



Washington State Senate

Republican Caucus

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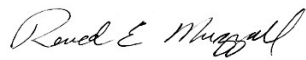
Dear Austin,

As the Republican members of the Agriculture, Water, Natural Resources, and Parks Committee in the Senate, we appreciate the opportunity to comment on the Department of Ecology's Policy Statement regarding Municipal Water Law.

Municipal water law is a very hot topic currently with many issues remaining unresolved. The timing of this Policy statement concerns us. From discussion with other stakeholders and reading the relevant materials and other comments, it seems that there are many elements to the new policy that are controversial and that warrant further conversation. It is concerning to us that the application of Municipal Water Law is being done under an Interpretive and Policy Statement instead of through the more robust rulemaking process that was designed to include public input. We understand that this statement has had public input, but would like to encourage the department to utilize the rulemaking process. All citizens, including municipalities, should be able to access the laws and rules that the agencies are utilizing to implement statutes without having to do extensive searches for interpretations and policy statements.

As a caucus, we have focused our efforts on increasing affordability for the citizens of Washington state in many ways, including for housing. Affordable housing means affordable utilities, as well as available water. This policy has the opportunity to change the application of municipal water law in order to encourage and increase water for affordable housing. Unfortunately, it seems to make municipal residential water harder to acquire and more complicated to utilize. Understandably, this policy is designed to aid the agency in apply municipal water law. However, that application should be done in such a way to consider the greater context of what is happening in the state and not be tone deaf to the needs of the citizens the agency is tasked to help.

As legislators, we would encourage the Department to work with legislators and stakeholders to have these difficult conversations and propose legislation to clarify the actual statutory problems in such a way as to address some of the real problems facing our state, instead of waiting for litigation or drafting a policy statement based on controversial assumptions.



Senator Ron Muzzall,
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Ranking Member



Senator Shelly Short
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Senator Keith Wagoner
Thirty-ninth Legislative District



Senator Judy Warnick
Thirteenth Legislative District