



Washington State
Association of Counties
The Voice of Washington Counties

2018 Legislative Session

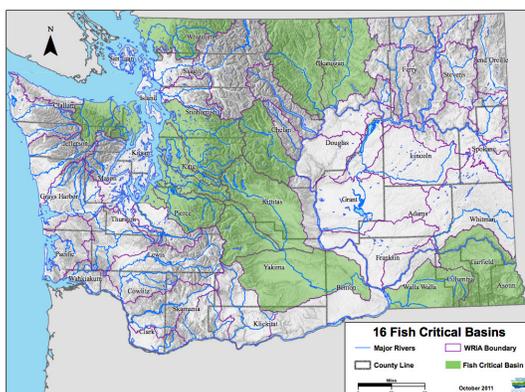
Rural Water Solutions

Address Implementation Uncertainties Created by the *Hirst* Decision

The *Hirst* decision has caused an unfunded shift of responsibility for water resources decisions from the Department of Ecology (Ecology) to counties. Counties are not the water authority in Washington State.

Counties follow the instream flow rules set by the department of Ecology. The Court Case *Hirst V. Whatcom* essentially created 39 different water codes across the state (a separate one in each of Washington's 39 counties). **Counties do not have the resources or the expertise to take on this added responsibility.**

Counties Want Ecology to Continue to:



- **Develop** and **maintain** a coordinated and comprehensive state water resources plan
- **Assemble** and **correlate** information relating to water supply
- **Permit** water rights and transfers
- **License** and **regulate** well drilling
- **Mitigate** water rights and cumulative in stream flow impacts

**A LASER
FOCUSED
FIX IS
NEEDED**

A Workable Solution

The counties need a laser focused fix to the *Hirst* decision and any solutions need to include the following:

- **Provide** reliability to counties through Ecology's instream flow rules
- **Create** clarity with no new liability for counties
- **Provide** citizens a path forward before more land value is lost



The *Hirst* Decision

by the numbers:

6

Only 6 counties have pre-1990 rules AND fish critical basins.

785

The number of parcels affected by the restriction and lost value in **Skagit County alone** in 2015 which translates to \$22,467,300 in total lost value.

39

Hirst creates 39 different water codes across the state.

\$273M

\$273 million dollars in property taxes shifted to other property owners in **Skagit County alone.**

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