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VIA EMAIL

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**RE: Comments on Proposed Revisions to Municipal Water Policy**

Jefferson County Public Utility District No. 1 ("JPUD") appreciates the opportunity to review and comment on the Department of Ecology's (Ecology) Second Public Review Draft of Policy 2030, "Municipal Water Law Interpretative and Policy Statement." JPUD provides electric, broadband, water and sewer services to residents in east Jefferson County, Washington. JPUD was founded in 1939 and began providing water utility services 1981, when it acquired its first water district in the community of Gardiner. JPUD now serves over 5,000 customers in east Jefferson County.

JPUD writes to express questions and concern with the draft policy. First, JPUD endorses and calls your attention to the comment, dated June 14, 2024, submitted by the Washington Water Utilities Council (WWUC) with regard to Ecology's Second Public Review Draft of Policy 2030 of the Municipal Water Law Interpretative and Policy Statement.

In addition, the draft municipal water policy would make JPUD's mission more difficult. As you know, PUDs commonly play a role their counties to takeover and assume failing water systems, often smaller systems. JPUD strives to address failing water systems in its territory, as resources and capability allow. The draft policy's interpretation of definitions in the Municipal Water Law and stance as to acquired water rights would make the (often thankless) task of small system rescue more uncertain. Setting aside the outcome of any particular question, however, the draft policy does not articulate a clear approach to water rights that enables planning for a water system acquisition by utility entities.

Another question arises in connection with in-conduit hydropower. JPUD is in the process of planning an in-conduit hydro project, but the draft policy raises doubt as to whether such water use would fall under Ecology's interpretation of "municipal water supply purposes." Using water in a conveyance system to generate hydropower is an example of a governmental-proprietary purpose of use. We respectfully request that Ecology address in-conduit hydropower in the final version of the policy.



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Kevin Streett, General Manager