390-404-000-001

WHEREAS, the TRAC Manager requested approval to purchase a computer and software for the Operations Manager totaling \$3,925.05, and batteries for the back up lighting system in the Exposition Hall at a cost of \$5,104.18; for a total expenditure of \$9,029.23; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of Franklin County;

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners hereby authorizes the purchase of a computer and software for the Operations Manager totaling \$3,925.05, and batteries for the back up lighting system in the Exposition Hall at a cost of \$5,104.18; for a total expenditure of \$9,029.23 to be paid from the 2005 Miscellaneous FC Public Facilities Construction Fund, Budget Number 390-404-000-001, line item 594.00.00 (Capital Expenditures).

APPROVED this 9th day of March 2005.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Robert E. Koch, Member

Neva J. Corkram, Chair Pro Tem

Frank H. Brock, Chair

Attest:

Clerk to the Board

Originals:

Auditor's Office

Minutes TRAC

cc:

County Administrator - Invoice

Columbia Basin Ground Water Management Area

PETITION

To the

Director of the Washington State Department of Ecology

From the

Boards of County Commissioners of Adams, Franklin, Grant and Lincoln Counties

Requesting Amendment to

Columbia Basin Ground Water Management Area

Designation Order No. 16, Dated February 4, 1998

To Expand the GWMA Boundary Area
To include Lincoln County, Washington

And

To Allow the GWMA to Expand Its Designation
to Be Able to Address
Regional Groundwater Issues of
Concern to the Citizens of
Adams, Franklin, Grant and Lincoln Counties

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ATTACHMENTS

- A. GWMA Designation Order No. 16, Letter, signed by Tom Fitzsimmons, Director WSDOE, February 4, 1998
- B. WAC 173-100 Relating to Ground Water Management Areas and Programs
- C. Lincoln County Resolution No. 04-24, dated March 15, 2004
- D. Lincoln County Commissioners' Letter of Request to Join the GWMA, dated March 16, 2004.
- E. Lead Agency Letters to Ecology Director in Support of Including Lincoln County into the GWMA and Requesting Guidance to Amend the GWMA, April 22, 2004
- F. Ecology Response Letter Outlining Process to Amend the GWMA, May 10, 2004
- G. Minutes of the GWMA Administrative Board Meeting of May 13, 2004
- H. Columbia Basin Ground Water Management Area By-Laws

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- I. Lead Agency Resolutions to Include Lincoln County Under the Provisions of the Columbia Basin Ground Water Management Area By-Law Process
- J. Petition to Designate a GWMA for Adams, Franklin and Grant Counties, February, 1998
- K. Examples of GWMA Involvement in Local Water Resource Issues
- L. Memorandum of Understanding between U.S. Environmental Protection Agency, the Washington State Departments of Health, Agriculture, Ecology, the Washington Conservation Commission, and the Washington State University College of Agriculture and Home Economics, October 30, 1996; and Amendment I of the MOU, dated July 1, 1999.
- M. Letter from WSDOE Certifying the Columbia Basin GWMA Plan, December 6, 2001
- N. Amended GWMA Boundary Area Map to Include Lincoln County
- O. Estimated Timeline for the Petition's Public Input and Concurrence Process
- P. Amended GWMA Organizational Chart to Include Lincoln County
- Q. Resolution Regarding Provisions for the Fiscal Responsibilities of the Columbia Basin Ground Water Management Area Between Adams, Franklin, Grant and Lincoln Counties

Columbia Basin Ground Water Management Area Plan -

Due to the size and volume of the GWMA Plan, a copy has been included with this document on compact disk. A hard copy of the GWMA Plan is officially on file in the archives of the Washington State Department of Ecology.

PURPOSE OF PETITION

The purpose of this petition is to request that the Director of the Washington State Department of Ecology consider an amendment to the existing Ground Water Management Area Designation Order No. 16 (Attachment A), dated February 4, 1998, to:

- a. Expand the boundary area of the current Columbia Basin Ground Water Management Area (GWMA) of Adams, Franklin and Grant counties to include the political boundary area of Lincoln County, and designate the Board of County Commissioners of Lincoln County as a participating member of the Columbia Basin GWMA Lead Agency in cooperation with the current Lead Agency members consisting of the Boards of County Commissioners of Adams, Franklin and Grant counties in accordance with WAC Chapter 173-100 (Attachment B); and to
- b. Allow the GWMA to expand its current designation to be able to address other regional groundwater issues as they may relate to water quality and water quantity issues within the boundary area of Adams, Franklin, Grant and Lincoln Counties. It is the intent of the GWMA to serve the four-county area in the capacity of a voluntary, non-regulatory support role on water quality and water quantity issues. The GWMA would act as a technical and planning resource for local stakeholders, citizens, communities, agencies and other water resource groups needing assistance in understanding the groundwater issues within the four counties. As a technical and planning resource, the GWMA would oversee activities such as information gathering and collection of water resource data, aquifer systems mapping, dissemination of data, and participation in planning processes for the water quality and water quantity related issues of the area. It is not the intent of the GWMA's Lead Agency for this GWMA to serve the citizens and communities of the four-county area in any capacity as a regulatory entity.

Due to its successful efforts in addressing nitrates, its understanding of groundwater issues, and its commitment to local citizen involvement, the GMWA has become recognized as a knowledgeable and indispensable resource of groundwater information and technology by agencies, communities and citizens across the Columbia Basin. Allowing the GWMA to expand its designation to include non-

regulatory water quality and water quantity technical and resource planning activities would be of significant benefit to the region as it would provide local citizens with a voluntary, non-regulatory vehicle for building consensus around strategies that protect local water resources.

2. PETITION BACKGROUND

2.1. Lincoln County - Request to Join the GWMA

In 2003, the Lincoln County Commissioners began considering the prospect of joining the GWMA and held a number of meetings to gather information and discuss the issue. The commissioners recognized that Lincoln County and the GWMA counties --- Adams, Franklin and Grant --- share several common concerns:

- Similar land uses such as dryland and irrigated agriculture occur in each of the four counties. In the irrigated areas of the four counties, there is evidence of some cases of elevated nitrate concentrations.
- A portion of the Columbia Plateau Aquifer System falls within the political boundaries of Lincoln County, as well as within the existing GWMA boundary area of Adams, Franklin and Grant counties.
- Areas of depletion of the Odessa Sub-Area (defined in Chapter 173-128A WAC) are included within the political boundaries of Lincoln, Grant, Franklin and Adams counties.
- 4) Inclusion of Lincoln County into the GWMA political boundaries would benefit coordination of local aquifer protection programs and activities.

In March 2004, the Lincoln County Commissioners formally approached the GWMA Lead Agency and the GWMA Administrative Board by submitting a formal resolution and an official letter of request

(Attachments C and D) to join the Columbia Basin GWMA as a cooperating Lead Agency member and to expand the GWMA boundaries to include Lincoln County.

The GWMA Lead Agency considered Lincoln County's request and submitted letters in support (Attachment E) of Lincoln County's request to the Director of Ecology along with a request for guidance in amending the existing Ecology GWMA Designation Order No. 16. The Director of Ecology responded to the Lead Agency letters providing options for the Lead Agency to consider for the inclusion of Lincoln County into the GWMA (Attachment F).

In May 2004, the GWMA Administrative Board (Attachment G) elected to utilize a combination of the recommendations from Ecology and recommended to the Lead Agency that Lincoln County become a cooperating member of the GWMA in a two-phase process:

- Admit Lincoln County into the GWMA under the provisions of the GWMA By-Laws, Section
 1.5 (Attachment H), thereby promptly extending GWMA services to Lincoln County residents;
 and,
- 2) Prepare a formal petition to the Director of the Washington State Department of Ecology requesting that the Director consider amending GWMA Designation Order No. 16 of February 4, 1998 to include Lincoln County as a cooperating and equal member of the Lead Agency of the Columbia Basin Ground Water Management Area and expand the boundary area of the GWMA to include Lincoln County. Phase two of the process would admit Lincoln County into the GWMA in accordance with WAC 173-100 and provide opportunity for public input and comment.

In August and September 2004, The Boards of County Commissioners of the GWMA Lead Agency formally took action to accomplish phase one of the process and adopted resolutions (Attachment I) to admit Lincoln County under the provisions of the GWMA By-Laws thereby extending services to Lincoln County until a process to Petition the Director of Ecology to amend the Columbia Basin GWMA Designation Order could be accomplished.

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2.2. Role of the GWMA in Regional Water Issues

The GWMA of Adams, Franklin and Grant Counties was designated in 1998 by the Director of the Washington State Department of Ecology for the single purpose of addressing nitrate concentrations in the groundwater of the Columbia Basin (Attachments A and J). In the years since its designation, the GWMA has become involved in water issues outside the scope of its designation and is recognized as a technical and planning resource. Through its involvement in gathering and analyzing groundwater data, monitoring and characterizing well data and water movement, local well assessment and mapping projects, and water related informational programs, the GWMA has provided local stakeholders and citizens with a better understanding of the aquifer systems within the Columbia Basin.

The GWMA has developed extensive knowledge of the basalt layers and aquifers making up this portion of the Columbia Plateau Aquifer System. Over the past five years, the GWMA has been actively gathering data for mapping and studying the aquifer systems of the Columbia Basin. The GWMA database has been beneficial to local cities in providing well assessment data, area water resource groups and agencies regarding the depletion of the Odessa Sub-Area Aquifer, and local counties in the preparation of critical aquifer protection planning (Attachment K). Local communities, agencies, and water resource groups have recognized the value of this information in assisting them to understand groundwater resources and identifying solutions to their water quality and water quantity issues.

The GWMA Lead Agency of Adams, Franklin and Grant Counties and the Board of County Commissioners of Lincoln County recognize that expanding the designation of the GWMA to include activities relative to regional water quality and water quantity issues, in addition to nitrate issues, would be beneficial to the communities and citizens of the Columbia Basin. The role of GWMA in the expanded designation would allow the GWMA to be a technical and planning resource and to continue important activities such as information gathering, collection of water resource data, aquifer systems mapping, dissemination of data, and participation in planning processes for water quality and water quantity related issues. Additional activities of the GWMA would be to provide coordination,

suggestions, recommendations and assistance through the sharing of educational, informational, and technical data to local stakeholders, citizens, communities, agencies and other water resource groups for the purpose of assisting them in developing local voluntary, non-regulatory solutions and strategies relating to local water quality and water quantity issues.

Since its beginning in 1998, the GWMA has successfully operated as a voluntary, non-regulatory entity. It is the intent of the GWMA Lead Agency for all activities of the GWMA to remain voluntary and non-regulatory, and for GWMA activities as they relate to groundwater water resources and issues to be limited to technical and planning resources for the purpose of providing data and informational assistance to local citizens, stakeholders and water resource agencies and groups. The GWMA does not intend to become a regulatory entity for the purpose of assessing regulatory actions relative to water rights or water resource issues in the four-county area of Adams, Franklin, Grant and Lincoln counties.

3. COLUMBIA BASIN GWMA HISTORY

In November 1995, the USGS reported on the summation of a five-year National Water Quality Assessment (NAWQA) Characterization study of the water resources of the Columbia Plateau, of which Adams, Franklin, Grant, and Lincoln Counties were a part of the study. The study revealed areas where significant numbers of shallow wells pumping domestic water from the shallow overburden aquifer appeared to have contained nitrate levels above the federal drinking standard of 10 mg/l at least once during the study period.

The United States Environmental Protection Agency (EPA) attempted to designate the Eastern Columbia Plateau Aquifer System as a Sole Source Aquifer from 1994-1996. Repeated hearings recorded overwhelming opposition from citizens and local leaders. In November 1996, the EPA announced a willingness to suspend activities on the Sole Source Aquifer designation of the Eastern Columbia Plateau Aquifer System pending the outcome of a locally driven planning effort.

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In mid-1997, the Boards of County Commissioners of Adams, Franklin, and Grant Counties passed resolutions requesting the designation of a Ground Water Management Area (GWMA) process under the RCW Chapter 90.44.400 through 90.44.440 and Chapter 173-100 of the WAC.

The GWMA approach to water issues was supported by all participating local, State, and federal entities as a local alternative to the federal Sole Source Aquifer designation proposed by the EPA in 1996. EPA, and five state agencies, signed a Memorandum of Understanding (MOU) in support of the GWMA approach in late 1996 (Attachment L). The local governments requested designation of the GWMA based on favorable public comments received during public hearings and meetings held in each of the three counties between 1995 and 1997.

In 1997, Lincoln County gave consideration to joining Adams, Franklin and Grant counties as a participant in the original GWMA petition submitted to Ecology. However, at the time and prior to submission of the petition, Lincoln County chose not to become a participant in the GWMA process.

The remaining three Boards of County Commissioners submitted a "Petition to Designate a GWMA for Adams, Franklin and Grant Counties" to the Washington State Department of Ecology proposing formal designation of a GWMA within their combined political boundary area (Attachment J). A formal designation order naming the three counties as the Lead Agency and creating the Columbia Basin GWMA of Adams, Franklin and Grant Counties was signed and issued by the Ecology Director on February 4, 1998.

Following designation of the Columbia Basin GWMA, five groundwater advisory committees were established to represent the broad spectrum of stakeholders of the three counties. The committees met regularly for more than two years to research issues relating to nitrate in the groundwater of the Columbia Basin and develop a plan for reducing nitrate levels. It was through the committed efforts of

hundreds of volunteers serving on the ground water advisory committees that the Columbia Basin Ground Water Management Area Plan¹ (GWMA Plan) was completed in May, 2001.

After completion of the GWMA Plan, an extensive joint GWMA/Ecology public hearing process was held in each of the three counties involving local stakeholders and the general public, as well as local, State and federal agencies. In November, 2001, the Columbia Basin GWMA Plan, accompanied by the Findings of Fact from the public hearing/concurrence process, was submitted to Ecology for final review and certification. On December 6, 2001, the Ecology Director issued an official Letter of Certification for the Columbia Basin GWMA Plan. (Attachment M)

Since Ecology's certification of the Plan in 2001, the GWMA Lead Agency and the Administrative Board have diligently continued their efforts to provide oversight and management of the projects, programs and recommendations for best management practices (BMPs) to reduce nitrate levels in the Columbia Basin as outlined in the GWMA Plan.

4. EXPANDING THE GWMA BOUNDARY AREA

The four counties in the proposed expansion of the GWMA boundary area share common elements that a coordinated, multi-jurisdictional effort to ensure future aquifer protection in this region would benefit:

a. Lincoln County shares three of the four recognizably distinct hydro-geological zones or aquifers located beneath the Columbia Basin GWMA. The shallower zone consists of the overburden aquifer system reaching varying depths from the surface, but generally extending no more than 50 to 100 feet below land surface. The next aquifer zone is the Wanapum Aquifer System and the deepest zone underlying this area is the Grande Ronde Aquifer System. The protection of these resources is of vital ecological and economic importance to the region.

¹ Due to the size and volume of the GWMA Plan, a copy has been included with this document on compact disk. A hard copy of the GWMA Plan is officially on file in the archives of the Washington State Department of Ecology.

b. Adams, Franklin, Grant and Lincoln Counties share over 95% of the current Columbia Basin Irrigation Project and surrounding deep well irrigated activities in this area. The remaining areas of these counties are used largely as rangeland and for dryland farming. Most of the area is considered an arid climate, receiving between 5 and 15 inches of precipitation per year. A large portion of the area receives less than 10 inches of rainfall per year. Most significant natural aquifer recharge occurs outside the area. With the advent of intensive irrigation over the past 50 years, significant changes to the local aquifer recharge profiles have occurred. Widespread irrigation activities, including delivery and recapture, result in significant recharge to the overburden aquifer system. A coordinated, multi-jurisdictional effort to implement best management practices (BMPs) in these irrigated areas is essential to ensure future aquifer protection in this region.

5. DESCRIPTION OF AMENDED BOUNDARY AREA

The proposed amendment to the current designated GWMA boundary area of Adams, Franklin, and Grant counties would be expanded to include the entire political boundary area of Lincoln County (Attachment N). All four counties would share equally as the Lead Agency of the Columbia Basin Ground Water Management Area in accordance with Chapter 173-100 of the Washington Administrative Code.

The four-county area includes all or portions of Water Resource Inventory Areas (WRIA's) numbered 33, 34, 36, 41, 42, 43, 53, and 54 falling within the geographical boundaries of these counties. The Adams-Franklin-Grant-Lincoln County area represents approximately 8,136 square miles of the Columbia Basin region with a population of approximately 161,600 people². Within this area approximately 85% of the population obtains potable water from both shallow and deep aquifers.

²Data provided by Washington State Office of Financial Management "April 1, 2003 Population Estimates for Washington State"

The proposed boundary area is based on the political boundaries of Adams, Grant, Franklin and Lincoln Counties. It is recognized that the hydro-geologic boundaries of the aquifer systems of the area extend beyond these political boundaries. The use of political boundaries has precedence as previously used in establishing the existing boundaries of the Columbia Basin Ground Water Management Area.

6. LINCOLN COUNTY ADOPTION OF GWMA PLAN

In consideration of Lincoln County becoming a participant in the GWMA and in order for Lincoln County to meet the requirements of developing a plan as outlined in WAC 173-100, it is proposed that Lincoln County adopt the Columbia Basin GWMA Plan.

The Columbia Basin GWMA Plan has already been through an extensive four-year research, planning, development and certification process involving hundreds of local citizens, stakeholders, and the Boards of County Commissioners of Adams, Franklin and Grant Counties, as well as other local, State and federal agencies. The Columbia Basin GWMA Plan is currently an active working document of the GWMA and can be effectively used in addressing like water quality issues relative to Lincoln County. It is requested that the Columbia Basin GWMA Plan be considered as the official groundwater planning document for Lincoln County by the Ecology Director, and upon review and input from local citizens of Lincoln County be considered for adoption by the Lincoln County Commissioners.

Copies of the Columbia Basin GWMA Plan will be made available to the residents of Lincoln County 30-days prior to a series of public hearings for review by the citizens of Lincoln County at County offices, conservation district offices, city halls, libraries, the GWMA office, and upon request by mail. The Board of Commissioners of Lincoln County will hold public hearings to educate and inform the public about the county joining in the Columbia Basin GWMA and adopting the GWMA Plan. Following the hearings, the Lincoln County commissioners will evaluate all public comment and consider adoption of the GWMA Plan as the official groundwater planning document for Lincoln County.

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7. PUBLIC INPUT AND CONCURRENCE PROCESS

In accordance with WAC 173-100, the GWMA Lead Agency and the Lincoln County Commissioners will hold a series of joint public hearings with Ecology in each of the four counties --- Adams, Franklin, Grant and Lincoln. This process would provide opportunity for public involvement in the process to include Lincoln County into the GWMA and expanding the scope of the GWMA's role in water related issues. Following the public hearing process, a Findings of Fact document will be prepared and submitted to the Ecology Director for use in considering the request to issue an amended designation order to include Lincoln County in the GWMA. An estimated timeline for the public input and concurrence process (Attachment O) has been included.

8. GWMA ORGANIZATIONAL STRUCTURE

The GWMA organizational structure is described below and an amended organizational chart (Attachment P) reflecting changes to the GWMA structure which will occur by the inclusion of Lincoln County has been provided. All meetings of the GWMA are open to the public and held in open public forum. The GWMA Plan outlines procedures for public participation and formalizes the roles and responsibilities of the GWMA's leadership and staff. The following is a brief summary of the responsibilities of the Lead Agency, boards and committees:

The role and responsibility of the GWMA Lead Agency remains constant in the oversight of each of the GWMA boards and committees:

<u>Lead Agency</u> - The Lead Agency, consisting of the Boards of County Commissioners of Adams, Franklin, Grant and Lincoln Counties, has final approval authority and oversight of the activities and recommendations of the GWMA boards and committees including review and maintenance of the GWMA Plan, implementation of GWMA projects, and allocation of funds.

The roles and responsibilities of the various GWMA boards and committees are separately defined by the nature of two distinct tasks assigned to the GWMA Plan: 1) Plan Development and Maintenance, and 2) Plan Implementation.

a) GWMA Plan Development and Maintenance: The Ground Water Advisory Committee (GWAC) Executive Board and the Ground Water Advisory Committees of the GWMA have responsibility for development and maintenance of the GWMA Plan. These committees met on a regular monthly basis from February 1998 through May 2001 during the research and development phase of the GWMA Plan. Once the plan was completed in May 2001 and certified by the Department of Ecology in December 2001, these committees ceased to meet on a regular basis. However, these committees may be called back at any time by the Lead Agency or the Administrative Board as needed to maintain the GWMA Plan. The following is a brief summary of the responsibilities of the various boards and committees who have oversight responsibility for the development and maintenance phases of the GWMA Plan:

GWAC Executive Board - The Board is the governing body of the GWACs and serves as the body for the purpose of overseeing research, development and amendment of the GWMA Plan. Its purpose is to maintain the direction of the GWACs in meeting the goals of the GWMA Plan and provide suggestions for spending priorities. After being seated, each of the five GWACs elected three representatives (one member from each of the representative counties) for a total of 15 voting members to serve on the GWAC Executive Board. In accordance with the GWMA Plan, the GWAC Executive Board will receive a five-year progress report as of December 31, 2005 and consider amendments to the GWMA Plan.

Ground Water Advisory Committees (GWACs) - The GWMA program is a grass-roots effort by local citizens. There are five GWACs representing a

variety of diverse interests including irrigated and dryland agriculture, sprayfield and wastewater management, dairy, feedlot, and cattlemen, urban and rural residential, and environmental and recreational activities.

