

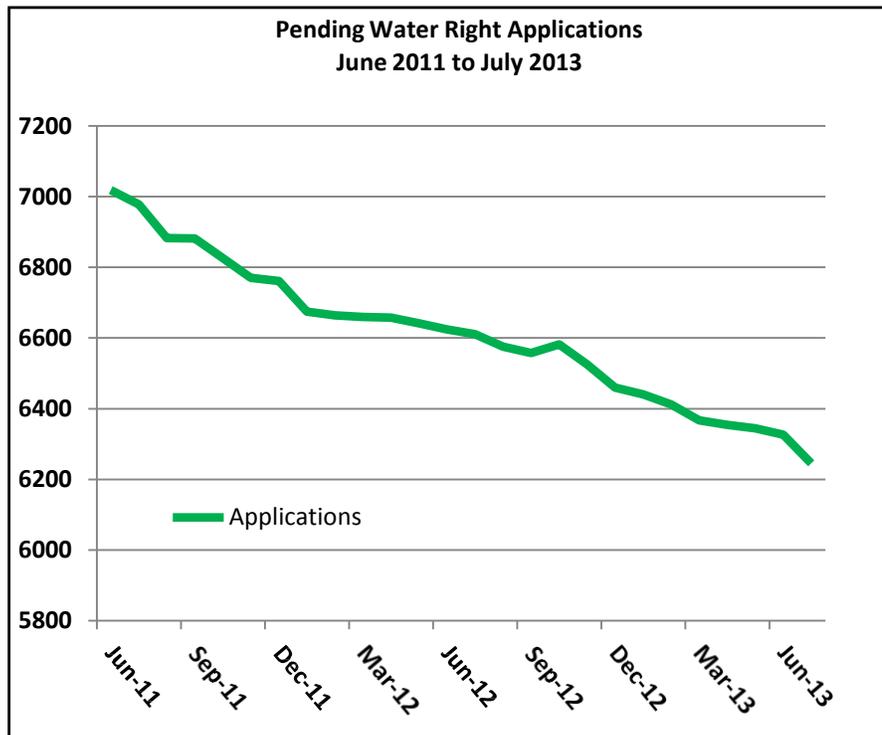
# Ecology continues to reduce the line of water right applications

## Plans 500 decisions in fiscal year 2014

The 2013 Legislature adopted a goal that the Department of Ecology (Ecology) issue at least 500 water right decisions during fiscal year 2014 (July 2013 through June 2014). There were just over 6,200 pending water right applications in Washington State at the end of the 2013 fiscal year (FY). This is down from over 7,000 in FY 2011, due to ongoing, concerted efforts by Ecology. (See graph below.)

In FY 2013 – without a legislative mandate -- Ecology made 676 water right decisions. Ecology also received 416 new applications during that time.

During FY 2012, Ecology responded to a legislative directive to complete 500 applications and exceeded that number by processing a total of 860. Four hundred new applications were received in that time period.



### WHY IT MATTERS

Economic prosperity depends on responsible water use. Sound water right decisions support new family-wage jobs and state revenue, while protecting water rights and streams.

### Water Resources Program

The Department of Ecology’s Water Resources Program is tasked by the Legislature to manage the state’s valuable surface and groundwater resources. The program’s activities range from water right permitting and instream flow setting to ensuring the safety of dams, proper well construction, and maintaining legal records that govern the prior appropriation system.

### Water Resources budget

In the 2013-15 biennium, the program with a budget of \$37.9 million, of which \$31.4 million is from the State General Fund. The program is currently operating with 126 total staff. Of these, 37.1 FTEs are dedicated right permits. As compared to the 07-09 biennium, the program budget has been reduced by roughly \$7 million and 35 staff.

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*A variety of factors contributed to the accumulation of applications, including increased legal complexities, reduced funding levels, and growing competition for limited water resources.*

To support and facilitate our permitting work, the program continues its reliance on the use of the cost reimbursement program to process some water right applications. We also support and review Water Conservancy Board decisions as they process water right changes.

In addition, we expect that the newly implemented Certified Water Rights Examiner (CWRE) program will lead to additional efficiencies within the Water Resources Program. CWREs are private contractors authorized by Ecology to complete the final proof examination to qualify water users for water right certificates. This will free up staff time to concentrate on water right permitting functions.

### **Permit processing improves with efficiency measures**

One of the major factors contributing to Ecology's permit processing improvements is the implementation of efficiency measures. This streamlining effort was in response to the Legislature's directive to Ecology to simplify its procedures and eliminate unnecessary steps. Ecology applied "Lean" principles to assess our permit processes from the applicants' perspective. For example, we are now asking potential applicants to meet with Water Resources Program staff to discuss their water needs before spending the time and money to complete an application.

Applying Lean principles continues to make our processes as simple, workable, and efficient as possible, delivering better value for taxpayers, quicker processing for applicants, and better outcomes for Washington's communities, environment, and economy.

### **The challenge of accommodating growth and prosperity**

Although we have made progress in reducing the application line, we still have our work cut out for us. Statewide, there is increasing competition for water. In many areas, applications for new water rights cannot be approved because new water is not physically or legally available unless mitigation is provided to offset that new use. Our greatest challenge in the years ahead will be to find ways to accommodate growth and prosperity without degrading existing water rights or critical stream flows that are a part of Washington's quality of life. Responsible permit processing and water supply development are critical parts of this challenge.

As opportunities to issue new unmitigated water rights diminish, we are helping applicants find creative ways to reallocate existing water supplies. By pursuing the development of new water supplies to meet both instream and out-of-stream needs, Ecology is making mitigation water available for pending water right applications in some parts of the state. This balanced approach promotes economic development in an environmentally sustainable manner. Since enactment of Columbia water legislation in 2006, for instance, Ecology has added more than 147,000 acre-feet to Eastern Washington water supplies. Issuing permits makes that water available to support thousands of jobs, add billions of dollars to the state and local tax base, and provide thousands of acre-feet of water for fish and streams.

