



PUBLIC WORKS DIVISION

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September 29, 2023

Austin Melcher
Washington Department of Ecology
Water Resources Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: Comments on proposed Revision to Municipal Water Policy 2030

Dear Mr. Melcher:

The City of Spokane (City) appreciates the opportunity to review and comment on the Washington State Department of Ecology's (Ecology) Draft Policy 2030 Update, Municipal Water Law Interpretative and Policy Statement (Draft Policy). The City of Spokane (City) is the fourth (4th) largest water purveyor in the state of Washington based on the number of service connections. The City, as a Group A water purveyor, takes its responsibility seriously for providing clean, safe and reliable water. The City is responsible to plan for population growth, plan for climate change, protect the Spokane Valley-Rathdrum Prairie Aquifer and the Spokane River, and manage and maintain its water system.

The City shares and supports the concerns expressed in the Washington Water Utilities Council's (WWUC) comment letter to the Draft Policy, dated September 26, 2023, attached. Ecology states that it is dedicated to preserving and protecting the environment (land, air and water) in Washington for today and for future generations. Ecology as the delegated agency under federal law, has authority to implement and enforce the various environmental laws and regulations within Washington state.

Meanwhile, like other water purveyors, the City is responsible for its future planning, operation, revenue requirements and expenditures, as part of its "duty to serve" clean drinking water to its customers within the Spokane Region. The Draft Policy creates uncertainty and barriers for municipal water suppliers to meet their responsibilities. We require certainty when developing, processing, and implementing solutions to align with Ecology's values because of the significant investment of time and money often required.

The Draft Policy does not clearly specify Ecology's priorities and environmental ranking systems nor clearly define application of state laws. As a result, purveyors will make decisions that limit their risks, choosing short-term, less expensive and less innovative solutions. The Draft Policy does not clearly define or lay out the decision framework that Ecology will use or reference when evaluating applications and needs of municipal water purveyors. This uncertainty likely will cause multiple plan revisions that will delay capital project construction and reduce a purveyor's ability to serve water to their customers. At a time when climate change is impacting so many aspects of water, there needs to be clear guidance to achieve the goals and priorities under the Municipal Water Law.

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Mr. Melcher

The City of Spokane water utility has some unique aspects that make certainty around available water supplies even more critical. We have a large geographic service area and serve as **the** regional water purveyor through Spokane County in Eastern Washington. We have multiple supplemental and emergency water intertie agreements with our neighbors, serve customers inside and outside our corporate boundaries, and are called upon when other systems fail. Our water comes from the Spokane Valley-Rathdrum Prairie Aquifer, which is designated as a sole source aquifer for more than a half million people in Washington and Idaho. This incredible resource is being threatened more and more by contamination. Declining wells are also a problem and will continue to be as we see the effects of climate change. These complexities are our reality. There is concern that the currently available municipal water rights will not be adequate to meet emergent needs.

The Draft Policy acknowledges that growth and additional demands are expected and requires proof of analysis in a purveyor's Water System Plan. While this approach attempts to address municipal concerns, it does not provide the long-term certainty because Water System Plans only cover a 20-year planning horizon.

The City asks for the Draft Policy to be revised in order to provide clear guidance to water purveyors and Ecology so that we can work together to preserve and protect Washington's land, air, and water for today's and for future generations.

Very truly yours,



Marlene C. Feist
City of Spokane, Public Works Director

Encs. WWUC Comment Letter