The purpose of the GWACs is to research issues of concern to their constituency groups, provide input to the GWMA Plan process, and develop recommendations for best management practices (BMPs). Each of the GWACs has a varying number of voting members, representative of the various stakeholders and interests groups specific to the individual GWAC's are of concern. The GWACs are organized so that each County has an equal number of voting members.

<u>Technical Advisors</u> - Six State and federal agencies, made up of the Washington State Departments of Ecology, Agriculture, and Health, Washington State University College of Agriculture and Home Economics, U. S. Environmental Protection Agency, and Washington Conservation Commission, participate with the GWMA through a Memorandum of Understanding (Attachment L) to support the GWMA efforts with funding and technical assistance and serve the GWMA as technical advisory members to the GWACs. These agencies help implement the GWMA Plan recommendations, as agency staff and budgetary resources allow.

b) <u>GWMA Plan Implementation</u>: Following completion and certification of the GWMA Plan in 2001, the GWAC Executive Board established the GWMA Administrative Board to handle day-to-day operations of the GWMA and the duties of implementing the recommendations of the GWMA Plan. The following is a brief summary of the responsibilities of the various boards and committees who have oversight responsibility for the implementation phase of the GWMA Plan:

Administrative Board: The Administrative Board oversees the administrative function of implementing the GWMA Plan and its recommendations and projects, and the day-to-day operations of the GWMA. The Administrative Board is made up of eight members, one county commissioner representative from each of the Boards of County Commissioners of Adams, Franklin, Grant and Lincoln Counties along with one citizen member from each of the counties. The citizen members provide a broad representation of the participant groups that make up the GWMA and are nominated and appointed by the Lead Agency.

Implementing Agencies: The GWMA contracts with local area Conservation Districts to implement the tasks of the GWMA Plan that include coordination, implementation and management of GWMA research, best management practices (BMPs), cost-share programs and demonstration projects. The local Health Districts within the GWMA counties also help implement other GWMA-sponsored public outreach projects.

<u>Fiscal Administration:</u> A two-level review and approval process exists for fiscal administration of GWMA activities.

• The first level of review is accomplished by the GWMA Administrative Board. The Administrative Board provides oversight in conducting GWMA activities and projects, development of project scope of work, mediation of disputes, and funding. Following an initial review and approval process, the Administrative Board makes recommendation for approval to the GWMA Lead Agency. Neither the GWMA nor the Administrative Board has legal authority to contract for services or the disbursement of funds.

• The Lead Agency is the second level of review and approval of GWMA fiscal activities and has final approval authority for annual budgets, project funding and contracting for consultant activities relating to GWMA projects. The Lead Agencies have entered into an agreement per resolutions passed by each of the four Boards of County Commissioners (Attachment Q) to provide for the fiscal responsibilities of the GWMA.

The Lead Agency has designated Franklin County and the Franklin Conservation District as "contracting agencies" to provide fiscal oversight services on behalf of the GWMA. Contracting agency approval is a procedural requirement rather than exercising authority over GWMA activities.

9. SUMMARY STATEMENT

Since 1998, the Columbia Basin Ground Water Management Area has delivered on its promise to the stakeholders and citizens of this region to:

- Develop and administer a Ground Water Management Area Plan outlining a series of best management practices (BMPs) for the reduction of nitrate in the groundwater of the Columbia Basin. The voluntary, non-regulatory programs of the GWMA have been well accepted by local stakeholders, key to the reduction of nitrate levels in the groundwater of the Columbia Basin.
- Monitor and characterize groundwater in the region through various projects and studies designed to monitor water quality in the Columbia Basin. GWMA's monitoring of approximately 600 wells in the Columbia Basin is suggesting nitrate levels have declined slightly over the past six years. An on-going hydro-geologic mapping study has generated critical data and is helping local ground water decision making.

March 9, 2005

EXHIBIT 8

Inform and educate stakeholders and citizens through public meetings, presentations,
 development of media relations, and participation in events key to reaching the stakeholders

and citizens of the region.

• Implement programs designed to encourage voluntary participation in the recommendations

outlined in the GWMA Plan for the reduction of nitrate. An example is GWMA's Irrigation

Water Management Cost Share Program which encourages growers to use BMPs in applying

irrigation water and maintaining the level of moisture and fertilizer at the crop root zone. The

program has been well accepted by farmers in the Columbia Basin.

The Columbia Basin GMWA has become an indispensable resource for the citizens, communities, and

agencies of the Columbia Basin with its successful efforts to address nitrates, and its commitment to

local involvement and understanding of groundwater issues. The GWMA has become recognized by

local organizations, governments, agencies, municipalities and other water resource groups as a

valuable resource for information and assistance in identifying solutions to regional water quality and

water quantity issues.

The stakeholders and citizens of the GWMA recognize that by expanding the GWMA's boundary area

to include Lincoln County and allowing the GWMA to address other critical regional groundwater

issues in the Columbia Basin will be of benefit to the region. Specific local water issues and concerns

include:

• Lincoln County, along with the existing GWMA counties of Adams, Franklin and Grant, share

three of four recognizably distinct hydro-geological zones or aquifers within the GWMA.

· Rapidly declining water levels of the Odessa Sub-Area Aquifer Management Area due to

groundwater use for irrigation.

Adams, Franklin, Grant and Lincoln Counties share over 95% of the current Columbia Basin

Irrigation Project and surrounding deep well irrigated activities in the area.

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 Aquifers within the Columbia Basin supply approximately 85% of the area's available potable water.

The Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties recognize that protection of these water resources is of vital ecological and economic importance to the citizens and stakeholders of the Columbia Basin region. A cooperative, multi-jurisdictional effort to coordinate local water issues, provide a non-regulatory forum for residents on groundwater issues and concerns is essential to ensuring future aquifer protection.

Jeff Stevens, Chair

Adams County Board of Commissioners

LeRoy Allison, Chair

Grant County Board of Commissioners

Frank Brock, Chair

Franklin County Board of Commissioners

Crum Mair Proten

Ted Hopkins, Chair

Lincoln County Board of Commissioners

Columbia Basin Ground Water Management Area CONTACT LIST

GWMA Lead Agency:

Board of Commissioners of Adams County 210 W. Broadway, Ritzville, WA 99169 509-659-3236 Jeffrey W. Stevens, Chair Roger L. Hartwig Rudy Plager	Board of Commissioners of Franklin County 1016 North 4 th Avenue, Pasco, WA 99301 509-545-3535 Frank H. Brock, Chair Neva Cochran Bob Koch
Board of Commissioners of Grant County P. O. Box 37, Ephrata, WA 98823 509-754-2011 LeRoy Allison, Chair Deborah Moore Richard Stevens	Board of Commissioners of Lincoln County P. O. Box 28. Davenport. WA 99122-0028 509-725-3031 Ted Hopkins, Chair Dennis D. Bly Deral D. Boleneus

GWMA Administrative Board Members:

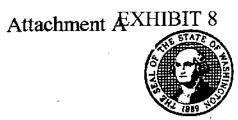
Adams County: Roger Hartwig, Commissioner 210 W. Broadway, Ritzville, WA 99169 509-659-3236	Franklin County: Frank Brock, Commissioner 1016 North 4 th Avenue, Pasco, WA 99301 509-545-3535	
Bill Schlagel, Citizen Representative 2013 Bench Rod, Othello, WA 99344 509-488-3506	Roger Bailie, Citizen Representative P. O. Box 1268, Connell, WA 99326 509-234-9021	
Grant County: LeRoy Allison, Commissioner P. O. Box 37, Ephrata, WA 98823 509-754-2011	Lincoln County: Dennis Bly, Commissioner P. O. Box 28, Davenport. WA 99122-0028 509-725-3031	
Bill Wagoner, Citizen Representative P. O. Box 605, Quincy, WA 98848 509-787-1585	Citizen Representative Position Vacant – To Be Appointed	

GWMA Project Office & Staff:

449 E. Cedar Boulevard Othello, WA 99344

Paul Stoker, Executive Director, 509-989-0947 (cell) or 488-2802 ext 108 Carol Miller, Project Coordinator, 509-488-2802 ext 108

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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

IN THE MATTER OF THE REQUEST FOR DESIGNATION OF ADAMS, FRANKLIN, AND GRANT COUNTIES AS A GROUND MANAGEMENT AREA PURSUANT TO CHAPTER 173-100 WAC ORDER PERTAINING TO GROUND WATER MANAGEMENT AREA NO. 16 (COLUMBIA BASIN)

BACKGOUND

Nitrate contamination of ground water has been identified in the Columbia Basin. USGS data and publications document this contamination. In May 1995, based on the concerns about nitrate concentrations in ground water supplies in the Columbia Basin, a sub-committee of the Interagency Ground Water Committee was directed to conduct an environmental and public health assessment of nitrate levels in ground water in the area.

The sub-committee recommended a comprehensive, coordinated, and cooperative program be established to provide a framework for the design and implementation of locally driven solutions to documented ground water quality concerns. In October of 1996, the State of Washington Departments of Agriculture, Ecology and Health along with the Washington Conservation Commission, the Washington State University College of Agriculture and Home Economics and the Environmental Protection Agency signed a memorandum of understanding to that effect.

In April 1997 Franklin and Grant Counties Boards of Commissioners passed resolutions regarding the formation of Ground Water Management Area in the Columbia Basin. In July 1997 Adams County Board of Commissioners passed a resolution to join a Ground Water Management Area effort. A petition to identify Adams, Franklin and Grant Counties as a probable ground water management area was submitted to the Department of Ecology at the end of October. The petitioners have been explicit and consistent in limiting the intent of this Ground Water Management Area to the investigation and mitigation of nitrate contamination in ground water in the region.

FINDINGS

- 1. On October 31, 1997, Ecology accepted the request and appointed the Boards of Commissioners in Adams, Franklin and Grant Counties as lead agency, pursuant to Chapter 173-100-050 (6).
- Public hearings on the requested designation of Adams, Franklin and Grant Counties as a
 ground water management area were conducted by Ecology in November of 1997. Hearings
 were held on November 18 in Pasco, November 19 in Moses Lake, November 20 in Othello,

1 - 2 Attachment A

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Attachment A

and November 24 in Ritzville. The comments submitted at the hearings and written comments submitted during the subsequent public comment period which ran from November 16, 1997 to January 16, 1998 have been considered by the Department in processing the request for designation submitted by Adams, Franklin and Grant Counties.

- 3. The planning boundary for the Columbia Basin Ground Water Management Area follows the non-shared county boundaries of Adams, Franklin and Grant Counties.
- 4. The Boards of Commissioners of Adams, Franklin and Grant Counties, in cooperation with the Department of Ecology, intends to appoint a ground water advisory committee to develop a ground water management plan for the area.
- 5. The Department of Ecology intends to review and amend the General Schedule for the development of ground water management programs. The Department of Ecology will issue an order adopting the revised General Schedule in June of 1998.

CONCLUSIONS .

From the foregoing findings, the Department of Ecology concludes that it has complied with the requirements of RCW 90.44,400 and Chapter 173-100 WAC relating to the designation of a ground water management area with the three county region for program planning purposes.

ORDER

Based upon the foregoing, it is therefore ordered that Adams, Franklin and Grant Counties be designated a ground water management area to be known as the Columbia Basin Ground Water Management Area, for program planning purposes. This order is issued pursuant to RCW 90.44.400 and its implementing rules, Chapter 173-100 WAC.

This order is issued to the lead agencies with copies to other affected state agencies, local governments, tribal governments, members of the interagency ground water committee, and members of the news media as delineated in WAC 173-100-050 (6).

DONE THIS 4th DAY of FEBRUARY 1998.

Tom Fitzsimmors

Director

Department of Ecology

Chapter 173-100 WAC GROUND WATER MANAGEMENT AREAS AND PROGRAMS

Last Update: 6/9/88

WAC SECTIONS

173-100-010 Purpose.

173-100-020 Authority.

173-100-030 Overview.

173-100-040 Definitions.

173-100-050 Probable ground water management areas.

173-100-060 General schedule.

173-100-070 Designation of ground water management areas for program planning purposes.

173-100-080 Lead agency responsibilities.

173-100-090 Ground water advisory committee.

173-100-100 Ground water management program content.

173-100-110 SEPA review.

173-100-120 Hearings and implementation.

173-100-130 Designation of ground water areas.

173-100-140 Intergovernmental agreements.

173-100-150 Appeals.

173-100-160 Regulation review.

WAC 173-100-010 Purpose. The purpose of this chapter is to establish guidelines, criteria, and procedures for the designation of ground water management areas, subareas or zones and to set forth a process for the development of ground water management programs for such areas, subareas, or zones, in order to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources for meeting future needs while recognizing existing water rights. The intent of this chapter is to forge a partnership between a diversity of local, state, tribal and federal interests in cooperatively protecting the state's ground water resources.

[Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-010, filed 12/20/85.]

WAC 173-100-020 Authority. This chapter is promulgated by the department of ecology pursuant to RCW 90.44.400, 90.44.410, 90.44.420, 90.44.430 and 90.44.440. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-020, filed 12/20/85.]

WAC 173-100-030 Overview. This regulation establishes a process for the identification and designation of ground water management areas and for the development of comprehensive ground water management programs. From a general schedule of probable ground water management areas, the department of ecology in cooperation with local government will designate specific ground water management areas, subareas, or depth zones within such areas and will appoint a lead agency to develop a ground water management program and an advisory committee to oversee the development of the program for each designated area. Following completion of the program and a public hearing to be held by the department of ecology, the program must be certified to be consistent with the intent of this chapter. The program will then be implemented through state regulations and local ordinances. The

programs must thereafter be periodically reviewed. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-030, filed 12/20/85.]

WAC 173-100-040 Definitions. For the purposes of this chapter the following definitions shall apply:

- (1) "Aquifer" means a geologic formation, group of formations or part of a formation capable of yielding a significant amount of ground water to wells or springs.
 - (2) "Department" means the Washington state department of ecology.
- (3) "Ground water" means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves.
- (4) "Ground water advisory committee" means a committee appointed by the department to assist in the development of a ground water management program.
 - (5) "Ground water area or subarea" means a geographic area designated pursuant to RCW 90.44.130.
- (6) "Ground water management area" means a specific geographic area or subarea designated pursuant to this chapter for which a ground water management program is required.
- (7) "Ground water management program" means a comprehensive program designed to protect ground water quality, to assure ground water quantity and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea and developed pursuant to this chapter.
- (8) "Ground water management zone" means any depth or stratigraphic zone separately designated by the department in cooperation with local government for ground water management purposes within a ground water management area. Ground water management zones may consist of a specific geologic formation or formations or other reasonable bounds determined by the department consistent with the purposes of this chapter.
- (9) "Ground water right" means an authorization to use ground water established pursuant to chapter 90.44 RCW, state common or statutory law existing prior to the enactment of chapter 90.44 RCW, or federal law.
- (10) "Ground water user group" means an established association of holders of ground water rights located within a proposed or designated ground water management area.
- (11) "Lead agency" means the agency appointed by the department to coordinate and undertake the activities necessary for the development of a ground water management program. Either the department or an agency of local government may be the lead agency.
- (12) "Local government" means any county, city, town, or any other entity having its own incorporated government for local affairs including, but not limited to, a metropolitan municipal corporation, public utility district, water district, irrigation district, and/or sewer district.
- (13) "Local government legislative authority" means the city or town council, board of county commissioners, special district commission, or that body assigned such duties by a city, county or district

charter as enacting ordinances, passing resolutions, and appropriating funds for expenditure.

(14) "Probable ground water management area" means a specific geographic area identified by the department, in cooperation with other state agencies, local government and ground water user groups, as a candidate area for designation as a ground water management area pursuant to this chapter. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-040, filed 12/20/85.]

WAC 173-100-050 Probable ground water management areas. The department in cooperation with local government and ground water user groups shall identify probable ground water management areas.

- (1) Probable ground water management areas may be proposed for identification at any time by the department upon its own motion or at the request of other state agencies, local government or ground water user groups.
- (2) Probable ground water management area boundaries shall be delineated so as to enclose one or more distinct bodies of public ground water as nearly as known facts permit. Probable ground water management subareas shall be delineated so as to enclose all or any part of a distinct body of public ground water. Boundaries shall be based on hydrogeologic properties such as limits to lateral extent of aquifers, major perennial rivers, and regional ground water divides or as deemed appropriate by the department to most effectively accomplish the purposes of this chapter.
- (3) The criteria to guide identification of probable ground water management areas shall include, but not be limited to, the following:
 - (a) Geographic areas where ground water quality is threatened;
 - (b) Aquifers that are declining due to restricted recharge or over-utilization;
- (c) Aquifers in which over-appropriation may have occurred and adjudication of water rights has not yet been completed;
- (d) Aquifers reserved or being considered for water supply reservation under chapter 90.54 RCW for future beneficial uses;
 - (e) Aquifers identified as the primary source of supply for public water supply systems;
- (f) Aquifers underlying a critical water supply service area where the coordinated water system plan established pursuant to chapter 70.116 RCW has identified a need for a ground water management program;
 - (g) Aquifers designated as sole source aquifers by the federal Environmental Protection Agency;
- (h) Geographic areas where the ground water is susceptible to contamination or degradation resulting from land use activities;
 - (i) Aquifers threatened by seawater intrusion; or
 - (j) Aquifers from which major ground water withdrawals have been proposed or appear imminent.
- (4) The state agency, local government or ground water user group requesting probable ground water management area identification shall provide sufficient information for the department to determine if the

area should be so identified. The department and other affected state and local governments and user groups may cooperate in preparing the request for identification.

- (a) The request for identification shall be presented in a concise, factual report form and shall consider the guidelines and criteria set forth in subsections (2) and (3) of this section as they relate to the proposed area. It shall also contain: (i) Supporting data as to the need for such identification; (ii) a general description of and rationale for the proposed ground water management area boundary; (iii) goals and objectives for the proposed ground water management area; (iv) an estimated cost of developing the ground water management program and potential funding sources; (v) recommendations for agencies, organizations and groups to be represented on the ground water management area advisory committee; and (vi) a recommendation for the lead agency, taking into consideration the responsibilities contained in WAC 173-100-080.
- (b) The recommendation for lead agency shall first be submitted to the county or counties with jurisdiction for written concurrence. Such written concurrence shall be included with the information required in (a) of this subsection. If such concurrence cannot be obtained, the department shall attempt to mediate an agreement between the parties.
- (c) The agency or ground water user group initiating the request for identification shall hold at least one public meeting for the purpose of receiving comments from the public, affected local, state and tribal agencies and ground water user groups.
- (d) Upon completion, the request for identification shall be submitted to the department and other affected state and local agencies and ground water user groups for their review and comment. Comments shall be submitted to the department.
- (5) If the department is proposing an area for identification, the department shall prepare a report containing the information in subsection (4)(a) of this section, hold a public meeting, and submit the report to affected state and local agencies and ground water user groups for their review and comment.
- (6) Based upon review of the request for identification together with any comments received and a finding that the proposed area meets the guidelines and criteria of subsections (2) and (3) of this section, the department shall identify the proposed area as a probable ground water management area, establish the general planning boundaries and appoint a lead agency. When a probable ground water management area is included within only one county and that county indicates its desire to assume lead agency status, the department shall appoint the county as lead agency. The department shall notify affected state and local agencies, ground water user groups, tribal governments and local news media of such identification. [Statutory Authority: Chapters 43.27A and 90.44 RCW. 88-13-037 (Order 88-11), § 173-100-050, filed 6/9/88. Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-050, filed 12/20/85.]
- WAC 173-100-060 General schedule. The department shall establish a general schedule for the designation of specific ground water management areas. The general schedule shall guide the department in the designation of specific ground water management areas and in the allocation of the department's available water resources funding and staffing.
- (1) The general schedule for designation of ground water management areas shall identify the relative priority of each of the probable ground water management areas. The relative priority of the probable ground water management areas shall be based upon:
 - (a) The availability of local or state agency resources to develop and implement a ground water

management program;

- (b) The significance, severity or urgency of the problems or potential problems described in the request for identification submitted for each area, with the highest priority given to areas where the water quality is imminently threatened;
- (2) The department shall revise the general schedule as needed to comply with the intent of this chapter. After each revision the general schedule shall be published in the news media and the Washington State Register. A public hearing will be held in June of each year to receive public comment on the general schedule.

 [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-060, filed 12/20/85.]

WAC 173-100-070 Designation of ground water management areas for program planning purposes. The department shall designate ground water management areas by order of the department in accordance with the general schedule. The department shall hold a public hearing within the county or counties containing the probable ground water management area prior to such designation. The order shall be issued to the lead agency as well as the agency or ground water user group originally requesting identification of the areas, with copies sent to other affected state agencies, local governments, tribal governments and those parties recommended for ground water advisory committee membership. Copies of the order shall be published by the department in newspapers of general circulation within the area. The order shall contain a general description of the planning boundary for the ground water management area and shall state that the department, in cooperation with the lead agency and local government, intends to appoint a ground water advisory committee to oversee the development of a ground water management program for the area.

[Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-070, filed 12/20/85.]

WAC 173-100-080 Lead agency responsibilities. The lead agency shall be responsible for coordinating and undertaking the activities necessary for development of the ground water management program. These activities shall include collecting data and conducting studies related to hydrogeology, water quality, water use, land use, and population projections; scheduling and coordinating advisory committee meetings; presenting draft materials to the committee for review; responding to comments from the committee; coordinating SEPA review; executing inter-local agreements or other contracts; and other duties as may be necessary. The lead agency shall also prepare a work plan, schedule, and budget for the development of the program that shows the responsibilities and roles of each of the advisory committee members as agreed upon by the committee. Data collection, data analysis and other elements of the program development may be delegated by the lead agency to other advisory committee members. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-080, filed 12/20/85.]

