



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Region Office**

PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

June 14, 2022

Josh Metcalf, Director
Lewis County Public Works
2025 NE Kresky Ave
Chehalis, WA 98532
Josh.Metcalf@lewiscountywa.gov

Re: Water Right Permits G2-28021, G2-28391, and G2-28392

Dear Josh Metcalf:

This document will not be sent in the US mail. In order for Ecology to confirm you received this document, please reply to the email this document was attached to with the following: *"I have received Ecology's decision via email. This email serves as my response that I am the addressee or their agent, and that the decision has been received and certified mail is not requested."*

Under the recent revision of POL 1050 in October 2021, Ecology is no longer able to do a partial cancelation of a water right permit unless requested by the permit holder. Therefore, in response to your request for an extension to the above water right permits, the development schedule has been extended as follows:

Proof of Appropriation: April 1, 2027

Basis of extension approval:

- The delay would enable the permit holder to meet public water supply needs, consistent with the intent of the permits.

You will also find enclosed your superseding permits. Provisions were included in the extension granted in 2014, however Ecology did not follow-up with superseding permits at that time. These provisions are detailed below:



from the Birchfield Meadows wells will likely capture groundwater that would otherwise contribute baseflows to the North, South, and Middle Forks of the Newaukum River. In 1988, Chapter 173-522 WAC (Instream Flow Rule for the Chehalis Basin) closed the Middle Fork of the Newaukum River from May 1 to October 1 each year. This regulation also established baseflows for the North and South Forks and the mainstem of the Newaukum River. These baseflows are not always met, especially during the summer months.

Because of impacts to surface water, Lewis County Water District #5 or any successor must prepare and implement a mitigation and conservation plan, specifically for Birchfield Meadows. This plan must specifically address measures to be taken to reduce water use and mitigate summer withdrawals of water. The elements of this mitigation and conservation plan shall consist of the following:

- Implementing low impact development (LID) techniques to control stormwater runoff, where practicable and allowed under applicable local regulations.
- Managing stormwater so off-site flows are equal to or less than flow from natural non-forested conditions.
- Operating a conservation plan to reduce water demand (e.g., limiting outdoor water usage, requiring drought resistant plants for landscaping, minimizing disruption to native vegetation, etc.).

Lewis County Water Public Works is also encouraged to mitigate in other means such as purchasing valid water rights to voluntarily relinquish to preserve the environment and protect instream flows.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

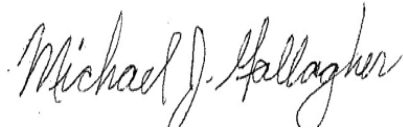


- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
<p>Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503</p> <p>Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501</p>	<p>Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608</p> <p>Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903</p>

For additional information visit the Environmental Hearings Office
Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

Sincerely,



Michael J. Gallagher, Section Manager
SWRO Water Resources Manager

Enclosures: *Your Right to Be Heard*
Proof of Appropriation Form

cc: Lee Napier, Community Planning Director
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