**Our commitment to reducing the application line**

Currently, there are approximately 6,200 water right applications pending statewide. An important part of our strategy to reduce the application line is having better communication with new and existing applicants. As mentioned earlier, we now encourage potential applicants to have a pre-application meeting with Water Resources Program staff to discuss their proposed projects before they spend any additional time and money.

In the Yakima Basin, we are reaching out to existing applicants to let them know about limits to water availability in their area and asking if they would like Ecology to proceed with their applications. To date, letters have been sent out to applicants for new groundwater permits in all three counties of the Yakima Basin (Benton, Yakima, and Kittitas). This outreach is reducing the number of pending applications, and works with the Yakima Basin Integrated Plan to balance the needs of current and future water users with the development of new water projects and the uses of senior water right holders.

**Expected Water Right Permit Decisions in Fiscal Year (FY) 2014**

Two sets of information are included below, described by region. First is the total number of pending water right applications as of FY 2013 (including the breakdown into new and change applications). Secondly, there is an estimate from each region on the number of permit decisions they will make in FY 2014 towards meeting the legislative directive of 500.

**Central Regional Office**

Total pending water right applications at the end of FY 2013: 2,939  
[2,251 new applications, 688 change applications]

Estimated number of FY 2014 permit decisions:

New Permits	85
Changes	90
<b>Total</b>	<b>175</b>

We will continue to work in Yakima, Klickitat and Benton counties, as well as priority processing in all other counties and watersheds. Yakima Basin permit processing will produce a substantial workload in the upcoming year as we work on the pending 1,161 applications in the basin. The *Acquavella* Adjudication Court has clearly determined that water supply in the Yakima basin is over-appropriated, meaning there are more surface water rights than there is water legally available to appropriate. Therefore we expect the majority of the decisions on applications for new permits to be denials unless mitigation is proposed to offset the expected impact of the new water use on existing surface water rights.

The Upper Kittitas Ground Water rule will also continue to drive work as Water Budget Neutral determinations are produced.

**Office of Columbia River**

Total pending water right applications at the end of FY 2013: 346  
 [346 new applications, 0 change applications. OCR does not work on change applications unless they are for a project they are funding. Therefore there were no pending change applications.]

Estimated number of FY 2014 permit decisions:

New Permits	25
Changes	5
<b>Total</b>	<b>30</b>

The Office of Columbia River will continue to issue permits that are mitigated by the Lake Roosevelt Storage Release Program for Columbia River diversions and groundwater in direct hydraulic continuity with the Columbia River. In addition, we will begin issuing permits for the first increment of water supply from the Sullivan Lake project. All changes processed will be applications to place water into the Trust Water Rights Program, either through the Irrigation Efficiencies Grant Program or through opportunistic water right acquisitions.

**Eastern Regional Office**

Total pending water right applications at the end of FY 2013: 974  
 [792 new applications, 182 change applications]

Estimated number of FY 2014 permit decisions:

New Permits	100
Changes	75
<b>Total</b>	<b>175</b>

Permitting activities at the Eastern Regional Office will be a mix of new and change applications primarily in Grant, Pend Oreille, Stevens, Ferry, and northern Spokane counties. In most of these areas, the majority of applications will be approved and new water rights will be issued. In some areas, water is not physically and/or legally available for appropriation, so water right applications will be denied.

**Northwest Regional Office**

Total number of pending water right applications at the end of FY 2013: 1,325  
 [1,212 new applications, 113 change applications]

Estimated number of FY 2014 permit decisions:

New Permits	40
Changes	25
<b>Total</b>	<b>65</b>

The Northwest Regional Office (NWRO) will be focusing on processing new and change applications through the cost reimbursement program, processing applications in the San Juan Islands consistent with the process outlined through watershed planning, and working on permit activities to support the development of Skagit mitigation solutions.

In FY 2013, NWRO was able to add new FTEs to support permit processing. With new staff, we are able to process new applications in WRIA 2, San Juan Islands; process change applications in all areas of our regions; and manage more cost reimbursement contracts for applicants seeking an expedited review. We are contacting all pending applicants in our region and eliminating applications that are no longer desired or feasible. This effort resulted in many rejections last year and we expect more application rejections or voluntary withdrawals in FY 2014.

**Southwest Regional Office**

Total number of pending water right applications at the end of FY 2013: 980  
[925 new applications, 55 change applications]

Estimated number of FY 2014 permit decisions:

New Permits	50
Changes	10
<b>Total</b>	<b>60</b>

Permitting for new appropriations will be focused in Pacific and western Lewis County (Willapa watershed) and southeast Jefferson and northern Mason County (Skokomish-Dosewallips watershed). Additionally, applications for new appropriations will begin to be processed in the Elwha-Dungeness and Quilcene-Snow watersheds. Work on water right change applications will take place primarily in Pierce, Clark, Lewis and Clallam counties.

**Our continuing commitment to efficient and effective water right decisions**

We understand that economic prosperity depends on water, and we are committed to seeking creative ways to accommodate growth and prosperity without degrading existing water rights or critical stream flows that are part of Washington’s quality of life.

We will continue our work to make our water right decision processes as simple, workable, and efficient as possible. By identifying viable applications that are ready to proceed to a decision, and by developing new water supplies that can support pending water right applications, Ecology is helping applicants get the water they need to create new family-wage jobs, spur local economic growth, and generate state revenue. Together, these combined efforts are delivering better value for taxpayers, quicker process for applicants, and better outcomes for Washington’s communities, environment and economy.

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