WAC 173-100-090 Ground water advisory committee. (1) The ground water advisory committee shall be responsible for overseeing the development of the ground water management program; reviewing the work plan, schedule and budget for the development of the program; assuring that the program is technically and functionally sound; verifying that the program is consistent with this chapter and with the respective authorities of the affected agencies; and formulating and implementing a public involvement plan.

- (2) The membership of each ground water advisory committee shall represent a broad spectrum of the public in order to ensure that the ground water is protected and utilized for the greatest benefit to the people of the state. The committee shall include, but not be limited to, representation from the following groups:
 - (a) Local government legislative authorities within the designated area;

- (b) Planning agencies having jurisdiction within the designated area;
- (c) Health agencies having jurisdiction within the designated area;
- (d) Ground water user groups within the designated area, including domestic well owners;
- (e) The department;
- (f) Department of social and health services;
- (g) Other local, state, and federal agencies as determined to be appropriate by the department;
- (h) Tribal governments, where a ground water management program may affect tribal waters;
- (i) Public and special interest groups such as agricultural, well drilling, forestry, environmental, business and/or industrial groups within the area, as determined to be appropriate by the department.
- (3) The department shall appoint, by letter, members and alternates to the ground water advisory committee after seeking nominations from the groups listed above. Members and alternates shall serve until the ground water management program for the area is certified. The department may appoint replacement members or alternates upon request of the appointee or the ground water advisory committee.
- (4) The lead agency shall hold the first meeting of the ground water advisory committee within sixty days of the appointment of the committee. Public notice shall be given for each meeting. The lead agency shall chair the first meeting, during which the advisory committee shall determine, by general agreement, rules for conducting business, including voting procedures, and the chairperson of the advisory committee.

[Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-090, filed 12/20/85.]

- WAC 173-100-100 Ground water management program content. The program for each ground water management area will be tailored to the specific conditions of the area. The following guidelines on program content are intended to serve as a general framework for the program, to be adapted to the particular needs of each area. Each program shall include, as appropriate, the following:
 - (1) An area characterization section comprised of:
- (a) A delineation of the ground water area, subarea or depth zone boundaries and the rationale for those boundaries;
- (b) A map showing the jurisdictional boundaries of all state, local, tribal, and federal governments within the ground water management area;
- (c) Land and water use management authorities, policies, goals and responsibilities of state, local, tribal, and federal governments that may affect the area's ground water quality and quantity;
- (d) A general description of the locale, including a brief description of the topography, geology, climate, population, land use, water use and water resources;
 - (e) A description of the area's hydrogeology, including the delineation of aquifers, aquitards,

hydrogeologic cross-sections, porosity and horizontal and vertical permeability estimates, direction and quantity of ground water flow, water-table contour and potentiometric maps by aquifer, locations of wells, perennial streams and springs, the locations of aquifer recharge and discharge areas, and the distribution and quantity of natural and man-induced aquifer recharge and discharge;

- (f) Characterization of the historical and existing ground water quality;
- (g) Estimates of the historical and current rates of ground water use and purposes of such use within the area;
- (h) Projections of ground water supply needs and rates of withdrawal based upon alternative population and land use projections;
- (i) References including sources of data, methods and accuracy of measurements, quality control used in data collection and measurement programs, and documentation for and construction details of any computer models used.
- (2) A problem definition section that discusses land and water use activities potentially affecting the ground water quality or quantity of the area. These activities may include but are not limited to:
 - Commercial, municipal, and industrial discharges
 - Underground or surface storage of harmful materials in containers susceptible to leakage
 - Accidental spills
 - Waste disposal, including liquid, solid, and hazardous waste
 - Storm water disposal
 - Mining activities
 - Application and storage of roadway deicing chemicals
 - Agricultural activities
 - Artificial recharge of the aquifer by injection wells, seepage ponds, land spreading, or irrigation
 - Aquifer over-utilization causing seawater intrusion, other contamination, water table declines or depletion of surface waters
 - Improperly constructed or abandoned wells
 - Confined animal feeding activities

The discussion should define the extent of the ground water problems caused or potentially caused by each activity, including effects which may extend across ground water management area boundaries, supported by as much documentation as possible. The section should analyze historical trends in water quality in terms of their likely causes, document declining water table levels and other water use conflicts, establish the relationship between water withdrawal distribution and rates and water level changes within each aquifer or zone, and predict the likelihood of future problems and conflicts if no action is taken. The

discussion should also identify land and water use management policies that affect ground water quality and quantity in the area. Areas where insufficient data exists to define the nature and extent of existing or potential ground water problems shall be documented.

- (3) A section identifying water quantity and quality goals and objectives for the area which (a) recognize existing and future uses of the aquifer, (b) are in accordance with water quality standards of the department, the department of social and health services, and the federal environmental protection agency, and (c) recognize annual variations in aquifer recharge and other significant hydrogeologic factors;
- (4) An alternatives section outlining various land and water use management strategies for reaching the program's goals and objectives that address each of the ground water problems discussed in the problem definition section. If necessary, alternative data collection and analysis programs shall be defined to enable better characterization of the ground water and potential quality and quantity problems. Each of the alternative strategies shall be evaluated in terms of feasibility, effectiveness, cost, time and difficulty to implement, and degree of consistency with local comprehensive plans and water management programs such as the coordinated water system plan, the water supply reservation program, and others. The alternative management strategies shall address water conservation, conflicts with existing water rights and minimum instream flow requirements, programs to resolve such conflicts, and long-term policies and construction practices necessary to protect existing water rights and subsequent facilities installed in accordance with the ground water management area program and/or other water right procedures.
- (5) A recommendations section containing those management strategies chosen from the alternatives section that are recommended for implementation. The rationale for choosing these strategies as opposed to the other alternatives identified shall be given;
 - (6) An implementation section comprised of:
- (a) A detailed work plan for implementing each aspect of the ground water management strategies as presented in the recommendations section. For each recommended management action, the parties responsible for initiating the action and a schedule for implementation shall be identified. Where possible, the implementation plan should include specifically worded statements such as model ordinances, recommended governmental policy statements, interagency agreements, proposed legislative changes, and proposed amendments to local comprehensive plans, coordinated water system plans, basin management programs, and others as appropriate;
 - (b) A monitoring system for evaluating the effectiveness of the program;
- (c) A process for the periodic review and revision of the ground water management program. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-100, filed 12/20/85.]

WAC 173-100-110 SEPA review. The proposed ground water management program shall be subject to review pursuant to the State Environmental Policy Act, chapter 43.21C RCW, as required under the applicable implementing regulations. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-110, filed 12/20/85.]

WAC 173-100-120 Hearings and implementation. (1) Upon completion of the ground water area management program, the department shall hold a public hearing within the designated ground water management area for the purpose of taking public testimony on the proposed program. Local governments are encouraged to hold joint hearings with the department to hear testimony on the proposed

management program. Following the public hearing, the department and each affected local government shall prepare findings on the ground water management program within ninety days. This period may be extended by the department for an additional ninety days. The findings shall evaluate the program's technical soundness, economic feasibility, and consistency with the intent of this chapter and other federal, state and local laws. The findings shall identify any revisions necessary before the program can be certified and shall contain a statement of the agency's concurrence, indicating its intent to adopt implementing policies, ordinances and programs if required, or a statement of nonconcurrence with the program if such be the case.

- (2) The lead agency will consolidate the findings and present them to the advisory committee. Statements of nonconcurrence shall be resolved by the committee and the program revised if necessary.
- (3) The program shall then be submitted by the ground water advisory committee to the department which shall certify that the program is consistent with the intent of this chapter.
- (4) Following such certification, state agencies and affected local governments shall adopt or amend regulations, ordinances, and/or programs for implementing those provisions of the ground water management program which are within their respective jurisdictional authorities.
- (5) The department, the department of social and health services and affected local governments shall be guided by the adopted program when reviewing and considering approval of all studies, plans and facilities that may utilize or impact the implementation of the ground water management program. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-120, filed 12/20/85.]
- WAC 173-100-130 Designation of ground water areas. The procedures provided in RCW 90.44.130 may be utilized by the department to designate ground water areas, subareas, or zones for the purposes described therein either in conjunction with the procedures of this chapter or independently thereof. [Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-130, filed 12/20/85.]

WAC 173-100-140 Intergovernmental agreements. In order to fully implement this chapter, the department may negotiate and enter into cooperative agreements with Indian tribal governments, adjacent states and Canadian governmental agencies when a ground water management area is contiguous with or affects lands under their jurisdiction. Such cooperative agreements shall not affect the jurisdiction over any civil or criminal matters that may be exercised by any party to such an agreement. Intergovernmental agreements shall further the purposes of this chapter, and shall serve to establish a framework for intergovernmental coordination, minimize duplication, and efficiently utilize program resources to protect ground water resources.

[Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-140, filed 12/20/85.]

WAC 173-100-150 Appeals. All final written decisions of the department pertaining to designation of ground water management areas, certification of ground water management programs, permits, regulatory orders, and related decisions pursuant to this chapter shall be subject to review by the pollution control

hearings board under chapter 43.21B RCW.

[Statutory Authority: RCW 90.44.400. 86-02-004 (Order DE 85-24), § 173-100-150, filed 12/20/85.]

WAC 173-100-160 Regulation review. The department of ecology shall initiate a review of the rules established in this chapter whenever new information, changing conditions, or statutory modifications make it necessary to consider revisions.

[Statutory Authority: Chapters 43.27A and 90.44 RCW. 88-13-037 (Order 88-11), § 173-100-160, filed

6/9/88.]

EXHIBIT 8

Attachment C

BEFORE THE BOARD OF COUNTY COMMISSIONERS LINCOLN COUNTY, WASHINGTON

IN THE MATTER OF SUPPORT OF)	
LINCOLN COUNTY JOINING THE)	RESOLUTION 04-24
COLUMBIA BASIN GROUND WATER)	
MANAGEMENT AREA	· ·)	

WHEREAS, the Board of County Commissioners of Lincoln County having convened in Regular Session, in their office at the Lincoln County Courthouse this 15th day of March, 2004, with all members present; and

WHEREAS, the Columbia Basin GWMA was created by Adams, Franklin and Grant Counties (Lead Agency) to provide a regional forum to address concerns about nitrate contamination of ground water; and,

WHEREAS, the Columbia Basin GWMA has developed important programs, projects and studies to improve management of water resources in the Columbia Basin; and,

WHEREAS, the Columbia Basin GWMA has relied on the input and involvement of local citizens to implement these programs, projects and studies; and,

WHEREAS, the Columbia Basin GWMA has committed significant resources to improve and expand on the scientific knowledge of the rock, soil and ground water that underlie the Columbia Basin; and,

WHEREAS, ground water is a regional resource, that often traverses political jurisdictions; and,

WHEREAS, Lincoln County is geologically a part of the Columbia Basin which includes the Odessa Sub-Aquifer; and,

WHEREAS, the depletion of the Odessa Sub-Aquifer has serious ramifications for water users in Lincoln County and throughout the Columbia Basin; and,

WHEREAS, the Columbia Basin GWMA can provide critical resources to assist Lincoln County in addressing ground water issues including the depletion of the Odessa Sub-Aquifer;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners agree, hereby, to petition to join the Lead Agency of the Columbia Basin GWMA.

DATED at Davenport, Line 15th County, Washington, this 15th day of March, 2004.

ATTEST

Clerk of the Board - Shelly Johnston

Deputy Clerk of the Board

Dale Vaughan

BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, WASHINGTON

Chairman – Ted Hopkins

Vice Chairman – Dennis D. Bly

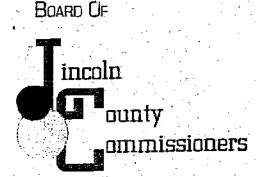
Member - Deral D. Boleneus

1-1

Attachment C

LINCOLN COUNTY, WASHINGTON PO. Box 28 · Davenport, Washington 99122 Office Prime: (509) 725-3031 · FAX: (509) 725-2034

Regular Meetings First & Third Monday of Each Month



March 16, 2004

Lead Agency, Columbia Basin Ground Water Management Area Board of Commissioners, Adams County Board of Commissioners, Franklin County Board of Commissioners, Grant County

Re: Request to join Lead Agency

This letter is a request by the Board of Lincoln County Commissioners to join the Lead Agencies of the Columbia Basin Ground Water Management Area. Attached for you consideration is Lincoln County Resolution 04-24, adopted March 15, 2004 in support of this request.

Over the past year Lincoln County has been weighing the prospect of joining the Columbia Basin Ground Water Management Area (GWMA). At the request of this Board, the Lincoln County Conservation District has provided assistance in gathering information and coordinating informational meetings to discuss this issue. After much consideration, we have unanimously decided to make a formal request to become a participant in the GWMA as a cooperating Lead Agency with Adams, Franklin and Grant Counties.

We hope our participation in the GWMA will help address critical ground water issues that face our region. As you know, the Odessa sub-Aquifer is believed to encompass approximately 150,000 acres in three counties (Adams, Grant and Lincoln). Since ground water flow in the region is to the south and southwest, depletion of ground water in the Odessa Sub-Aquifer could have serious ramifications for water users throughout the Columbia Basin. Working with our neighboring counties, we hope to improve our understanding of the depletion of the Odessa Sub-Aquifer, and in the process, find strategies to meet this challenge.

With its successful efforts to address nitrates and its commitment to local involvement and understanding of groundwater issues, the GWMA has become an indispensable resource for communities and citizens across the Basin. We look forward to becoming a partner of the GWMA team.

Sincerely.

Board of Lincoln County Commissioners

Ted Hopkins, Chair

DERAL I

1 - 1 Attachment D

Deral D. Boieneus

Commission

SHELLY JOHNSTON Clerk of the Board Davenport, Washington 99122

Dennis D. Bly

DENNIS D. BLY Commissioner District No. 1 Harrington, Washington 99134

Reardan, Washington 99029

Creston, Washington 99117



Columbia Basin Ground Water Management Area

449 E. Cedar Blvd., Othello, WA 99344

509-488-2802 ext 108

E-mail: cbgwma@televar.com
Website: www.gwma.org

April 22, 2004

Linda Hoffman, Director Washington State Department of Ecology P. O. Box 47600 Olympia, WA 98504

RE: Columbia Basin Ground Water Management Area of Adams, Franklin and Grant Counties Request to include Lincoln County

Dear Director Hoffman,

The Boards of County Commissioners of Adams, Franklin and Grant Counties serving as the Lead Agency for the Columbia Basin Ground Water Management Area (GWMA) are writing to inform you that the Lincoln County Board of Commissioners has made a request to be included as a member of the GWMA's Lead Agency.

Attached you will also find copies of the following:

- Lincoln County Resolution No. 04-24, dated March 15, 2004, supporting their request to join the GWMA.
- Lincoln County Board of Commissioners letter of request to the GWMA Lead Agency dated March 16, 2004.
- Letters from the Boards of County Commissioners of Adams, Franklin and Grant Counties, who currently serve as the GWMA Lead Agency, in support of including Lincoln County as a participating member of the GWMA Lead Agency.

Columbia Basin GWMA 04/26/04 Page 2

We submit this documentation to you to show the interest of the GWMA Lead Agency to include Lincoln County, and to request your assistance and guidance regarding the steps required to expedite the request by the Lincoln County Commissioners to become a partner in the Columbia Basin GWMA in accordance with RCW 90.44.400 and WAC 173-100.

If you have any further questions, please feel free to contact me at the GWMA project office, 509-488-2802 ext 108, or on my cell phone, 509-989-0947.

Sincerely,

Paul Stoker, Executive Director

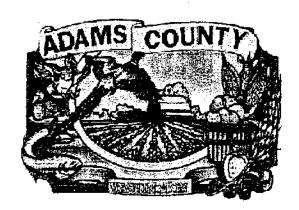
Columbia Basin Ground Water Management Area

cc:

Adams County Board of Commissioners Franklin County Board of Commissioners Grant County Board of Commissioners Lincoln County Board of Commissioners

John Storemon, Washington State Department of Ecology

Carol Miller, GWMA Project Coordinator



OFFICE OF COUNTY COMMISSIONERS

509-659-3236
210 WEST BROADWAY, RITZVILLE, WASHINGTON 99169
Rudy Plager, District 1
Richard Johnson, District 2
Jeffrey W. Stevens, District 3
Linda Reimer, Clerk of the Board, Executive Services Manager

April 5, 2004

Linda Hoffman, Director Washington State Department of Ecology P. O. Box 47600 Olympia, Washington 98504

RE: Lincoln County Board of Commissioners request to join the Columbia Basin Ground Water Management Area as Lead Agency

Dear Director Hoffman:

We are writing to inform you of a request by the Lincoln County Board of Commissioners to join the Lead Agency of the Columbia Basin Ground Water Management Area (GWMA), and to seek your guidance on how the Lead Agency should proceed in accordance with RCW 90.44.400 and Chapter 173-100 WAC. Attached for your consideration is the request letter from the Lincoln County Board of Commissioners and their County resolution in support of their petition to join the GWMA.

Lincoln County requests to become a partner in the GWMA to address common issues that face our shared ground water resources. As a member of the Lead Agency, the GWMA's programs, activities and resources will be made available to Lincoln County residents.

We fully support Lincoln County's request and wish to expedite their inclusion and participation as a full member of the Lead Agency for the Columbia Basin GWMA. We look forward to your guidance and response.

Hoffman, DOE April 5, 2004 page 2

If you have any questions, please feel free to contact us.

Sincerely,

BOARD OF COUNTY COMMISSIONERS ADAMS COUNTY, WASHINTON

Rudy Plager, Chairman

-ABSENT-

Richard Johnson, Vice-Chairman

Jeffrey W. Stevens, Commissioner

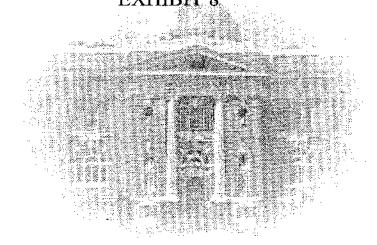
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cc: file

Grant County Board of Commissioners Lincoln County Board of Commissioners Paul Stoker, Columbia Basin GWMA Neva J. Corkrum District 1

Kathleen "Sue" Miller District 2

> Frank H. Brock District 3



March 9, 2005

Fred H. Bowen County Administrator

Patricia L. Shults Executive Secretary

Mary Withers Clerk To The Board

Board of County Commissioners FRANKLIN COUNTY

April 7, 2004

Linda Hoffman, Director Washington State Department of Ecology P.O. Box 47600 Olympia, WA 98504

Re: Lincoln County Board of Commissioners request to join the Columbia Basin Ground Water Management Area as part of the Lead Agency

Dear Director Hoffman:

We are writing to inform you of a request by the Lincoln County Board of Commissioners to join the Lead Agency of the Columbia Basin Ground Water Management Area (GWMA), and to seek your guidance on how the Lead Agency should proceed in accordance with RCW 90.44.400 and Chapter 173-100 WAC. Attached for your consideration is the request letter from the Lincoln County Board of Commissioners and their County resolution in support of their petition to join the GWMA.

Lincoln County requests to become a partner in the GWMA to address common issues that face our shared ground water resources. As a member of the Lead Agency, the GWMA's programs, activities and resources will be made available to Lincoln County residents.

Linda Hoffman April 7, 2004 Page Two

We fully support Lincoln County's request and wish to expedite their inclusion and participation as a full member of the Lead Agency for the Columbia Basin GWMA. We look forward to your guidance and response.

If you have any questions, please feel free to contact us.

Sincerely,

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

Neva J. Corkrum, Chairman

Frank H. Brock, Chairman Pro Tem

Sue Miller, Member

Enclosure

cc: Adams County Board of Commissioners
Grant County Board of Commissioners
Lincoln County Board of Commissioners
Paul Stoker, Columbia Basin GWMA



April 5, 2004

GRANT COUNTY

Office of The

BOARD OF COUNTY COMMISSIONERS

P O BOX 37 EPHRATA WA 98823 (509) 754-2011

Linda Hoffman, Director Washington State Department of Ecology P O Box 47600 Olympia WA 98504

RE: Lincoln County Board of Commissioners request to join the Columbia Basin Ground Water Management Area as Lead Agency

Dear Ms. Hoffman:

The Board of County Commissioners of Grant County are writing to inform you of a request by the Lincoln County Board of Commissioners to join the Lead Agency of the Columbia Basin Ground Water Management Area ("GWMA"), and to seek your guidance on how the Lead Agency should proceed in accordance with RCW 90.44.400 and Chapter 173-100 WAC. Attached for your consideration is the request letter from the Lincoln County Board of Commissioners and their County resolution in support of their petition to joint GWMA.

Lincoln County requests to become a partner in the GWMA to address common issues that face our shared ground water resources. As a member of the Lead Agency, the GWMA's programs, activities and resources will be made available to Lincoln County residents.

We fully support Lincoln County's request and wish to expedite their inclusion and participation as a full member of the Lead Agency for the Columbia Basin GWMA. We look forward to your guidance and response.

