

WDFW

WDFW appreciates the opportunity to comment on draft policy 2030.

WDFW generally believes that inchoate water is unable to provide actual benefits to fish and wildlife. Agreeing not to divert water in the future that was not diverted in the past does not create a new ecological benefit.

In some instances, even a perfected portion of a water right might be unable to provide a benefit to fish and wildlife. For example, a municipal water right holder has perfected 500 acre-feet of their 1000 acre-foot water right. The municipal water right holder seeks to utilize 250 acre-feet of the perfected water as mitigation but continues to use 500 acre-feet annually. The ecological impact in that scenario would be the same if the municipal water right holder has used the inchoate portion of the water right as mitigation. Conversely, reducing out-of-stream water use (through increased efficiency or other means) likely does create a new benefit to fish and wildlife.

RCW 90.54.191 directs Ecology to prioritize streamflow restoration in watersheds where the exercise of inchoate water rights may have a larger effect on streamflows and water users. Does Ecology have information about which watersheds inchoate water has the potential to most greatly influence streamflows?

Although not explicitly mentioned in the draft policy, climate change is altering hydrology in Washington. We hope this reality permeates policy and decision-making within the state. It would be helpful if Ecology articulated its perspective on climate change considerations related to municipal water in this document.