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Futurewise Press Release – FOR IMMEDIATE RELEASE

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[Olympia, Washington; January 19, 2018] Last night, with the passing of SB 6091, the legislature effectively overturned the Washington State Supreme Court’s *Hirst* Decision. The *Hirst* decision required that development be planned in accordance with water availability – both physically and legally – thereby protecting senior water rights and instream flows from the impacts of over-development and over-appropriation. Many basins, both in Western and Eastern Washington, are experiencing declining well-water levels, and wells are producing less water or going dry. Concurrently, instream flows are frequently not being met, which adversely affects water quality and salmon habitat – an issue that will only be exacerbated by the negative impacts of climate change on water supplies.

The impacts of SB 6091 will be felt across the state, as only 15 basins will be subject to new well-drilling rules and mitigation requirements - leaving over half of the state without protections for instream flows, and continuing the over-appropriation of water. In addition, there is no timeline for the Department of Ecology to implement further instream flow protections, regardless of water availability.

The bill does make available a \$300 million investment into water resources that the legislature appropriated in the capital budget. “We see this investment as a step toward what the state should have been doing all along to support our rural communities while protecting salmon and senior water rights,” said Chris Wierzbicki, Futurewise Executive Director. “We will continue to work with legislators and state agencies to ensure that this appropriation is invested in projects that best address rural water availability issues.”

Futurewise has sought, for the past two sessions, a statewide implementation plan that supports current and future uses through statewide sustainable water management, including advocating for common sense water banking solutions that replicate plans already producing positive results, such as those in Kittitas County, Yakima County, and the Dungeness River basin.

Chris remained optimistic that the passing of this latest bill is not final solution to this complex problem. “Despite how this latest bill underperforms, there is potential that the state will see positive results in areas that have robust mitigation schemes, like those in Kittitas County and the Dungeness basin, and that those areas will serve as model for a longer-term solution in the future – one that reaches *all* areas of the state with water resource challenges.”