If you have any questions, please feel free to contact us.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

LeRoy Allison, Chair

Tim Snead

Deborah Moore

:orf

cc. Adams County Board of Commissioners
Franklin County Board of Commissioners
Lincoln County Board of Commissioners
Paul Stoker, Columbia Basin GWMA

7 - 7 Attachment E

TIM SNEAD
DISTRICT 1

DEBORAH MOORE DISTRICT 3 LERDY ALLISON
DISTRICT 2



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000 TTY 711 or 800-833-6388 (For the Speech or Hearing Impaired)

May 10, 2004

Mr. Paul Stoker Columbia Basin Ground Water Management Area 449 E. Cedar Blvd. Othello, WA 99344

Dear Mr. Stoker:

This letter responds to your request for assistance and guidance regarding the steps required to allow Lincoln County to join the Columbia Basin Ground Water Management Area (GWMA). After reviewing related documents, it appears that this addition may be made in one of two ways, either using the by-laws of the GWMA Executive Board or through the GWMA designation process of Chapter 173-100 WAC. The Department of Ecology strongly recommends that the most legally defensible path would be to use the GWMA designation process of Chapter 173-100 WAC to add Lincoln County to the Columbia Basin GWMA.

In October 1997, a petition to identify Adams, Franklin and Grant Counties as a probable ground water management area was submitted to the Department of Ecology. On February 4, 1998, Ecology Director Tom Fitzsimmons issued an order designating the Columbia Basin GWMA. This order identified the area within the GWMA as Adams, Franklin and Grant Counties. Your letter and the attachments indicate that at this time Lincoln County would like to be added to the Columbia Basin GWMA and that all the current GWMA member counties concur with this addition.

Section 1.5 of the by-laws of the GWMA Executive Board states, "The GWMA boundary may be changed to increase or decrease the size of the area provided such changes are agreed upon by an affirmative vote of a simple majority of the Executive Board at a regular executive board meeting, and upon the concurrence of the Boards of County Commissioners of Adams, Franklin and Grant Counties, and the concurrence of any governing body of such entity as may be affected by the change in boundary area."

Chapter 173-100 WAC defines ground water management areas and programs, including their designation, although this rule does not specifically address the expansion of an existing GWMA. GWMA designation is specifically outlined in WAC 173-100-070. This process includes public involvement followed by an order issued by the Ecology Director that defines the area.

1 - 2 Attachment F Mr. Paul Stoker Page 2 May 10, 2004

It appears that the executive board, through their by-laws, may have authority to expand the GWMA; however, an expansion based only on the authority of the Executive Board's by-laws may be at risk if a legal challenge is filed. The most legally defensible method for expansion of the Columbia Basin GWMA would be a procedure similar to the initial GWMA designation. With the concurrence of the county commissioners of each county, the GWMA could specifically petition the Department of Ecology to add Lincoln County to the area designated within the GWMA and to add Lincoln County to the group of lead agencies.

Public notice and meetings jointly sponsored by the GWMA and Ecology would inform citizens of the proposed addition and allow for public comment. After public input, if all parties wish to move forward, the Director of Ecology would issue an order similar to Director Fitzsimmon's original order of February 4, 1998. This revised order would define the Columbia Basin GWMA as Adams, Franklin, Grant, and Lincoln Counties. This second option would meet requirements for GWMA designation in Chapter 90.44 RCW and Chapter 173-100 WAC and is recommended by the Department of Ecology.

The county commissioners of the Columbia Basin GWMA and Lincoln County should decide which path for expansion they believe to be most appropriate. If a petition for the addition of Lincoln County is received, Ecology will support a joint public involvement process. If after receiving public input, the GWMA expansion continues to be the preferred option, the Director would issue a revised order.

The Department of Ecology looks forward to continuing to support the Columbia Basin GWMA in your efforts to address ground water issues through education and voluntary improvement of practices in the region. If you have any questions, please contact John Stormon of our Olympia office at 360-407-7221. You may also call me at 360-407-6405.

Sincerely,

David C. Peeler, Manager

Water Quality Program

cc: Adams County Board of Commissioners
Franklin County Board of Commissioners
Grant County Board of Commissioners
Lincoln County Board of Commissioners

DP:5718



Citizens and local government working together for safe drinking water.

COLUMBIA BASIN GROUND WATER MANAGEMENT AREA GWMA Administrative Board Minutes of the Meeting Thursday, May 13, 2004 6:00 p.m. to 8:00 p.m. Othello City Hall, 500 E Main Street, Othello, WA 99344

1. Call to Order:

The regular meeting of the Columbia Basin Ground Water Management Area Administrative Board was called to order by chair, Bill Wagoner, at 6:03 p.m. A quorum of the board was established. Meeting attendance was as follows:

Administrative Board Members Present:

Bill Schlagel – Adams County Citizen Member Rudy Plager – Adams County Commissioner LeRoy Allison – Grant County Commissioner Bill Wagoner – Grant County Citizen Member Roger Bailie – Franklin County Citizen Member Frank Brock – Franklin County Commissioner

Administrative Board Members Absent:

Dennis Bly - Lincoln County Commissioner

Guests, Agencies, & Staff Present:

Kevin Lindsey - Kennedy/Jenks Consultants
Said Amali - Kennedy/Jenks Consultants
Kay Meilke - Adams Conservation District
Mark Nielson - Franklin Conservation District
Lynn Hall - Franklin Conservation District
John Larson - Conservation District Partnership
David Lundgren - Lincoln Conservation District
Keith Schafer - Lincoln Conservation District
Neil Fink - Lincoln Conservation District
Scott Cave - SC Communications
Paul Stoker - GWMA Executive Director
Carol Miller - GWMA Project Coordinator

Introductions - Introductions were made around the room.

Approval of Minutes of February 19, 2004 Regular Meeting: Frank Brock made the motion to approve the minutes of the April 1, 2004 regular meeting. Bill Schlagel seconded. Motion Carried.

GWMA Administrative Board Minutes of May 13, 2004 Meeting Page 1 of 4

Attachment G

2. Administrative Board Action Agenda:

Lincoln County Admission to GWMA - Timeline: Paul Stoker reviewed the response letter from Dave Peeler, DOE Water Quality Program Manager regarding the request to Linda Hoffman, DOE Director for assistance and guidance to allow Lincoln County to join the Columbia Basin GWMA. Mr. Peeler offered two recommendations for consideration: Option A) Admit Lincoln County under the standing GWMA By-Laws, Section 1.5, which allows the board to increase or decrease the size of the area with concurrence of the Boards of County Commissioners of Adams, Franklin and Grant Counties and the concurrence of the governing body of the entity affected by the change. Option B) A public involvement process in accordance with WAC Chapter 173-100 followed by an ordered issued by the Ecology Director defining the area. A discussion followed regarding the two options that had been presented.

Following a discussion on the recommendations for including Lincoln County into the GWMA, the Board recognized that there was a third option, Option C, available which would be a combination of both Option A and Option B. Frank Brock made the motion to proceed with the two-phased plan of Option C. Roger Bailie seconded. Motion Carried.

Option C: Phase 1) Recognizes Lincoln County as a member of the GWMA and expands the boundary area to include Lincoln County through the GWMA By-Law process. Phase 2) Following a period of public information and education to Lincoln County residents about the GWMA, the Commissioners of all four counties will submit a petition to DOE Director, Linda Hoffman, requesting formal designation according to the process outlined in WAC 173-100.

3. Discussion Topics and Updates:

Northwest Power and Conservation Council: Paul Stoker reported that he and Scott Cave had met with Tom Karier of NWPCC in Spokane on April 27th to work toward possible IWM funding opportunity through the NWPCC six-year plan which will be developed by July 2004. A meeting with technical staff members, Dick Watson and Tom Eckman, is being scheduled at the central office in Portland.

IWM Study - Bonneville Power Administration — Update: Paul Stoker, John Larson and Mark Nielson reported that they are continuing to meeting with the study team and that field work is in progress. John and Mark reported difficulties with the equipment, sighting that the wrong pressure size had been ordered for the study needs which as cause some delays. All equipment has now been installed in Franklin county and Grant county is still to be done.

<u>Columbia Basin Development League – Odessa Sub-Aquifer – Update:</u> Paul Stoker reviewed issues relating to the possible construction of the second half of the Columbia Basin Irrigation Project and maps of potential acreage and development areas.

City of Pasco – Land Application: A copy of the letter dated April 7, 2004 to Cynthia Wall of DOE Spokane regarding the City of Pasco industrial wastewater discharge draft permit ST5369 was in the agenda packet. Mark Nielson reported that due to the letter, DOE had reconsidered its position on enforcement limits stated in the daft permit and made a change to use the limits as early warning values. The board asked Mark to bring his 3-D presentation of the City of Pasco monitoring wells to the next meeting.

Hydro-Stratigraphy Study:

<u>Phase I – Peer Review Process - Update</u>: Kennedy/Jenks has completed the rewrite of phase 1 per comments from the EPA peer review process and the report is going through final edits. An Executive Summary, glossary and three page handout are being prepared for the document.

Phase II - Sediments Mapping Project - Update: Sediments mapping has been completed and there will be some top of basalt modifications based on the mapping. Mylar sheets are being produced and data is being sent to the Franklin Conservation District staff to produce electronic map versions.

<u>Lincoln County - Phase I - Update</u>: Work in Lincoln County will begin this summer following completion of the work on Phase II.

<u>Columbia Basin Development League – Odessa Sub-Aquifer – Update</u>: Paul Stoker presented maps prepared through the GIS database by Pat Daly and Mark Nielson of the proposed second half of the irrigation project.

IWM Cost Share Program: John Larson reported that IWM Cost Share program for 2004 was in progress.

Community Water Screening Program: Carol Miller reported that clinics had been held at Edwin Markham Elementary north of Pasco, Mesa, Basin City and Connell. The last clinic scheduled for Franklin County will be May 20th at Kahlotus. Response has been good.

Moses Lake TMD: LeRoy Allison reported that the TMDL committee had been meeting and was requesting a letter of support asking DOE to stall the category 5 designation and make it a category 2 designation. The TMDL committee feels that data on the lake is insufficient and further study is needed before the final category level is set. LeRoy Allison made the motion to send a letter in support of the Moses Lake TMDL committee's request to DOE to change the designation of Moses Lake to a category 2. Frank Brock seconded. Motion carried.

6. <u>Conclusion:</u>

Date of Next Meeting - The Board set Thursday, June 10, 2004 at 6:00 p.m. in the Othello City Hall for the next meeting.

Adjournment - The meeting was adjourned at 7:49 p.m.

SUMMARY OF MOTIONS:

Frank Brock made the motion to approve the minutes of the April 1, 2004 regular meeting. Bill Schlagel seconded. Motion Carried.

Following a discussion on the recommendations for including Lincoln County into the GWMA, the Board recognized that there was a third option, Option C, available which would be a combination of both Option A and Option B. Frank Brock made the motion to proceed with the two-phased plan of Option C. Roger Bailie seconded. **Motion Carried.**

LeRoy Allison made the motion to send a letter in support of the Moses Lake TMDL committee's request to DOE to change the designation of Moses Lake to a category 2. Frank Brock seconded. **Motion carried.**

Columbia Basin Ground Water Management Area By-Laws

1.0 Introduction:

- Purpose: The purpose of the Columbia Basin Ground Water Management Area (GWMA) is to develop a coordinated ground water management program among the counties of Adams, Franklin and Grant which will address the current and future drinking water, agricultural and industrial needs of the defined area as they may relate to nitrate issues.
- Name: The name of the organization shall be known as the Columbia Basin Ground Water Management Area, which may be designated as the Columbia Basin GWMA or GWMA, hereinafter referred to as GWMA.

1.3 Goals and Objectives:

The objectives and goal of the GWMA are as follows:

Objective:

- a. Develop a coordinated ground water management plan among the counties of Adams, Franklin and Grant, which addresses the current and future drinking water, agricultural, and industrial needs of the area.
- b. Develop and implement a series of coordinated agricultural best management practices designed to reduce nitrate off site migration, including the promotion of agricultural waste application and fertilizer practices which help to preserve ground water quality.
- c. Collect and incorporate existing nitrate ground water data into a shared data management system so as to improve understanding of the extent of nitrate levels in ground water within the GWMA.
- d. Participate in and/or establish a long-term ground water quality and quantity-monitoring program in the mid-Columbia Basin including an area-wide ambient ground water monitoring system by which to monitor the progress of new and improved agricultural practices.
- e. Establish educational programs for promoting the protection of ground water quality, and provide a continuing forum open to stakeholders in the area in which to discuss cooperative methods toward continued improvement of ground water quality.

Goal:

Through achieving these objectives, the goal of preserving and enhancing the aquifers of the mid-Columbia Basin as safe and reliable sources of water should be met.

- 1.4 Boundary Area: The GWMA area boundaries include all of Adams, Franklin and Grant Counties in North Central Washington.
- 1.5 Changes in Boundary Area: The GWMA boundary area may be changed to increase or decrease the size of the area provided such changes are agreed upon by an affirmative vote of a simple majority of the Executive Board at a regular executive board meeting, and upon the concurrence of the Boards of County Commissioners of Adams, Franklin and Grant Counties, and the concurrence of any governing body of such entity as may be affected by the change in boundary area. Any increase or decrease in the boundary area of the Columbia

Basin GWMA must be consistent with existing regulations, authorities and/or signatories of any participating local, state and federal agencies.

- 1.6 Conflict of Interest: No member of the GWMA Executive Board or GWACs shall use the name of the GWMA for personal gain or benefit.
- Non-Discrimination Clause: All programs and services of the GWMA are offered on a nondiscriminatory basis, without regard to race, color, national origin, religion, sex, age, marital status or handicap.
- 1.8 Open Public Meetings Act: All meetings of the GWMA shall be held in accordance with the Open Public Meetings Act, Chapter 42.30 of the Revised Code of Washington (RCW) and shall be open to the public. Public comment shall be welcome during these meetings.

2.0 Official Bodies of the GWMA - Powers and Duties:

- 2.1 Lead Agencies: The Adams, Franklin and Grant Counties Boards of Commissioners shall act as the Lead Agency for the GWMA. The tri-county Boards of Commissioners will serve in the following capacities:
 - a. Retain Lead Agency status during the life of the Ground Water Management Area Plan process.
 - b. Provide local funding when necessary, within their financial capabilities.
 - c. Review proposed portions of the GWMA Plan; act on committee nominations; assign new issues to an appropriate Ground Water Advisory Committee (GWAC) or create a new GWAC as needed; and generally provide leadership, on an appropriate time basis and in public session.
 - Hold additional special public hearings on portions of the GWMA Plan as deemed necessary.
 - e. The County Commissions will receive portions of the GWMA plan written to reflect the impact on their county. County Commissions have veto power over portions of the plan as it impacts their county.
- Conservation Districts: The Conservation Districts within the Adams, Franklin and Grant County areas of the GWMA shall act in the capacity of facilitator of the GWMA activities and shall carry out the following duties to:
 - a. Contract with their respective Boards of County Commissioners to represent the county interests in facilitating the activities of the GWMA process.
 - b. Contract with the Boards of County Commissioners to carry out GWMA functions such as employees, contractors, special projects, etc.
 - c. Provide the role of GWMA organizer by scheduling meetings, publishing notices, organizing meetings and agendas, support staff, etc.
 - d. Organize Community Producer Groups (CPGs) or other appropriate groups/ methods to allow local producers and citizens a forum to have input to the plan.
 - e. Coordinate cost-share implementation plans.
 - f. Participate in appropriate research and demonstration projects.

- g. Maintain dialog with all interested parties to insure widespread participation opportunities.
- h. Continue to implement Best Management Practices (BMPs) during the planning process.
- Ground Water Advisory Committee (GWAC) Executive Board: The official body of the GWMA shall be known as the Ground Water Advisory Committee (GWAC) Executive Board, and shall:
 - a. Direct the functions and activities of the GWMA to address the nitrate issue.
 - b. Provide suggestions for spending priorities of GWMA funding and make recommendations to the Boards of County Commissioners in the form of a request for final funding approval.
- Ground Water Advisory Committees (GWACs): As assigned by the Boards of County Commissioners, there shall be five advisory committees of the GWMA to be known as Ground Water Advisory Committees (GWACs), hereinafter referred to as GWACs. These committees shall be organized by stakeholder issues and shall be known as:
 - Environment & Recreation GWAC Members are environmental advocates, the recreational community, and the general public.
 - Dairy, Feedlot & Cattlemen GWAC Members represent dairy, feedlot and beef cattle
 industries in the Columbia Basin and their industry trade associations.
 - Irrigation & Dryland Agriculture GWAC Members include growers throughout the GWMA, representatives of the Potato Commission, the Farm Bureau, Washington State University Cooperative Extension, the Washington Wheat Growers Association, irrigation districts, and the fertilizer industry.
 - Sprayfields & Wastewater Management GWAC Members include representatives of food processors and municipal treatment facilities within the GWMA.
 - Urban & Rural Residential GWAC Members are representatives of city councils, small water system operators, Health District representatives, members of the general public, home builders, and planners.

3.0 General Business of the Executive Board:

- 3.1 Purpose of the Executive Board: The purpose of the Executive Board shall be to act as the final authority over all activities of the GWMA and to provide approval and oversight of GWMA projects.
- 3.2 Executive Board Voting Members: The procedure for appointing a member from the GWAC to the Executive Board shall be as follows:
 - 3.2.1 GWAC Recommendation to the GWAC Executive Board:

 Each GWAC shall recommend one member from Adams County, one member from Franklin County, and one member from Grant County, for a total of three members, along with an Alternate member from each of the three counties, to serve as the committee's representatives to the Executive Board.

EXHIBIT 8

Attachment H

- 3.2.2 County Commissioner Nominations to the Executive Board: The GWAC shall recommend a voting member to the Board of County Commissioners for the county in which a nominated Executive Board member is to represent.
- 3.2.3 Department of Ecology Appointment to the Executive Board: The Board of County Commissioners shall nominate the GWAC member to the Department of Ecology. The Department of Ecology shall appoint members to the GWAC Executive Board.
- Number of Executive Board Members: There shall be a total of fifteen members appointed to the GWAC Executive Board. The members shall be one member representing each of the three counties (Adams, Franklin and Grant), from each of the five GWACs appointed to the GWAC Executive Board.
- 3.4 Term of Office: The term of office for an Executive Board member shall be to be determined.
- 3.5 GWAC Executive Board Conduct of Business:
 - 3.5.1 Election of Chairperson: The members of the GWAC Executive Board shall elect a Chairperson from within its members. The Chairperson shall serve for a period of

 [to be determined] year(s). The Chairperson shall serve at all official meetings of the Executive Board, and shall oversee the conduct and administration of all GWMA business.
 - 3.5.2 Election of Acting Chairperson and Acting Chairperson, Alternate: There shall be an Acting Chair and an Acting Chair, Alternate, elected by the members of the GWAC Executive Board. The Acting-Chairperson shall serve in the absence of the Chairperson at all meetings of the Executive Board. The Acting Chairperson, Alternate, shall serve in the absence of the Chairperson and the Acting Chairperson.
 - 3.5.3 Member Absences from Meetings: GWAC Executive Board members shall be encouraged to attend meetings on a regular basis by his/her GWAC members. Any member that fails to attend _____ [to be determined] _____ consecutive meetings without cause may be removed as the representing Board member by a majority vote of the members of the GWAC from which the Executive Board member has been elected.

3.6 Executive Board Meetings:

- 3.6.1 Establishing a Quorum of Members: A quorum of the members of the Board must be established at the beginning of any meeting of the GWAC Executive Board in order for the Board to be able to conduct the business of the Board. A quorum shall consist of a minimum of nine of the fifteen members present and shall be a minimum of three members from each of the three counties of the GWMA. In the event that one county cannot meet the required quorum, the County Commissioner for that county may stand in as an alternate in order to make a quorum for the Board to be able to conduct the business of the Board.
- 3.6.2 Voting Majority: To approve any item, there must be a minimum of three members from each of the three counties voting in favor of the item.
- 3.6.3 Schedule of Regular Meetings: The Executive Board shall hold a minimum of ten [10] meetings per year. The date and time of the next meeting shall be established during the current meeting of the Board.

- 3.6.4 Length of Meetings: All regular meetings of the GWAC Executive Board shall be limited to three hours from the time the meeting has been scheduled to begin. In order to extend the time of the meeting, a voting majority must be reached (see 3.6.2). If a voting majority is not attained, the meeting shall be adjourned promptly and any remaining business on the agenda shall be tabled until the next meeting.
- 3.6.5 Notice of Meetings: Notice of all regular meetings of the GWAC Executive Board shall be published in the local newspapers serving the GWMA.
- Annual Meeting: The Executive Board of the GWMA shall hold an annual meeting during the month of January. The purpose of the annual meeting shall be to discuss and review organization, fiscal reports and funding sources, report on programs and projects in progress, planning for the coming year and the transaction of such other business that may come before the Executive Board.
- Special Meeting: A special meeting may be called by a majority of the Executive Board, or by written petition signed by at least fifty percent (50%) of the board members. Notice of such special meetings either in person, by telephone, electronic mail (e-mail) or by first-class mail shall be given at least 48 hours prior to the meeting and shall specify the time, place and purpose of the meeting.
- 4.0 General Business of the Ground Water Advisory Committees (GWACs):
 - 4.1 Purpose of the GWACs: The purpose of these GWACs shall be:
 - a. To consider any information, management practices, technical data, and research proposals relating to the issue of nitrates.
 - b. The committee members shall work toward the resolution of nitrate issues between local stakeholders and governmental agencies; relative to the industry which the committee represents for the purpose of developing [and implementing] a ground water management area plan. These committees shall hold a minimum of eight meetings during the year.
 - 4.2 GWAC Participants: The participants involved in the GWACs shall be as follows:

Voting Members and their Alternates: Represent a group of stakeholders as outlined in section 2.5 above. Only voting members shall have the right to represent the interested stakeholders of the GWAC and have a vote in all committee matters.

- All voting members shall be required to be a resident of the GWMA or conduct 50% of their business within the GWMA.
- All interested groups, stakeholders, parties, individuals, etc. may petition
 for a voting seat. All petitions for voting seats must be submitted to the
 GWAC Executive Board and approved by the Boards of County
 Commissioners of Adams, Franklin and Grant Counties.

<u>Technical Support Members</u> - may participate in the committee process, but do not cast a vote on final approval of committee matters.

Technical support members are generally industry-related associates who
may provide assistance to the GWAC members in technical matters or
represent interested groups such as: USBR, DOE, WA. Department of
Health, WSDA, DNR WCC EPA, well drillers, USGS, financial
institutions, and other specialists as appropriate.

- Changes, Increases or Decreases in the Number of GWACs: The total number of GWACs may be increased or decreased, or a change to an existing GWAC relative to the stakeholders within the GWAC at any time. A petition, stating the nature of the change being requested, shall be submitted to the Boards of County Commissioners of Adams, Franklin and Grant Counties by the GWAC Executive Board for final approval.
- 4.4 GWAC Voting Members:
 - 4.4.1 GWAC Recommendation: The voting membership of the GWAC shall elect to recommend a member who will represent the specific stakeholder position within the GWAC to a stakeholder voting seat of the committee.
 - 4.4.2 County Commissioner Nomination: The GWAC shall then recommend a voting member to the Board of County Commissioners for the county in which a nominated GWAC member is to represent.
 - 4.4.3 Department of Ecology Appointment: The Board of County Commissioners shall then nominate the GWAC member to the Department of Ecology. The Department of Ecology shall appoint members to the committee.
 - 4.4.4 Appointment of Alternate Members: The voting members of the GWAC shall elect to recommend alternate members. The process for recommending, nominating and appointing Alternate members shall be the same as outlined in sections 4.4.1, 4.4.2, and 4.4.3 of this chapter.
 - 4.4.5 Vacancy: Any vacancy on the GWACs caused by the death, resignation or otherwise, shall be filled by a vote of the GWAC members in accordance with sections 4.4.1, 4.4.2 and 4.4.3 of this chapter for recommendation, nomination and appointment of a new member to fill the vacant position.
 - 4.4.6 Removal: Any member of the GWAC may be removed for just cause by an affirmative vote of a simple majority of the GWAC members. Said removal may take place at any regular meeting of the GWAC or at any special meeting called for such purpose. [Only GWAC, members may remove an Executive Board representative of the committee, who has been appointed by the committee to the Executive Board.]
 - 4.4.7 Voting Member Exception: It shall be recognized that circumstances relative to the nature of the stakeholders within a GWAC may be such that special consideration of GWAC membership and GWAC representation to the Executive Board may be required. If such special consideration may be the case, the GWAC may petition the Boards of County Commissioners from Adams, Franklin and Grant Counties for a determination of special representation within the GWAC as well as on the GWAC Executive Board.
- Number of GWAC Members: The total number of GWAC members shall be established by the nature and quantity of stakeholders approved by the Boards of County Commissioners of Adams, Franklin and Grant Counties.
- 4.6 Term of Office: The term of office for a voting member of any GWAC shall be for as long as the member actively attends and participates in the activities of the GWAC.
- 4.7 Residence Requirement: All GWAC voting members shall be a resident of the GWMA boundary area, or shall conduct 50% or more of their business within the boundary area of the GWMA.

4.8 GWAC Quorum Established: GWACs require 60% of its voting members present in order to conduct business.

4.9 Voting Procedure:

- 4.9.1 Majority Vote: Each GWAC shall be considered free to establish its own voting procedure separate from that of the Executive Board.
- 4.9.2 Presumption of Assent during Voting Process: A voting member who is present at a meeting at which action on any organizational matter is taken, shall be presumed to have agreed to the action taken, unless his or her dissent or abstention is entered in the official minutes of the meeting, or unless he or she files written dissent or abstention to such action with the person acting as the secretary of the meeting before the adjournment of the meeting. Such right to dissent or abstain shall not apply to a member who voted in favor of such action.

5.0 Executive Board Review and Approval Process:

- Proposal Requests: All proposals for projects, official GWMA statements, documents, position papers, staffing and the expenditure of funds relating to these proposals shall have a detailed description of the scope of work prepared which shall include the longevity of the project and the budget amount, and shall have gone through a complete review and approval process prior to the beginning of work on the project, expenditure of funds or publication of documents under the auspices of GWMA.
- Proposal Review and Approval Process: GWACs shall review all project proposals and make recommendations requesting approval to the GWAC Executive Board. The Executive Board shall have authority to approve the proposal with a recommendation to the Boards of County Commissioners for approval. The County Commissioners shall have final approval authority on any proposed project, official GWMA statements, documents, position papers, staffing, and the expenditure of funds relating to these proposals.
- 5.3 Authority to Reject a Proposal: The Executive Board shall have the authority to reject any proposal; return the proposal to the GWAC that originated the proposal; or circulate the proposal to another GWAC for review and comment.
- 5.4 Project Review Process: All managers, contractors or agencies responsible for projects or programs funded by the GWMA shall present a regular quarterly report to the GWAC Executive Board detailing the progress of the project or program.

6.0 Administrative Procedures:

- **Public Records:** All administrative records and documents of GWMA shall be maintained accessible to the public review in accordance with the Open Public Records Act of the Revised Code of Washington.
- Records Retention: All records of the GWMA, including financial and administrative documents, shall be retained and held in accordance with the State of Washington Records Retention Schedule or in accordance with the requirement of the grant funding authority.
- 6.3 Legal Opinions: The Boards of County Commissioners shall seek legal opinions from the County Prosecutors Office or the State Attorney General's Office as may be necessary.
- 6.4 Public Records Requests: Requests for public records shall be referred to the GWMA Administrator.

General Public Requests: Requests for information from members of the general public to GWMA staff or volunteers shall be released based on the Open Meetings Act and the federal Freedom of Information Act as it pertains to conservation districts.

7.0 Financial Procedures:

- Grant Funding Sources: The Boards of County Commissioners from Adams, Franklin, and Grant Counties shall be the approving authority in securing grant funding; management of all grant funds; and in the financial decisions relating to the expenditure of funds granted to the GWMA. The Franklin Board of County Commissioners shall be the lead fiscal entity for GWMA. The Franklin Conservation District has been delegated as the fiscal manager for GWMA. The Commissioners shall retain the authority to delegate the financial responsibility as deemed necessary in the management of grant funding.
- 7.2 Interlocal Agreements for Shared Resources: The Boards of County Commissioners of Adams, Franklin and Grant Counties shall be the approving authority in all agreements entered into on behalf of GWMA with any other state or federal agency.
- 7.3 Fiscal Year: The fiscal year of the GWMA shall coincide with the calendar year.
- Financial Records: Financial records of GWMA's revenue and expenditures shall be maintained by the Franklin County Conservation District and shall be maintained in accordance with the State Auditors requirements of the Budget, Accounting and Reporting System (BARS). All original bills, invoices, and other transactions shall be maintained by the entity requesting reimbursement from GWMA.
- 7.5 Bids for Contracts: All contract bidding for GWMA projects shall be solicited in accordance with the requirements as prescribed by the funding source utilized for the payment of the contract. If no requirements are specifically identified by the funding source, then procurement procedures of the contracting entity shall be used. If the contracting entity does not have procurement procedures, then requirements identified in Chapter 89 of the Revised Code of Washington for soliciting public contracts, requests for proposals, requests for qualifications, etc. shall be utilized.
- Fiscal Responsibility of the Executive Board: The GWMA Executive Board has the responsibility for first approval of all expenditures of funds prior to submitting proposals to the Boards of County Commissioners for final approval. The Boards of County Commissioners has also granted the GWMA Executive Board the right to expend GWMA funds in accordance with Grant provisions up to the amount of \$2,500 with requiring approval from the Boards of County Commissioners.
- Fiscal Obligations: It shall be prohibited for any individual, any member of the GWAC Executive Board or the GWAC committees, any consultant, contractor or employee of GWMA to obligate or enter in to financial agreements for GWMA, it's Executive Board, Franklin Conservation District, Interlocal Agreement Signatories, the Boards of County Commissioners, Grants and/or Grantors, for financial payment or arrangement for payment of any kind which has not first been approved by the Executive Board, and the Boards of County Commissioners (or as fiscal authority has been delegated), and which has not followed proper procedures for the expenditure of said funds, or obligations for payment of the same.
- Mileage Expenses: When a meeting of any Ground Water Advisory Committee or the Executive Board is called, the transportation expenses of each voting member shall be provided from the funds of the GWMA. The voting member shall submit a completed and signed Mileage Expense Form stating the members name, address, city, zip code, the name of the GWAC, the date of the meeting, the date traveled, and the total miles for reimbursement.

Reimbursement for transportation shall be at the current rate as recognized by the State of Washington.

Loans Prohibited: It shall be prohibited for any individual, any member of the GWAC Executive Board or the GWAC committees, any consultant, contractor or employee of GWMA to enter into a loan agreement on behalf of GWMA.

8.0 Personnel Procedures:

8.1 Administration: The GWMA Executive Board and the Lead Agencies approve all staff positions. Staff will be employed directly by the Conservation Districts and follow all personnel policies and procedures of that entity.

9.0 Public Information:

9.1 Public Information Policy:

9.1.1 Media: Official news releases, press advisories and interviews shall only be delivered by the GWMA Public Information Officer, Information Specialist or Executive Board Chair. News releases shall be developed and reviewed by appropriate staff and volunteers, depending on the issue.

Comments made to the media by other GWMA staff and volunteers beyond the written information provided to the media may be expressed as personal opinion and experience. Queries from the media shall be referred to the Public Information Officer or Information Specialist, depending upon nature of query and comfort of staff member or volunteer. Volunteers and staff who have been contacted by the media and/or have responded to press inquiries shall alert the Public Information Officer or Information Specialist of media interest.

- 9.2 Endorsement of Goods and Services: No GWMA employee, volunteer, consultant or contractor shall endorse nor make comments which may be interpreted as endorsing on GWMA's behalf any commercial goods or services.
- 9.3 Use of GWMA Logo: The GWMA logo shall be used on information and education materials which contain information about the GWMA and its projects for internal and external publics.

Education materials which inform the public about health, the environment, farming or other relevant topics and are produced with GWMA funding shall also use the GWMA logo. Logos of other contributing partners in a project may also be included.

9.4 Review and Approval Process: Information released to the public concerning the GWMA and its programs shall be reviewed by the appropriate individuals within the organization [staff, consulting staff, volunteer members]. Typically, information tasks and projects will be directed to the Public Information Officer and Information Specialist by the Executive Board Chair and/or the Project Manager.

Information released to the public denoting GWMA policy and major announcements shall be approved by the Executive Board and Lead Agencies prior to issue.

10.0 Amendment of the By-Laws:

10.1 Procedure for Amending By-Laws: These by-laws may be amended at any regular meeting of the GWAC Executive Board and approved by the Boards of County Commissioners:

EXHIBIT 8

Attachment H

- 10.1.1 Majority Vote: A simple majority vote of members present provided written notice of proposed changes has been sent at least 30 days in advance of meeting; or,
- 10.1.2 Unanimous Vote: Unanimous vote of members present provided no advance written notice was sent to the membership prior to the meeting.
- Rules of Order: The rules contained in the current edition of "Robert's Rules of Order, Newly Revised" shall govern in all cases to which they are applicable, and in which they are not inconsistent with these by-laws.
- 12.0 Savings Clause: Any portion of these by-laws found to be contrary to the law shall not invalidate other portions.
- 13.0 Effective Date of By-Laws: These by-laws shall be effective when voted upon and/or as of May 24, 2001.

SIGNATURES:

/s/ Adams County Board of Commissioners /s/ Conservation Districts, Chair

/s/ Franklin County Board of Commissioners

Columbia Basin GWMA, Chair

/s/ Grant County Board of Commissioners

RESOLUTION NO. R-63-04

ORDER OF BOARD OF COUNTY COMMISSIONERS ADAMS COUNTY, WASHINGTON

IN THE MATTER OF SUPPORT OF INCLUDING LINCOLN COUNTY AS A COOPERATING MEMBER OF THE COLUMBIA BASIN GROUND WATER MANAGEMENT AREA

WHEREAS, the Board of County Commissioners of Adams County having convened in Regular Session in their office at the Adams County Courthouse this 2nd day of August, 2004, with all members present; and,

WHEREAS, the Board of County Commissioners of Lincoln County has petitioned the Lead Agency of the Columbia Basin Ground Water Management Area (GWMA), consisting of the Board of County Commissioners of Adams, Franklin and Grant Counties, to join the GWMA as a cooperating Lead Agency member; and,

WHEREAS, at the regular monthly meeting of the GWMA Administrative Board on May 13, 2004, the Board unanimously passed a motion to recommend to the County Commissions of the GWMA Lead Agency to include Lincoln County into the GWMA through a process utilizing the GWMA By-Laws, Section 1.5;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Adams County does hereby agree to include the Board of Commissioners of Lincoln County as a cooperating member of the Columbia Basin Ground Water Management Area under the GWMA By-Laws, Section 1.5; and.

BE IT FURTHER RESOLVED that all services of the Columbia Basin Ground Water Management Area are extended to Lincoln County; and,

BE IT FURTHER RESOLVED that the Board of Commissioners of Lincoln County shall appoint two voting members - one a Lincoln County Commissioner and one a Lincoln County citizen - both to serve as Lincoln County's representatives to the Administrative Board of the Columbia Basin Ground Water Management Area.

DATED this 2nd day of August, 2004.

BOARD OF COUNTY COMMISSIONERS ADAMS COUNTY, WASHINGTON

VIII

Rudy Plager, Chairman

Richard Johnson, Vice-Chairman

Jeffrey V Stevens, Commissioner

ATTEST:

Linda Reimer, MMC Clerk of the Board

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Attachment I

FRANKLIN COUNTY RESOLUTION NO. 2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: IN THE MATTER OF SUPPORT TO INCLUDE LINCOLN COUNTY AS A COOPERATING MEMBER OF THE COLUMBIA BASIN GROUND WATER MANAGEMENT AREA

WHEREAS, the Board of County Commissioners of Franklin County having convened in Regular Session, in their office at the Franklin County Annex this 27th day of September, 2004 with all members present; and

WHEREAS, the Board of County Commissioners of Lincoln County has petitioned the Lead Agency of the Columbia Basin Ground Water Management Area (GWMA), consisting of the Boards of County Commissioners of Adams, Franklin and Grant Counties, to join the GWMA as a cooperating Lead Agency member; and,

WHEREAS, at the regular monthly meeting of the GWMA Administrative Board on May 13, 2004, the Board unanimously passed a motion to recommend to the County Commissions of the GWMA Lead Agency to include Lincoln County into the GWMA through a process utilizing the GWMA By-Laws, Section 1.5;

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners hereby agrees to include the Board of Commissioners of Lincoln County as a cooperating member of the Columbia Basin Ground Water Management Area under the GWMA By-Laws, Section 1.5; and, to extend all services of the Columbia Basin Ground Water Management Area to Lincoln County; and, for the Board of Commissioners of Lincoln County to appoint two voting members: one Lincoln County Commissioner and one Lincoln County citizen, to serve as Lincoln County's representatives to the Administrative Board of the Columbia Basin Ground Water Management Area.

APPROVED this 27th day of September 2004.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Neva J, Corkrum, Chair

Frank H. Brock, Chair Pro Tem

Sue Miller, Member

Clerk to the Board

Attest:

Originals:

Auditor

Minutes

Columbia Basin GWM

cc: Lincoln County

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Attachment I

BEFORE THE BOARD OF COUNTY COMMISSIONERS GRANT COUNTY, WASHINGTON

IN THE MATTER OF SUPPORT OF)	
INCLUDING LINCOLN COUNTY AS A)	· · · · · · · · · · · · · · · · · · ·
COOPERATING MEMBER OF THE)	RESOLUTION NO. 04-107-CC
COLUMBIA BASIN GROUND WATER)	
MANAGEMENT AREA)	

WHEREAS, the Board of County Commissioners of Grant County having convened in Regular Session, in their office at the Ephrata Courthouse this 10 day of 1446UST, 2004 with (all) members present; and

WHEREAS, the Board of County Commissioners of Lincoln County has petitioned the Lead Agency of the Columbia Basin Ground Water Management Area (GWMA), consisting of the Boards of County Commissioners of Adams, Franklin and Grant Counties, to join the GWMA as a cooperating Lead Agency member; and,

WHEREAS, at the regular monthly meeting of the GWMA Administrative Board on May 13, 2004, the Board unanimously passed a motion to recommend to the County Commissions of the GWMA Lead Agency to include Lincoln County into the GWMA through a process utilizing the GWMA By-Laws, Section 1.5,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Grant County does hereby agree to include the Board of Commissioners of Lincoln County as a cooperating member of the Columbia Basin Ground Water Management Area under the GWMA By-Laws, Section 1.5; and, to extend all services of the Columbia Basin Ground Water Management Area to Lincoln County; and, for the Board of Commissioners of Lincoln County to appoint two voting members: one Lincoln County Commissioner and one Lincoln County citizen, to serve as Lincoln County's

representatives to the Administrative Board of the Columbia Basin Ground Water Management Area.

DATED at Ephrata, Grant County, Washington this day of Mg., 2004.

BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY, WASHINGTON

ATTEST

Çlerk of the Board

Chair -

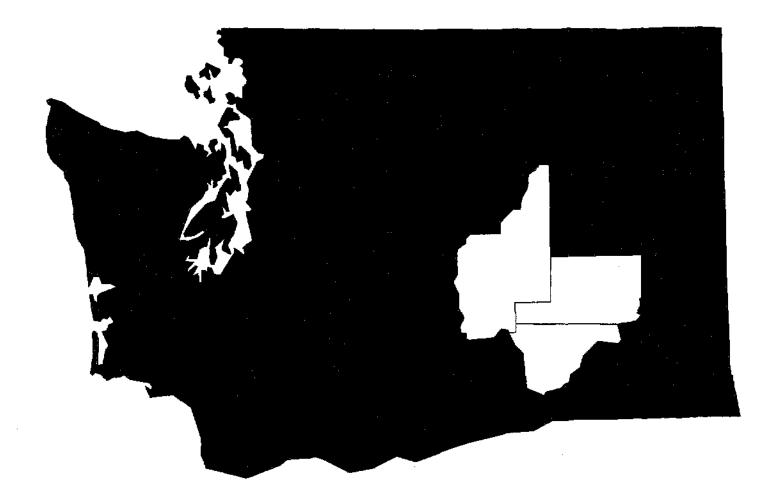
Member.

Member

DESCRIPTION OF AREA BOUNDARY

Adams, Franklin, and Grant counties propose the entire area within their boundaries as a Ground Water Management Area (GWMA) (per Chapter 173-100 WAC) with the initial emphasis on nitrate issues in ground water. The area includes all or portions of Water Resource Inventory Areas (WRIA's) numbered 33, 34, 36, 41, 42, and 43 falling within the geographical boundaries of these three counties. The Adams-Franklin-Grant County area represents approximately 5825 square miles of the Columbia Basin region with a population of approximately 123,000 people¹. Within this area a majority of the population obtain potable water from both shallow and deep aquifers.

Figure One: Proposed Boundaries of Columbia Basin Ground Water Management Area



PROPOSED BOUNDARY RATIONALE

Data provided by Washington State Office of Financial Management "1995 Population Trends for Washington State"

The proposed ground water management area (identified in Figure One) shares four recognizably distinct hydrogeological zones or aquifers. The shallower zone consists of the overburden aquifer system reaching varying depths from the surface, but generally extending no more than 50 to 100 feet below land surface. The next aquifer zones in depth vary in their relationship between the Saddle Mountain Aquifer system and the Wanapum Aquifer System. The deepest zone underlying this area is the Grande Rhonde Aquifer System. The three shallower zones provide approximately 85% of the water pumped to the surface in this area for domestic and irrigated uses. The protection of these resources is of vital ecological and economic importance to the region.

Adams, Franklin, and Grant Counties share over 95% of the current Columbia Basin Irrigation Project and surrounding deep well irrigated activities in this area. The remaining areas of Adams, Franklin, and Grant counties are used largely as rangeland and for dryland farming. Most of the area is considered an arid climate, receiving between 5 and 15 inches of precipitation per year. A large portion of the area receives less than 10 inches of rainfall per year. Local aquifer recharge historically resulted from outside the area. With the advent of intensive irrigation in the past 40 plus years significant changes to the local aquifer recharge profiles have occurred. Widespread irrigation activities, including delivery and recapture, result in significant recharge to the overburden aquifer system. Coordination and implementation of Best Management Practices (BMP's) in these irrigation areas are essential for future aquifer protection.

While this proposal extends only to the political boundaries of Adams, Grant, and Franklin Counties, it is recognized that the hydrogeologic boundaries likely are significantly greater. The use of political boundaries has precedent in previous Ground Water Management Areas (Clark County, Kitsap County, and West Snohomish County). It is understood that these boundaries may be helpful in coordinating local aquifer protection activities. The inclusion of municipalities will be dependent on their desire to participate or be excluded.

LOCAL CONCERNS AND ACTIVITY

The aquifers of the mid-Columbia Basin supply approximately 88% of the area's available drinking water. At least 450,000,000 gallons of ground water a day are used by the citizens of the area for drinking water, agriculture, and industrial purposes (USGS, 1987). In recognition of the importance that ground water plays in the economies and social fabric of the area, the five Conservation Districts in the Columbia Basin Irrigation Project area began meeting to discuss mutual concerns about decisions involving ground and surface water use. Those five Conservation Districts (Upper Grant, Moses Lake, Warden, Othello, and Franklin) formed the Columbia Basin Project Conservation District Alliance in early 1995. The Alliance recognized that the regions past and future is based on the use of water resources, that continued protection of these resources is essential, and that the local people need to be partners in decisions that impact the area. The Alliance recognized the nitrate loading issue as the first, critical, solvable, cooperative water issue the stakeholders should attempt to address. Outside of the efforts by the Alliance, the Adams Conservation District had been engaged in numerous water quality protection efforts for several years.

To further this process, the Alliance helped organize the Watershed Planning Council in late 1995. The Council involved entities such as counties, cities, irrigation districts, elected officials, and other stakeholder groups and organizations. The Alliance and the Council met throughout 1996 focusing on the issue of ground water nitrate, and how the area can effectively deal with it on a locally driven basis.

At the same time, representatives of Adams, Franklin, and Grant Counties attended periodic meetings of the county informational group called the Northwest Council of Governments. The Council repeatedly has called for <u>local control</u> of the resolution of water issues in this area. Most specifically there has been an opposition to a proposed EPA designation of a sole source aquifer protection area in these counties. Support was also given to dealing with the nitrate issue on a high priority basis.

During 1995 and 1996 the Alliance members held numerous Community Producer Group meetings involving the majority of the producer stakeholders in specific areas of the counties. Universal support for <u>local involvement</u> by the producers to address the water issues was found at all meetings. Water purveyors and producers appear eager to be proactive on the first issue of concern, nitrate loading.

Further additional support has been received from other local stakeholders such as the staff of WSU Extension, local NRCS District Conservationists and staff, Washington State Potato Commission and local and regional chemical and fieldman representatives. Agricultural producers and representatives have already begun many projects and proposals to begin dealing with the increased awareness of the nitrate loading issue.

Local county health departments have announced intentions to increase their involvement in the nitrate loading issue. Further activities are underway to increase the awareness of risk to specific portions of the population and define the current extent of the perceived health risk.

Prior to submittal of this petition to the Washington State Department of Ecology, public hearings were held in Franklin and Grant Counties. Additionally, several public meetings on the issue were conducted in Adams County.

STATE AND FEDERAL ACTIVITY

The United States EPA has attempted to designate the Columbia Plateau Aquifer System as a sole source aquifer designation from 1994-1996. Repeated hearings have recorded overwhelming opposition from citizens and local leaders. In November 1996 the EPA announced a willingness to suspend activities on sole source designation pending the outcome of the significant local activity surrounding a proposed GWMA designation.

In November 1995 the USGS reported the summation of a five-year National Water Quality Assessment (NAWQA) characterization study of the water resources of the Columbia Plateau, of which Adams, Franklin and Grant Counties are a part. The study revealed areas where significant numbers of shallow wells pumping domestic water from the shallow overburden aquifer appeared to have contained nitrate levels above the federal drinking standard of 10 mg/l at least once during the study period.

Page 4 of 13 Attachment J In May of 1995 officials from the Washington State Departments of Agriculture, Ecology, and Health, along with the Washington State Conservation Commission, met with representatives from the Region 10 office of the US Environmental Protection Agency to discuss nitrate levels in ground water within the mid-Columbia Basin. A review committee of these participants released a status report in September 1996 entitled "Nitrate Contamination of Ground Water in the Mid-Columbia Basin". This report suggests nitrate loading as a "public health concern" to certain sub-populations of the Mid-Columbia Basin. Higher concentrations were shown to be in the more intensive irrigated areas of Adams, Franklin and Grant Counties. The committee report calls for this issue to be addressed as soon as possible with local efforts as the most likely successful action.

In September of 1996 the counties signed a Memo of Understanding (MOU) designed to encourage the counties to work together to resolve the local water issues. Repeated meetings between counties have resulted in this cooperative petition.

In May of 1997, the Franklin and Grant County Boards of Commissioners passed resolutions establishing the Ground Water Management Area process and submitted a petition to the Washington Department of Ecology to formally designate a Ground Water Management Area within their boarders. In July of 1997, the Board of Adams County Commissioners passed a resolution to join the Mid-Columbia Ground Water Management Area.

NITRATE LOADING ISSUE CONCERNS

The Columbia Basin Irrigation Project began operation in the 1950's and considerably increased the intensity of farming. State of the art irrigation and fertilization methods were used at the time, but some of today's nitrate levels may be the result of those past activities. As they became available, growers in the area have adopted new technology, equipment, and management practices designed to protect ground water. Continued implementation of BMPs will be an important part of the GWMA process.

Due to increased intensive irrigation, additional dairy operations, numerous feedlot sites, increased septic tank use over the past forty years, and other man made activities, significant nitrate loading to the shallow overburden aquifer has occurred in certain areas. Significant nitrate loading appears from the USGS 1995 report to vary site specifically across the counties. Specific Best Management Practices will need to vary from area to area within the county. Much more information needs to be collected to outline the extent of nitrate loading by area, and the impact of the proposed best management practices.

The majority of the population in the three counties live in metropolitan communities that receive their domestic water from municipal wells drilled into deeper Wanapum or Grande Ronde Aquifers, which show no current symptoms of nitrate loading reaching those depths (Pasco is the exception, drawing its water from the Columbia River). The majority of the population of the counties is not currently at risk from nitrate contamination. However, those rural residents who pump their domestic water from shallow overburden aquifer wells are most at risk of pumping nitrate-laden water above the federal standard of 10 mg/l. These wells are at most risk because of a lack of alternative water supply available.

Page 5 of 13 Attachment J Franklin County and Franklin Conservation District have been actively involved in implementing BMP's to alleviate nitrate loading on a limited basis since 1985. Subsequent analysis of their continuing well sampling data indicates progress in reducing the rise in the average nitrate levels in the past years after many years of increases. These results are attributed to changed management practices adopted by land users in the sampled areas, and BMP implementation needs to continue during the GWMA planning process.

Agricultural and industrial leaders representing the largest water purveyors and users in the area have concerns that suggested practices and plans be site specifically applied to the nitrate issue loading problem. Proposals need to be effective, yet still maintain the economic viability of the area. Local involvement will provide input to the solutions and insure local approval of plan suggestions. Local Conservation Districts propose to facilitate that local forum.

OTHER ISSUES AND CONCERNS

The stakeholders in this process have recognized several other water issues. Ground water quantity concerns have been an issue for many years. The Quincy Subarea (Chapter 173-124 WAC) and the Odessa Subarea management areas (Chapter 173-128A WAC) have been previously established by the Washington State Department of Ecology (in 1973 and 1982 respectively). These designations were made under the authority of Chapters 34.04, 43.21A, 90.03 and 90.44 RCW because of rapidly declining water levels as a result of ground water use for irrigation in the Wanapum and the Grande Ronde Aquifers. Chapters 173-130A WAC and 173-134A WAC have established ground water management policies for the withdrawal of ground water in these areas to preserve current water levels to the greatest extent possible. Under these policies withdrawal within the Quincy Subarea is limited to 58,000-acre feet per year (Chapter 173-134A-080 Washington Administrative Code, 6/9/88) while within the Odessa Subarea strict casing and irrigation schedules are in effect.

The USGS NAWQA reports in 1996 have reported sampling low concentration of agricultural pesticides in 67% of the sampled wells in the area. Currently stakeholders have indicated a concern over the results of pesticide samples, but do not recognize pesticides as a high public risk.

Other water issues such as municipal well total dissolved solids, disposition of municipal sewage waste discharge and surface water sediment loading have been discussed. pH, turbidity, BOD, temperature, and the flora and fauna that are found in the water column have been raised as areas of concern.

The use of the local GWMA process has been discussed as a vehicle for local people to confront some of these issues. The success of the participants to use the GWMA process to resolve the nitrate loading issue will impact its use for other issues.

GOALS AND OBJECTIVES

For the development of a groundwater management program, the following objectives have been identified:

- 1. Develop a coordinated ground water management plan among the counties of Adams, Franklin, and Grant which addresses the current and future drinking water, agricultural, and industrial needs.
- 2. Develop and implement a series of coordinated agricultural best management practices designed to reduce nitrate off site migration, including the promotion of agricultural waste application and fertilizer practices which help to preserve ground water quality.
- 3. Collect and incorporate existing nitrate ground water data into a shared data management system so as to improve understanding of the extent of nitrate levels in ground water within the GWMA.
- 4. Participate in and/or establish a long-term ground water quality and quantity monitoring program in the mid-Columbia Basin including an area-wide ambient ground water monitoring system by which to monitor the progress of new and improved agricultural practices.
- 5. Establish educational programs for promoting the protection of ground water quality, and provide continuing forum open to stakeholders in the area to discuss cooperative method toward continued improvement of ground water quality.

Through achieving these objectives the goal of preserving and enhancing the aquifers of the mid-Columbia Basin as safe and reliable sources of water should be met.

GWMA ESTIMATED TIMELINE

This section provides the estimated timeline for developing a Ground Water Management Plan for the mid-Columbia Basin.

GWMA Estimated Timeline 1998 – 2000

November 1997:

Conduct public workshops (Ecology)

Request letter of Prior Authorization

Revise CCWF grant contract

Conduct public hearings (Ecology)

Request EPA funds (RGI/CPAI) (11/10/97) Apply for WCC Competitive Grant (11/30/97)

December 1997:

Request nominees for GWAC

Review CCWF grant elements (12/12/97)

Assign CCWF grant tasks

Develop inter-local agreements/contracts for CCWF grant:

Fiscal & CD/County

January 1998:

Request technical support members

Ecology designation of GWMA
Appoint GWAC (Counties)

February 1998:

GWAC organizational meeting

March 1998:

GWAC Executive Board formed

1998:

Site characterization task starts GWAC meets on Plan development Continued early implementation

Research needs identified & projects begin

1999:

GWMA draft Plan developed by GWAC

Site characterization report completed

2000:

GWMA final Plan developed by GWAC

Plan approved and implementation begins

ESTIMATED COSTS AND FUNDING

This section provides the estimated annual cost of developing a Ground Water Management Program for the mid-Columbia Basin and describes potential funding sources.

	* * * * * * * * * *
1. Plan Development and Administration	\$150,000
a. Establishment of GWAC	
b. Produce status reports	
c. SEPA checklist	
d. Develop GWMA plan elements	
e. Develop draft and final plan	
 Develop alternative management strategies 	
ii. Prioritization and recommendations	
iii. Implementation plan	
f. Seek adoption by Tri-County Commissioners	
g. Conduct fiscal activities	
2. Monitoring and characterization	\$200,000
a. Develop elements and parameters for characterization process	
i. Collect existing data	
ii. Identify needs for additional data	
b. Conduct ground water sampling	
c. Data interpretation	
d. Design draft and final report on nitrate	
e. Design long term monitoring network	
f. Design and implement area-wide database	
3. Public information and outreach	\$150,000
a. Establish GWMA public information officer	
b. Conduct periodic public meetings	
c. Publish and distribute periodic information by various means	
d. Conduct media relations	
4. Practice implementation and Field research	\$250,000
a. Continue implementation of BMP's	
b. Identify research needs & begin projects	
Annual total	\$750,000

The cost of developing a program over a three-year period is estimated at \$2,250,000. State and federal agencies have committed (based on available funding) grants to the project at a funding

Page 9 of 13 Attachment J level of 75%. These funds are expected to be made available through special allocations or competitive grants such as the State of Washington's Centennial Clean Water Funds. Additionally, in a MOU signed among the Washington State Departments of Agriculture, Ecology, Health, the Conservation Commission, Washington State University, and the U.S. EPA, these entities have committed to actively seek additional funding as may become needed during the course for the GWMA process. The remaining 25% will be funded by the local participating agencies either in the form of moneys or inkind services or a combination of both. At this time the participating counties have received from Ecology a Centennial Clean Water Fund Grant of \$400,000.00 for the first two years of the GWMA process. Application to Ecology for a \$200,000 grant for the third year is planned. Additional funds from federal, state, local, and private entities are anticipated.

The budget shown only covers plan development and early action implementation during the first 3 years. Full scale implementation costs will be based on the plan developed and funds available.

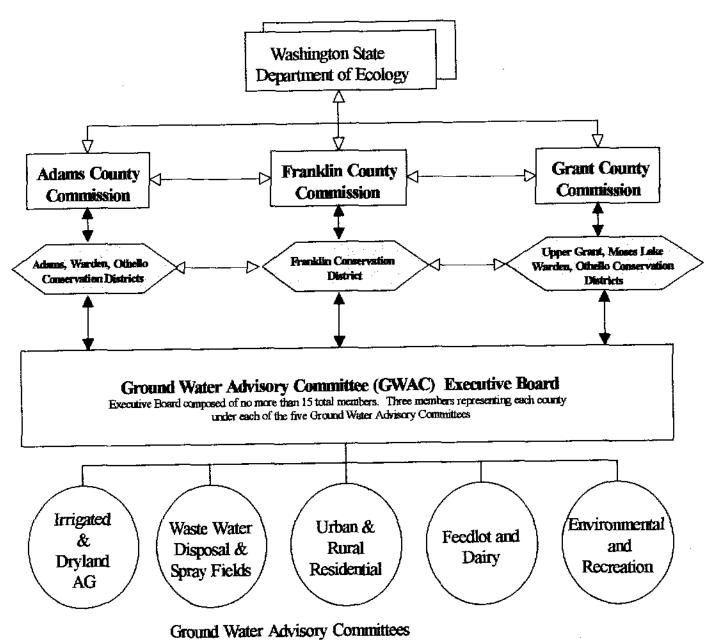
Providing some cost-share funding on-farm may encourage more wide spread adoption of critical best management practices in current low value crops. All matching moneys would be provided by the producer in cost-share situations. Cost-share, either federal or state funded, would be based on available funding and program compatibility.

During the course of the Ground Water Management Area process, Franklin County will serve as the lead fiscal agent through which certain state and federal money will pass. Expenditures related to GWMA activities will be verified by the one or several conservation districts according to an established scope of work designed to guide current and future tasks to be accomplished.

GWMA STRUCTURE

The primary objective of the Mid-Columbia GWMA process is to present a plan related to nitrate loading in the three-county area. The nitrate loading issue is primarily a non-point source problem requiring the participation of many producers, stakeholders, agencies, industries, and citizens working <u>pro-actively</u>. Widespread remedies will be too costly to mandate and will require <u>voluntary implementation</u> to be effective. To achieve plan acceptance those who must implement the practices must be involved in the process to insure their acceptance and voluntary implementation. Producers, stakeholders, and others who will be called on to implement the plan need to <u>participate</u> in the structure to create the plan. The following descriptions and flowchart will provide a basic structure for preparing that plan.

Ground Water Management Area Decision Making Process



Committees composed of stakeholders representing interests for each of the areas listed.

Membership (numbers) is not limited but MUST be kept managable.

The public and technical support members may participate at GWAC meetings.

Adams, Franklin, and Grant County Boards of Commissioners

- 1-Retain lead agency status in the plan process.
- 2-Within their financial capabilities, provide local funding when necessary.
- 3-On an appropriate time basis (suggested quarterly) and in public session, review proposed portions of plan, act on committee nominations, assign new issues to an appropriate GWACs or create a new GWACs as needed and generally provide leadership.
- 4-Hold additional special public hearings on portions of the plan as deemed necessary.

Page 11 of 13 Attachment J 5-County commissions will receive portions of the plan written to reflect the impact on their county. County commissions have veto power over portions of a plan as it impacts their county.

Washington State Department Of Ecology

- 1-Represent the other state agencies and EPA on a day to day basis.
- 2-Provide funding when available and/or provide assistance in obtaining funding from other federal and state sources.
- 3-Give sufficient guidance to insure an acceptable plan.
- 4-Retain final authority on plan and its process.

Conservation Districts

- 1-Contract with their respective county commissions to represent the county interests in facilitating the activities of the GWMA process.
- 2-Contract with the county commissions to carry out GWMA functions such as employees, contractors, special projects, etc.
- 3-Provide the role of GWMA organizers by scheduling meetings, running notices, organizing agendas, support staff, etc.
- 4-Organize Community Producer Groups or other appropriate groups / methods to allow local producers and citizens a forum to have input to the plan.
- 5-Coordinate cost-share implementation plans.
- 6-Participate in appropriate research and demonstration projects.
- 7-Maintain dialog with all interested parties to insure widespread participation opportunities.
- 8-Continue to implement BMPs during the planning process.

Ground Water Advisory Committee Executive Board

- 1-Organized for the nitrate issue.
- 2-Three representatives from each Ground Water Advisory Committee (GWAC). One representative from each county. Total equals fifteen voting seats.
- 3-To approve any item, a majority of the representatives from each county must vote in favor.
- 4-GWMA coordinator writes and develops plans under their direction. Coordinator schedules, organizes, and provides all necessary support for the GWAC Executive Board.
- 5-GWAC Executive Board members are nominated by their respective Ground Water Advisory Committees; nominations need approval from county commission and D.0.E.
- 6-GWAC Executive Board provides suggestions for spending priorities of GWMA funding. Funding approval required by county board of commissioners.

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Ground Water Advisory Committees (GWACs)

- 1-Organized by issue. Issues assigned by county commissions. New issues assigned to existing groups or sent to a new group by the county commissioners.
- 2-Two types of participants are involved in GWACs. <u>Voting members</u> and their alternates must be listed by name and should represent a group of stakeholders. Any qualified individual may participate in the group meeting to give testimony as a <u>technical support member</u>. Technical support members are welcome to participate in the process, but do not cast a vote on final approval.
- 3-All interested groups, stakeholders, parties individuals, etc. may petition for a voting seat. All petitions for seats must be approved by county commissioners.
- 4-GWACs require 60% of voting members present to conduct business.
- 5-GWMA coordinator supports the needs, schedules, and provides organization for group meetings.
- 6-All voting members of the GWACs must be a resident of the GWMA.
- 7-Each group meeting is open to the public for input; individual citizens are encouraged to participate. GWACs voting members should well represent the interested stakeholders on each issue.
- 8-Community Producer Groups or other appropriate groups / methods are suggested as site-specific designated groups organized and supported by conservation districts. Districts propose to divide the three-county GWMA into fifteen to twenty areas. Producers and interested parties would be invited to participate in community based discussions. Information, reports, experts, and other support would help the Community Producer Groups assess the issues and provide solutions on a local basis. Suggest one representative, (with an alternate), from each group be nominated as a voting member of the Irrigated and Dryland Agriculture GWAC.
- 9-The following list suggests potential voting members who may petition for a voting seat on a GWAC: Community Producer Groups, WSU Extension, Potato Commission, food processors, NRCS, irrigation districts, cities, county health departments, growers associations, Farm Bureau, fish and wildlife agencies, small water associations, chemical and fieldman groups, fertilizer dealers, conservation districts, planning commissions, environmental groups, dairy and feedlot operators, recreational groups.
- 10-The following list suggests potential technical support members, not covered by associates of the above list of potential voters, who may wish to participate: USBR, DOE, WA. Department of Health, WSDA, DNR, WCC, EPA, well drillers, USGS, financial institutions, and other technical specialists as appropriate.

Attachment K EXAMPLES OF GWMA INVOLVEMENT IN LOCAL GROUNDWATER ISSUES 2002 - 2005

Draiget Title	Project Purpose	Project Description
GWMA Hydro-Stratigraphic Mapping Study: Phase I – Basalt Study Phase II – Sediments Study Lincoln County – Basalt Study	To map the extent, elevation, and thickness of the various stratigraphic units that serve as important aquifers within GWMA.	Phase I mapped Saddle Mountains and Wanapum Basalt flows, sediment interbeds, and the top of the Grande Rhonde Basalt. Phase II is providing detailed maps of the significant sediment units in the shallow aquifer system. The Lincoln County basalt study will extend the phase I mapping of the basalt flows into the southwestern area of Lincoln County.
City of Pasco – State Ground Water discharge Permit for Land Application – Well Assessment, Mapping and Recommendations to DOE for Permitting Process	Augment the City of Pasco's permit application with updated hydro-geologic information.	This project combined ground water level data collected by the City of Pasco at the application site with regional data collected by the South Columbia Basin Irrigation District. A ground water elevation map was created and was included in a 3-dimensional geologic cross section developed by the GWMA stratigraphic mapping project. Results showed the complex nature of ground water movement at the application area and revealed that the use of the existing ground water monitoring wells as compliance tools was not technically justified
Odessa Sub-Area Aquifer – DOE Data Analysis and Mapping	Analyze 40 years of water level measurements conducted by DOE.	Analyzed and summarized water level data within the Odessa sub-aquifer. Looked for correlation between water level declines and well locations. Land use mapping and evaluation.
Water Conservancy Boards of Adams, Franklin & Grant Counties – Technical Assistance	Provide reliable hydro-geologic data for water right transfer decisions.	The GWMA stratigraphic mapping data has been utilized in water right transfer decisions. A water right transfer may only be completed if the transfer occurs between the same bodies of public water. The GWMA data has been used to assess this question.



		Destartion
Project	Purpose	rroject Description
City of Moses Lake – Well Assessment & Mapping	Identify the geologic unit(s) water production is coming from in new City well.	Developed 3-dimensional geologic model to help identify the strata through which the well penetrates. Using geologic interpretations and well construction information, the depth and identity of the aquifer(s) supplying the well was identified.
City of Moses Lake - Skyline Well - Well Assessment, Mapping & Recommendations,	Identify the geologic unit(s) water production is coming from in a new well. Assist in looking for potential pathways for TCE contamination.	Developed 3-dimensional geologic model to help identify the strata through which the well penetrates. Using geologic interpretations and well construction information, the depth and identity of the aquifer supplying the well was identified. Using this information well was evaluated for potential TCE movement pathways. Following evaluation, recommendations for well rebuild or replacement to eliminate TCE contamination in well.
City of Connell – Well Assessment, Mapping & Recommendations	Identify geologic strata of water source.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified.
City of Royal City – Well Assessment, Mapping & Recommendations	Identify geologic strata of water source. Assist in looking for sources of low nitrate water.	Developed 3-dimensional geologic model to help identify the strata through which the well penetrates. Using geologic interpretations and well construction information, the depth and identity of the aquifer(s) supplying the well was identified and recommendations were made for future wells to minimize nitrate contamination from shallow groundwater.
City of Othello – Well Assessment, Mapping & Recommendations	Identify geologic strata of water source.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified.
Adams County – Technical Assistance on County's Critical Areas Ordinance	Provide technical assistance and maps.	Provided resource maps including soils, prime farmland, field boundaries, historic wetland information, and water table data.

Project Description	Provided review of proposals and WSDA pesticide applications software. Provided WSDA with agricultural land use information.	Provided resource maps including soils, prime farmland, field boundaries, historic wetland information, and water table data. Provided possible mechanisms to identify critical recharge areas.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified.	Provided area nitrate data and developed 3-dimensional geologic cross sections to help identify the strata through which their wells penetrated. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified. Correlated nitrate levels in the area to specific stratigraphic units. This information was then used to determine the depth that replacement wells would need to be drilled to minimize tapping an aquifer with high nitrate concentrations.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified. Provided an estimate of the depth the well would need to be redrilled to tap another high yielding water production zone.
Purpose	Pesticide labeling for shallow ground water application	Provide technical assistance and maps.	Identify geologic strata of water source.	Assist Beverly/Smyrna in obtaining water with low nitrate concentrations.	Identify geologic strata of water source.
Droiset	Washington State Department of Agriculture – Technical Assistance	Franklin County – Technical Assistance on County's Critical Areas Ordinance	City of Lind – Well Assessment, Mapping & Recommendations	Beverly and Smyrna Wells - Well Assessment, Mapping & Recommendations	AJ Farms – Well Assessment, Mapping & Recommendations



Project	Purpose	Project Description
Clark Jennings & Associates - Well Assessment, Mapping & Recommendations	Identify geologic strata of water source.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified.
White Bluffs Water System Well Assessment, Mapping & Recommendations	Identify yield reduction in small public water system	Provided assistance in reconditioning an existing well that was suffering from diminished production due too bio-fouling.
White Bluffs Landslides – Technical Assistance	Provide technical assistance.	Provided data and served on a technical committee for the Hanford Reach National Monument to develop recommendations in regards to the landslides being created by rising ground water levels.
Kinder Gardens Nursery – Well Assessment, Mapping & Recommendations	Identify geologic strata of water source. Assist in looking for sources of low nitrate water.	Developed 3-dimensional geologic cross sections to help identify the strata through which the well penetrates. In conjunction with well construction information, the depth and strata of the aquifer supplying the well was identified.
Moses Lake TMDL Committee- Technical Assistance	Technical Assistance to the committee.	Reviewed the hydro-logic studies presented by DOE and the land use in the Crab Creek drainage presented by the DOE. Mapping the sediments in the Moses Lake area that may be used by the Moses Lake TMDL.

MEMORANDUM OF UNDERSTANDING

between the

STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

DEPARMENT OF ECOLOGY

DEPARMENT OF HEALTH

and the

WASHINGTON CONSERVATION COMMISSION

and the

WASHINGTON STATE UNIVERSITY COLLEGE of AGRICULTURE and HOME ECONOMICS

and the

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Related to the

RESPECTIVE ROLES AND RESPONSIBILITIES OF THE SIX AGENCIES TO COORDINATE ACTIVITIES REGARDING GROUND WATER QUALITY PROTECTION IN THE MID-COLUMBIA BASIN, WASHINGTON

This Memorandum of Understanding (MOU) is made and entered into by and between the Washington State Departments of Agriculture (AGRICULTURE), Ecology (ECOLOGY), and Health (HEALTH), the Washington Conservation Commission (CONSERVATION COMMISSION), the Washington State University-College Of Agriculture And Home Economics (WSU-CAHE), and the United States Environmental Protection Agency (EPA), concerning ground water quality protection, including elevated nitrate concentrations in ground water within the mid-Columbia Basin, Washington.

1. INTRODUCTION

In May 1995, based on concerns about nitrate concentrations in ground water supplies in the mid-Columbia Basin, a Sub-Committee of the Interagency Ground Water Committee was directed to conduct an environmental and public health assessment of nitrate levels in ground water in the area encompassed by Adams, Benton, Franklin, Grant, Lincoln, and Whitman counties.

Attachment L 1 of 14

EXHIBIT 8 Attachment L

MOU regarding mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA October 30, 1996 Page 2

As a result of the assessment, the Sub-Committee concluded that nitrates exist in ground water at significant levels in localized areas within the mid-Columbia Basin, resulting in exposure of part of the population to nitrates in drinking water supplies. The nature and extent of adverse health effects associated with these exposures is not known. Based on the assessment the Sub-Committee, through a subsequent report to agency management, recommended a comprehensive, coordinated, and cooperative program be established to provide a framework for the design and implementation of locally driven solutions to documented ground water quality concerns.

II. PURPOSE AND SCOPE

The purpose of this MOU is 1) to articulate the resources and commitments by the various signatory agencies to address the first major ground water quality issue in the mid-Columbia Basin, that of elevated nitrate concentrations in ground water; and 2) to articulate the resources and commitments by the signatory agencies which are to be directed towards support of the establishment of a multi-jurisdictional Ground Water Management Area in all or part of the mid-Columbia Basin.

The scope of this MOU is to 1) describe the cooperative efforts of Agriculture, Ecology, Health, Conservation Commission, WSU-CAHE, and EPA to implement the recommendations set forth in the Sub-Committee's nitrate report and 2) define their respective roles and responsibilities in providing financial and technical support to a local lead agency and Advisory Committee to generate and implement procedures resulting in the development of an area-wide ground water management plan within portion(s) of Washington State known as the mid-Columbia Basin.

III. COORDINATION AND COOPERATION BETWEEN THE PARTY AGENCIES

- A. Funding made available by the signatories to the local lead agency or appropriate assisting agency in support of the GWMA activities shall be made, up to a maximum of 75% of the total amount required, for personnel, equipment, material and/or services and resources necessary for the establishment and initial implementation of one or more Ground Water Management Areas (GWMA) within portion(s) of Washington State known as the mid-Columbia Basin. Agriculture, Ecology, Health, the Conservation Commission and EPA shall also assist local governments in preparing and applying for federal and state funding to support development of the GWMA(s). The availability of funding is subject to legislative appropriations.
- B. The signatory agencies shall coordinate and provide technical support to the designated lead local agency and Ground Water Advisory Committee (GWAC) for the development of those items specified to be done under Chapter 173-100 WAC in order to complete a certifiable (GWMA) within the mid-Columbia Basin. This support

MOU regarding mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA October 30, 1996 Page 3

includes technical assistance from Ecology, Health, and EPA to the local lead agency in preparing a request for designation of a probable Ground Water Management Area(s).

- C. The signatory agencies shall provide technical assistance to the local lead agency and representatives to the Ground Water Advisory Committee (GWAC).
- D. Following certification of the GWMA by Ecology, the signatories to this agreement shall be guided by the recommendations of the adopted program when implementing those provisions of the ground water management plan which are within their respective jurisdictional authorities. This includes but may not be limited to, approval of studies, plans, and facilities that may utilize or impact the implementation of the ground water management program.
- E. Ecology, in fulfilling its duties as lead oversight agency for the Ground Water Management Area Process, shall seek all relevant comments from the remaining signatories, with jurisdictional authority, to this agreement during the course of the GWMA process. Ecology shall solicit and consider all relevant comments submitted by the remaining signatories to this agreement with jurisdictional authority, during certification of the final Ground Water Management Plan(s) as set out in Chapter 173-100 WAC.
- F. On a yearly basis the signatories to this agreement shall, with the local lead agency, evaluate the progress of the GWMA process to determine if environmental and project measures are being met. Based on this yearly evaluation, the signatories to this agreement and the local lead agency shall determine the need for any additional federal, state, or local ground water protection initiatives, considering the ongoing success of the GWMA and an evaluation of greatest environmental benefit.

IV. AGENCY RESPONSIBILITIES RELATED TO GROUND WATER QUALITY PROTECTION IN THE MID-COLUMBIA BASIN

A. The Department of Agriculture

- 1. Agriculture, in conjunction with the WSU-CAHE within the mid-Columbia Basin, shall perform an assessment of application rates of nitrogen fertilizers to various crop types in order to determine areas of past, current, and potentially future nitrogen overloading.
- 2. Agriculture shall, in collaboration with WSU-CAHE and the local lead agency, provide educational programs on best management practices, the economics of best management practices, and other measures.

EXHIBIT 8 Attachment L

MOU regarding mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA October 30, 1996 Page 4

B. The Department of Ecology

- 1. Ecology shall provide technical assistance to the local lead agency in the preparation of the Hydrogeologic Characterization necessary as part of the development of the Ground Water Management Area(s). This shall include Geographic Information System (GIS) and data collection related activities.
- Ecology shall continue to collect and compile existing nitrate concentration data to improve understanding of the extent of nitrates in ground water within the mid-Columbia Basin. Priority for data collected by Ecology, Health, or the US Geological Survey will be given. There shall be specific attention to improving data density in the central and eastern portions of the mid-Columbia Basin. The results of this activity will be reviewed on an annual basis and an annual data analysis report produced.
- 3. Ecology shall work with stakeholders for which it has permit authority to encourage their participation in the development of a certifiable GWMA(s).
- 4. Ecology shall incorporate area(s) covered in the probable GWMA(s) into both its Water Quality Element of the Watershed Approach, and its Local Area Action Team process where appropriate.
- In order to insure cost effective funding of the GWMA(s) process, Ecology shall provide a coordination mechanism for information regarding potential agency specific funding of the various tasks related to the establishment, operation, and certification of the GWMA(s).

C. The Department of Health

- 1. Health shall conduct follow-up investigations, to the extent possible, to determine the causal agent(s) of the reported cases of methemoglobinemia among children identified in hospital discharge data reported in An Examination of Methemoglobinemia in Washington State, 1996.
- 2. Health shall work with local jurisdictions to ensure private well owners have water well testing available. Health shall also work with local health jurisdictions and other appropriate entities to educate private well owners on the need for on-going water quality monitoring.
- Health shall take a lead role to identify and educate sensitive subpopulations/ individuals and work with other state and local agencies to ensure they have access to safe drinking water supplies.

Attachment L

MOU regarding mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA October 30, 1996 Page 5

- 4. Health shall work with local health jurisdictions and other appropriate entities to identify and initiate additional public health responses to address elevated nitrate levels in drinking water.
- Health shall evaluate and, to the extent feasible and appropriate, will establish an epidemiological surveillance program to detect sentinel events (e. g., methemoglobinemia) and follow-up investigations.

D. Washington Conservation Commission

- 1. The Conservation Commission shall encourage an increase in the activities of Conservation Districts to promote the implementation of the irrigated agriculture Best Management Practices.
- 2. The Conservation Commission shall adopt and promote the implementation of sound cropping system nitrogen uses based upon specific geographic factors.

E. Washington State University College of Agriculture and Home Economics

- 1. WSU-CAHE in collaboration with the Department of Agriculture and the local lead agency, shall develop, test, and recommend scientifically-based agricultural best management practices and other measures that reduce nitrogen application to crop specific agronomic rates.
- 2. WSU-CAHE in collaboration with the local lead agency, shall conduct applied research leading to the development of agricultural best management practices and other measures that reduce undesired impacts on ground water quality.
- 3. WSU-CAHE in collaboration with the Department of Agriculture and the local lead agency, shall provide educational programs on best management practices, the economics of best management practices, and other measures.

F. United States Environmental Protection Agency

1. The EPA shall provide staffing, for the duration of this agreement, for technical assistance and representation to the both the local lead agency and the GWAC.

V. DISPUTE RESOLUTION

In the event that technical or policy disagreements arise between staff of the parties to this MOU, they shall be resolved at the lowest possible level. If resolution is not achieved, disputes shall be escalated sequentially as appropriate.

MOU regarding mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA October 30, 1996 Page 7

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding.

State of Washington

Department of AGRICULTURE

By:

Date: (0/3019

State of Washington

Department of HEALTH

Title: Secting Te

Date: 13-33-1

Washington State University

COLLEGE OF AGRICULTURE AND HOME

ECONOMICS

Title: De

State of Washington

Department of ECOLOGY

Title: Director

Date:

10/30/96

State of Washington

CONSERVATION COMMISSION

Title: Exerc. of

Date: 10/30/86

United States

ENVIRONMENTAL PROTECTION AGENCY

By:

Title:

Date:

10/30/96

AMENDMENT NUMBER 1

to the

MEMORANDUM OF UNDERSTANDING

between the

STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

DEPARMENT OF ECOLOGY

DEPARMENT OF HEALTH

and the

WASHINGTON CONSERVATION COMMISSION

and the

WASHINGTON STATE UNIVERSITY COLLEGE of AGRICULTURE and HOME ECONOMICS

and the

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Related to the

RESPECTIVE ROLES AND RESPONSIBILITIES OF THE SIX AGENCIES TO COORDINATE ACTIVITIES REGARDING GROUND WATER QUALITY PROTECTION IN THE MID-COLUMBIA BASIN, WASHINGTON

PURPOSE: To smend the Memorandum of Understanding (MOU) between the Washington State Departments of Agriculture (AGRICULTURE), Ecology (ECOLOGY), and Health (HEALTH), the Washington Conservation Commission (CONSERVATION COMMISSION), the Washington State University-College Of Agriculture And Home Economics (WSU-CAHE), and the United States Environmental Protection Agency (EPA), concerning ground water quality protection, including elevated nitrate concentrations in ground water within the mid-Columbia Basin, Washington.

IT IS MUTUALLY AGREED that the Memorandum of Understanding is amended as follows:

Amendment No. 1 to the MOU regarding the mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 2

The period of performance is extended from June 30, 1999 through June 30, 2002.

A. The Introduction is modified by the addition of a third paragraph as follows:

1. INTRODUCTION

In May 1995, based on concerns about nitrate concentrations in ground water supplies in the mid-Columbia Basin, a Sub-Committee of the Interagency Ground Water Committee was directed to conduct an environmental and public health assessment of nitrate levels in ground water in the area encompassed by Adams, Benton, Franklin, Grant, Lincoln, and Whitman counties.

As a result of the assessment, the Sub-Committee concluded that nitrate exists in ground water at significant levels in localized areas within the mid-Columbia Basin, resulting in exposure of part of the population to nitrate in drinking water supplies. The nature and extent of adverse health effects associated with these exposures is not known. Based on the assessment the Sub-Committee, through a subsequent report to agency management, recommended a comprehensive, coordinated, and cooperative program be established to provide a framework for the design and implementation of locally-driven solutions to document ground water quality concerns.

In November 1997, the Boards of Commissioners of Adams, Franklin, and Grant Counties petitioned the Department of Ecology to become the Columbia Basin Ground Water Management Area (GWMA). Ecology director Tom Fitzsimmons signed the Executive order designating Adams, Franklin and Grant Counties as the Columbia Basin Ground Water Management Area on February 4, 1998. For the rest of this document Adams, Franklin and Grant Counties will be referred to as the lead agency.

B. The Purpose and Scope of Work are modified as follows:

The purpose of this MOU is 1) to articulate the resources and commitments by the various signatory agencies to address the first major ground water quality issue in the mid-Columbia Basin, that of elevated nitrate concentrations in ground water; and 2) to articulate the resources and commitments by the signatory agencies which are to be directed towards support of the Columbia Basin Ground Water Management Area.

The scope of this MOU is to 1) describe the cooperative efforts of Agriculture, Ecology, Health, Conservation Commission, WSU-CAHE, and EPA to implement the recommendations set forth in the Sub-Committee's nitrate report and 2) define their respective roles and responsibilities in providing financial and technical support to the lead agency and Advisory Committees to generate and implement procedures resulting in a reduction of nitrate in ground water in Adams, Franklin and Grant Counties.

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MOU regarding the mid-Columbia Basin Ground Water Quanty Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 3

III. COORDINATION AND COOPERATION BETWEEN THE PARTY AGENCIES

This section is revised as follows:

Paragraph A is deleted.

- B. The signatory agencies shall coordinate and provide technical support to the lead agency and Ground Water Advisory Committee (GWAC) for the development of those items specified to be done under Chapter 173-100 WAC in order to complete a certifiable GWMA within the mid-Columbia Basin.
- C. The signatory agencies shall provide technical assistance to the lead agency and representatives to the GWAC. At a minimum, this assistance will include review of slraft and final documents produced by the GWAC and associated contractors during the development and certification of the ground water management plan.
- F. On a yearly basis the signatories to this agreement shall, with the lead agency, evaluate the progress of the GWMA process to determine if environmental and project measures are being met. Based on this yearly evaluation, the signatories to this agreement and the lead agency shall determine the need for any additional federal, state, or local ground water protection initiatives, considering the ongoing success of the GWMA and an evaluation of greatest environmental benefit.

IV. AGENCY RESPONSIBILITIES RELATED TO GROUND WATER QUALITY PROTECTION IN THE MID-COLUMBIA BASIN

This section is revised as follows:

A. The Department of Agriculture

- 1. Agriculture, in conjunction with the WSU-CAHE, will advise or assist GWACs in the development of proposed agricultural Best Management Practices (BMPs) and other proposed measures that promote nitrogen application at crop-specific agronomic rates.
- Agriculture will, in collaboration with WSU-CAHE and the GWACs, provide educational programs or discussions on BMPs, the beneficial impacts of BMPs, and communicate the environmental benefits of the GWMA's work. In addition, Agriculture will help promote awareness about nitrate issues relevant to ground water based on available resources.

Amendment No. 1 to the MOU regarding the mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 4

3. Agriculture's chemigation and fertigation specialists will provide technical assistance on irrigation issues where appropriate. Agriculture will also comment on or assist with early implementation of BMPs as resources allow.

B. The Department of Ecology

- 1. Ecology shall provide technical assistance to the lead agency in the preparation/review of the Hydrogeologic Characterization necessary as part of the development of the GWMA..
- 2. Ecology shall continue to collect and compile existing nitrate concentration data to improve understanding of the extent of nitrate in ground water within the mid-Columbia Basin. Priority for data collected by Ecology, Health, or the US Geological Survey will be given. There shall be specific attention to improving data density in the central and eastern portions of the mid-Columbia Basin.
- Ecology shall work with stakeholders for which it has permit authority to encourage their participation in the development of a certifiable GWMA.
- 4. Ecology shall incorporate area(s) covered in the GWMA into both its Water Quality element of the Watershed Approach, and its Local Area Action Team process where appropriate.
- In order to insure cost-effective funding of the GWMA process, Ecology shall provide a coordination mechanism for information regarding potential agency-specific funding of the various tasks related to the establishment, operation, and certification of the GWMA.
- 6. Ecology shall provide an Agency coordinator to work with GWMA staff and other agencies.

C. The Department of Health

- 1. Health shall work with local jurisdictions to ensure private well owners have water well testing available. Health shall also work with local health jurisdictions and other appropriate entities to educate private well owners on the need for ongoing water quality monitoring.
- 2. Health shall take a lead role to identify and educate sensitive sub-populations/ individuals and work with other state and local agencies to ensure they have access to safe drinking water supplies.

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MOU regarding the mid-Columbia Basin Ground Water Quality Berween WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 5

- 3. Health shall work with local health jurisdictions and other appropriate entities to identify and initiate additional public health responses to address elevated nitrate levels in drinking water.
- 4. In conjunction with local public health agencies, Health will explore the feasibility of conducting a targeted epidemiological surveillance project to assess the public health impact of nitrate in drinking water in Washington State.

D. Washington Conservation Commission

- 1. The Conservation Commission, in cooperation with the Washington Association of Conservation Districts (WACD), shall encourage an increase in the activities of Conservation Districts to promote the implementation of the irrigated and dryland agricultural BMPs.
- 2. The Conservation Commission shall promote the implementation of nutrient and irrigation water management in the Columbia Basin GWMA.
- The Conservation Commission shall appropriate state general funds in the 1999-2000 biennium, through special grants to the Conservation Districts in the Columbia Basin GWMA, to reduce nitrate in ground water.

E. Washington State University College of Agriculture and Home Economics

- 1. WSU-CAHE will participate in the activities of the GWMA through representation on the Irrigated and Dryland Agriculture Committee.
- WSU-CAHE will review relevant documents produced by the Irrigated and Dryland Committee of the GWMA and provide advice on the scientific accuracy of these documents based on currently available research data.
- 3 WSU-CAHE will work with the GWMA to determine the need for research and field testing to verify the ability of recommended BMPs to meet GWMA goals. WSU-CAHE will collaborate with the GWMA to conduct the needed research and field testing when appropriate funding can be obtained.
- 4. WSU-CAHE will work with the GWMA staff to provide educational programs on BMPs, the economics of BMPs and other relevant topics. This educational effort will include the delivery of education through the use of Home*A*Syst and Farm*A* Syst programming.

Amendment No. 1 to the MOU regarding the mid-Columbia Basin Ground Water Quality Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 6

F. United States Environmental Protection Agency

- 1. EPA will participate in the activities of the GWMA through representation at priority workgroup, GWAC, and Executive Board meetings.
- 2. EPA will participate in the review of relevant documents to assist the State in GWMA certification.
- 3. EPA will provide technical assistance to the GWMA through participation on the Characterization and Monitoring Workgroup and through other means of support as requested by the GWMA or State and as EPA resources allow.
- EPA will administer Federal funding specially designated for the GWMA by Congressional appropriation via a grant to the lead fiscal agency. To ensure coordination and effective use of resources, EPA will share relevant grant and workplan information with the MOU agencies and other interested and affected parties.
- 5. EPA will seek to obtain other financial resources and program assistance to support the GWMA effort, such as through the Columbia Plateau Agricultural Initiative and safe drinking water programs to protect public health.

This amendment shall be effective July 1, 1999.

All other terms and conditions of the original Memorandum of Agreement and any subsequent amendments thereto remain in full force and effect.

Between WSDA, WDOE, WDOH, WA CC, WSU CE, and US EPA Page 7

IN WITNESS WHEREOF, the parties have executed this amendment to the Memorandum of Understanding.

State of Washington

Department of AGRICULTURE

By: Jan Jeserning

Title: Director

Pare 114 8 199

State of Washington
Department of HEALTH

By: Mary C. Silecky

Title: Secretary of Health Date: Nor 12, 1949

Washington State: University
COLLEGE of AGRICULTURE AND HOME
ECONOMICS

My Tames J Zuiches Title: Dean

Date:

State of Washington

Department of ECOLOGY

By: Tom Fitzsimmons

Title: Director

Date: Oct 1, 1995

State of Washington

CONSERVATION COMMISSION

By: Steve R. Meyer
Title: Executive Director

Date: OCT 6, 1999

United States

ENVIRONMENTAL PROTECTION AGENCY

By: Chuck Clarke

Title: Regional Administrator

Dare: [MIN 2 9 1999

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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

December 6, 2001

Mr. Paul Stoker Columbia Basin Ground Water Management Area 449 E. Cedar Blvd. Othello, WA 99344

Dear Mr. Stoker:

In accordance with WAC 173-100-120, the Department of Ecology has reviewed the Columbia Basin Ground Water Management Area Program. The Columbia Basin Ground Water Management Area Program is hereby certified as being consistent with the intent of Chapter 173-100 WAC, Ground Water Management Areas and Programs and other pertinent state regulations.

The Washington State Department of Ecology looks forward to continued support of the plan elements and cooperation between our two organizations in the areas of technical expertise and ground water data sharing.

Congratulations on the completion and certification of this important ground water planning and management effort.

Sincerely,

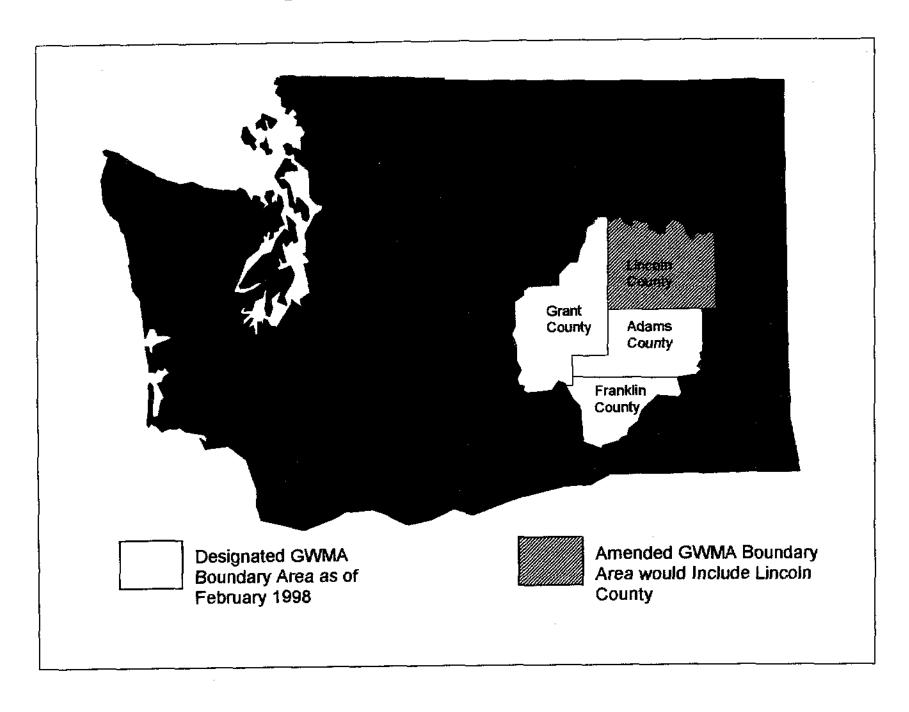
Tom Fitzsimmons

Director

1 - 1 Attachment M

Attachment N

Columbia Basin Ground Water Management Area Proposed Amended Boundary Area



The proposed amendment of the boundary area of the Columbia Basin Ground Water Management Area of Adams, Franklin and Grant Counties would include the political boundary area of Lincoln County.

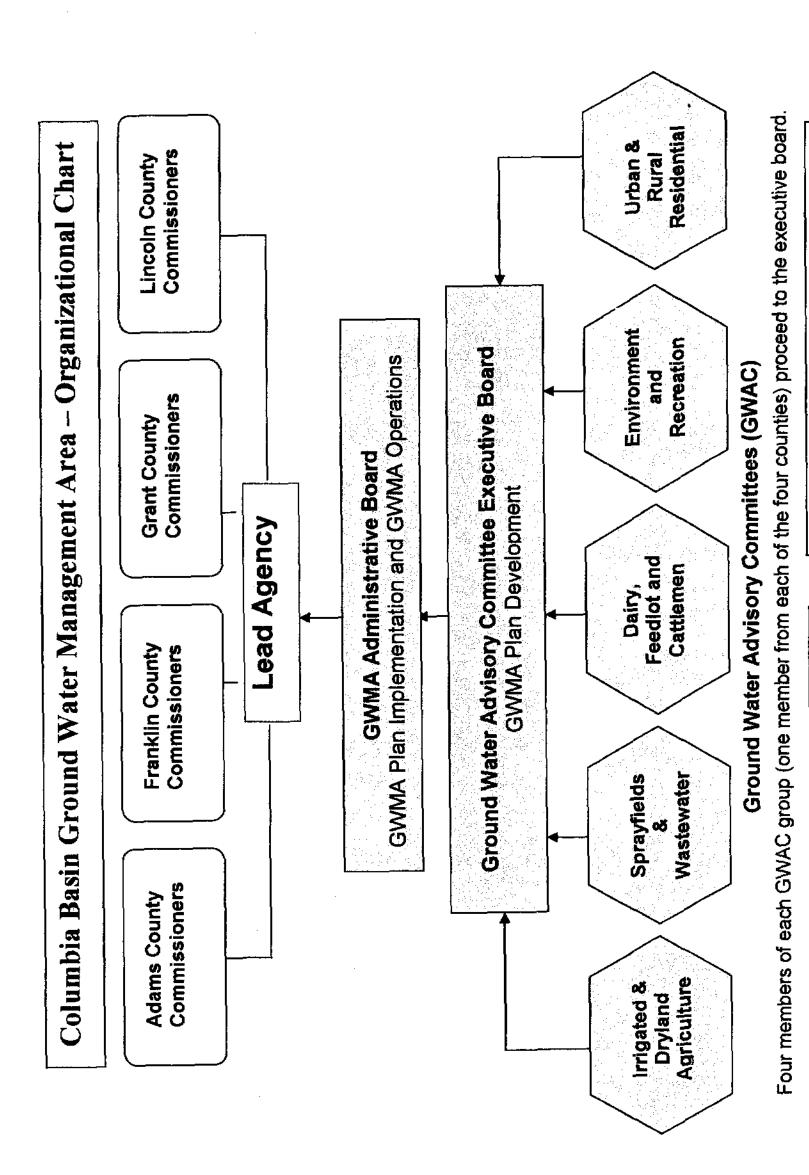
Attachment O

Estimated Timeline for GWMA Petition Process December 2004 – June 2005

December, 2004- January, 2005	Petition – Drafted and Review	GWMA staff prepares draft Petition. A draft copy of the Petition will be forwarded to all four counties for review, editing and comment.	
February, 2005	Petition - Approval Final Draft	Document is submitted to the Administrative Board at a regular meeting of the Board for approval.	
February – March, 2005	Lead Agency and Lincoln County	a model at 11 C C to the Commissions	
March, 2005	Submit Petition to Ecology	Upon Commissioners approval, Petition will be submitted to Ecology Director.	
April, 2005	Ecology Director responds to Petition	Ecology Director responds to petition and directs Lead Agency to hold joint public hearings.	
April - May, 2005	Schedule Public Hearings	Advertise notice of public hearings in a publication of general circulation a minimum of three (3) consecutive weeks prior to the date of the hearing within each of the four counties.	
April - May, 2005	Public Review of GWMA Plan in Lincoln County	GWMA Plan made available to Lincoln County residents for public review in locations accessible to the general public (county courthouse, conservation district office, city hall, library, etc.) and upon request from the GWMA office.	
May, 2005	Conduct Public Hearings	Conduct joint public hearings with Ecology in each of the counties: • One public hearing in each of the existing GWMA counties—Adams, Franklin and Grant counties on both issues: 1) To include Lincoln County and 2) To expand designation to allow GWMA to address critical regional groundwater issues.	

Estimated Timeline for GWMA Petition Process - Continued

May 2005	Conduct Public Hearings (continued)	 Boards of County Commissioners for Adams, Franklin and Grant counties – adopt resolution to include Lincoln County as an equal partner in the GWMA Lead Agency and to allow other water resource criteria under the designation. Three public hearings at separate locations in Lincoln County (suggested possible hearing locations - Davenport, Odessa, and Wilbur) re: Adopting the GWMA Plan; becoming a cooperating Lead Agency member of the GWMA; expanding designation to include other water resource criteria under the designation.
May, 2005	Lincoln County Adopts GWMA Plan by Resolution	Following the public hearing process, Lincoln County Commissioners may adopt the GWMA Plan through resolution. (RCW 173-100 requires a full planning process. DOE has agreed that it would be acceptable for Lincoln County to adopt current or existing GWMA Plan.)
May - June, 2005	Findings of Fact Submitted to Ecology	Develop Findings of Fact received during public hearings, and submit to the Ecology Director.
June, 2005	Amended GWMA Designation Order	Ecology Director considers issuance of an amended designation order to officially include Lincoln County into the GWMA.



Technical Advisors

Implementation Agencies Conservation Districts,

Health Districts

Dept. of Ecology, Conservation Commission, Dept. of Agriculture, USEPA, WSU

Implementation Agencies and Technical Advisors participate as support for the GWMA. These agencies and organizations do not have a voting role in the GWMA process.



Attachment Q

ADAMS COUNTY RESOLUTION	
FRANKLIN COUNTY RESOLUTION	
GRANT COUNTY RESOLUTION	
LINCOLN COUNTY RESOLUTION	

IN THE MATTER OF CERTAIN PROVISIONS REGARDING FISCAL RESPONSIBLITIES OF THE COLUMBIA BASIN GROUND WATER MANAGEMENT AREA BETWEEN ADAMS, FRANKLIN, GRANT AND LINCOLN COUNTIES.

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have petitioned the Washington State Department of Ecology to be the Lead Agency and the combined boundary area of the Columbia Basin Ground Water Management Area (GWMA); and

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have agreed that the GWMA will operate at all times within the budget limitations of expenditures to available revenue sources as approved by the GWMA Lead Agency, and

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have agreed that the intent of the GWMA is to not require local financial input and that any unforeseen funding required by the Lead Agency of the GWMA will be shared by the four counties;

NOW, THEREFORE, BE IT RESOLVED, that the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties, the Lead Agency of the GWMA, do hereby agree to share responsibility for GWMA funding as may be necessary at the following levels: 40% by Grant County; 30% by Franklin County; 20% by Adams County; and 10% by Lincoln County.

Approved this	day of	, 2005.	Approved this	day of	, 2005.
BOARD OF COUNTY COMMISSIONERS ADAMS COUNTY, WASHINGTON			BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON		
Chair			Chair		
Member			Member		
Member			Member		
Attest:			Attest:		
Clerk of the Board		Clerk of the Board			

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Page Two

Resolution: In the Matter of Certain provisions for the shared fiscal responsibilities of the Columbia Basin Ground Water Management Area (GWMA) between Adams, Franklin, Grant and Lincoln Counties.

Approved this day of, 20	05. Approved this day of, 2005
BOARD OF COUNTY COMMISSIONERS GRANT COUNTY, WASHINGTON	BOARD OF COMMISSIONERS LINCOLN COUNTY, WASHINGTON
Chair	Chair
Member	Member
Member	Member
Attest:	Attest:
Clerk of the Board	Clerk of the Board

FRANKLIN COUNTY RESOLUTION NO. 2005-113

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

RE: IN THE MATTER OF CERTAIN PROVISIONS REGARDING FISCAL RESPONSIBILITIES OF THE COLUMBIA BASIN GROUND WATER MANAGEMENT AREA BETWEEN ADAMS, FRANKLIN, GRANT AND LINCOLN COUNTIES

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have petitioned the Washington State Department of Ecology to be the Lead Agency and the combined boundary area of the Columbia Basin Ground Water Management Area (GWMA); and

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have agreed that the GWMA will operate at all times within the budget limitations of expenditures to available revenue sources as approved by the GWMA Lead Agency, and

WHEREAS, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties have agreed that the intent of the GWMA is to not require local financial input and that any unforeseen funding required by the Lead Agency of the GWMA will be shared by the four counties;

NOW, THEREFORE, BE IT RESOLVED, the Boards of Commissioners of Adams, Franklin, Grant and Lincoln Counties, the Lead Agency of the GWMA, do hereby agree to share responsibility for GWMA funding as may be necessary at the following levels: 40% by Grant County; 30% by Franklin County; 20% by Adams County; and 10% by Lincoln County.

APPROVED this 9th day of March 2005.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ABSENT

Frank H. Brock, Chair

Neva J. Corkrum, Chair Pro Tem

Robert E. Koch, Member

Attest:

Clerk of the Board

Originals:

Auditor

Minutes

Columbia Basin GWMA

cc;

GWMA File

Commissioners' Proceeding for March 9, 2005

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Neva J. Corkrum, Chair Pro Tem; Bob Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Frank H. Brock, Chairman, was absent attending the American Public Transportation Association (APTA) legislative conference in Washington, D.C.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Also present: Ryan Verhulp.

Consent Agenda

Motion – Mr. Koch: I so move to accept the consent agenda for March 9, 2005, as presented:

- 1. Approval of **Resolution 2005-108** for amendment #4 to the agreement for providing substance abuse services between the Division of Alcohol and Substance Abuse and Benton and Franklin Counties' Department of Human Services, \$#0363-26858-04, effective January 1, 2005 through June 30, 2005, and to authorize the Chairman Pro Tem to sign said amendment on behalf of the Board. (Exhibit 1)
- 2. Approval of **Resolution 2005-109** for amendment #3 to the agreement for providing developmental disabilities services between Sunderland Family Treatment Services and Benton and Franklin Counties' Department of Human Services, \$#0305-MH-SFTS-3, effective July 1, 2003 through June 30, 2005, and to authorize the Chairman Pro Tem to sign said amendment on behalf of the Board. (Exhibit 2)
- 3. Approval of *Out-of-State Travel Request* for Sheriff Richard Lathim to attend the National Sheriffs' Association annual conference and training to be held in Louisville, Kentucky, June 24 through June 30, 2005, for an estimated cost of \$1,150. (Exhibit 3)
- 4. Approval of *Voluntary Transfer of Annual Leave Request* as per Resolutions 2001-246 for Aaron Hamel (Sheriff's Office) as follows:
 - Patrick Tomren (Sheriff's Office) to transfer 10 hours.
 - Jacinto Nunez (Sheriff's Office) to transfer 10 hours.
 - Darrell Chambers (Sheriff's Office) to transfer 5 hours.
 - Rick Kent (Sheriff's Office) to transfer 5 hours.
 - Jim Dickenson (Sheriff's Office) to transfer 10 hours.
 - John Spier (Sheriff's Office) to transfer 5 hours.
 - Monty Huber (Sheriff's Office) to transfer 10 hours.

Commissioners' Proceeding for March 9, 2005

- Craig Cole (Sheriff's Office) to transfer 30 hours.
- Gordon Thomasson (Sheriff's Office) to transfer 10 hours.
- Jim Johnston (Sheriff's Office) to transfer 80 hours. (Exhibit 4)
- 5. Approval of **Resolution 2005-110** for an inter budget transfer in the amount of \$6,000 from the 2005 Current Expense Information Services Budget, Number 001-000-350, line item 518.80.48.0005 (R&M Maintenance Agreements) to the Capital Outlay Budget, Number 001-000-710, line item 594.00.64.3501 (Computer Hardware) to pay for devices to back up the County network. (Exhibit 5)

Second by Mrs. Corkrum. 2:0 vote in favor.

Utility Taxes

The legislature is considering a bill regarding utility taxes. Counties would be able to impose a tax of up to 2% on the gross receipts of utility businesses for the purposes of providing criminal justice revenues. The utilities affected include telephone, water, sewer, or solid waste businesses. It does not include gas or electric utilities. Legislative liaison Jim Potts is requesting that Board members call legislators in support of the bill.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Executive Session at 9:22 a.m. regarding possible litigation expected to last five minutes. Open Session at 9:32 a.m.

TRAC Manager Ray Ritari and Maureen Vincent joined the audience.

TRAC Concession Lease Agreement

Mr. Verhulp said the last two signature pages of the lease agreement need to be revised. Mr. Ritari said the Board can wait until March 14 to sign the contract.

Tri-City Herald Reporter Melissa Hoyos joined the audience.

Second portion of Elections litigation

The Washington Counties Risk Pool denied a request from Prosecutor Steve

Lowe to provide coverage for the second elections litigation. The county has had to incur

Commissioners' Proceeding for March 9, 2005

cushion would protect them but then you will have problems with the cushions. The change order is for seven benches. The other benches were already included in the base bid. The shorter 7-foot benches won't fit between the scagliola pilasters so replicas are being built for that hallway area.

Mr. Bowen asked if some of the additional wooden benches can be used in the back of the courtroom. He also asked if they could they be cut down to 12 feet instead of 14 feet. Mr. Bowen asked if the Board is interested in considering that idea. Mr. Koch asked where else would the benches be used. Mr. Bowen said probably in hallways for use by people waiting to go into court. Mrs. Corkrum said in the future she would like to get more benches that are painted with auto paint for public use but not as part of this contract.

Mr. Bowen asked if benches could be placed against the back bar, behind where the attorneys would sit at counsel tables. Mr. Casey said yes, at least the shorter benches.

Mrs. Corkrum said we'll find a use for them. Mr. Casey said the code will require that benches be bolted down. Mr. Bowen said it is possible the benches may end up being put into storage for protection from vandalism.

Mrs. Corkrum said she thinks the Commissioners Meeting room will need some nice-looking chairs.

Change Order #42 relates to additional plaster restoration work that will be done by Hayles & Howe, Inc. A letter from Hayles & Howe, Inc., was reviewed explaining the need. Mr. Casey told the Board about conversations he has had with others regarding the change. It is a historical change to restore historical finishes. Fabric and acoustic panel will be installed. The fabric and acoustical panel may be taken out at some future time but then there would be an unpainted surface. The overall historic surface will be there if you choose to uncover it. Mrs. Corkrum thinks we should do it. The general contractor is also asking for 15 days extended overhead costs for \$27,766. (The subcontractor has asked for 20 additional days.) Other work cannot be done while these workers are working on the ceiling. The total change order is \$52,880.

Commissioners' Proceeding for March 9, 2005

Change Order #43 relates to the scagliola work. The original bid was to repair scagliola and adhere it to the face. However, the subcontractor Hayles & Howe, Inc., has determined more work is needed. While the back side of the walls are open, the proposal is to attach the scagliola from the back. It will not cause more damage to the finished surface, which is really only about 1/16th inch thick. It can be physically attached from the back side to the structure that will hold it and they will do complete plastering of the entire joint instead of using daubs of plaster in spots. Over the next 100 years this will secure the scagliola more efficiently than in the past.

Mr. Casey said the additional work far exceeded what they were going to do. He said they are changing their procedure but will not have to patch every time they go through. It would take a lot more time than patching from the back. After further questions by Mr. Bowen, Mr. Casey said they did not give us a credit breakdown. Mr. Bowen wants to make sure they're going to give us a credit breakdown before they add the additional amount. Mr. Casey said the paperwork shows an additional cost of \$16,830. Mr. Casey said they are still doing face repair. He doesn't think they will be gaining any time by having to crawl into the walls and by having to do the complete butter (plastering) and reattachment. The real timeline issue is that although they haven't asked for any additional days, in order for them to do this, the back side of those walls have to remain open. Mr. Casey does not think they are double-charging us. The charges are accurate but the letter is written poorly.

The final change orders will be brought back to the Board for final approval.

Mr. Casey said: If you approve us to add it to the contract with a change order, then I'll write that up and send it.

Motion – Mr. Koch: So moved. Second by Mrs. Corkrum. 2:0 vote in favor. Adjourned at 10:59 a.m.

Attachment J

COLUMBIA BASIN

GROUND WATER MANAGEMENT AREA

PETITION TO DESIGNATE A GWMA FOR

ADAMS, FRANKLIN, AND GRANT COUNTIES

February 1998

1 - 13 Attachment J