

Advisory Group on Water Trust, Banking, and Transfers

Meeting 2: Transparency in Water Right Sales and Out-of-Basin Transfers

9:30 am to 12:30 pm

May 7, 2020

Online via WebEx

WebEx Access:

Please register for the meeting [here](#).¹ Once registered, WebEx will send you instructions to join the meeting.

Agenda:

Time	Topic	Speaker/Lead
9:30 – 9:50	Welcome, review agenda & objectives, introductions, summary of last meeting	Carrie Sessions
9:50 – 10:30	Background presentations: Overview of sales and transfers	Dave Christensen Scott Revell
10:30 – 11:15	Discussion part A: Out-of-basin transfers (see questions 1 and 2)	Carrie Sessions
11:15 – 11:30	Break	
11:30 – 12:15	Discussion part B: Water right sales (see questions 3 and 4)	Dave Christensen
12:15 – 12:30	Wrap up, look ahead to next meeting, show and open the follow-up poll	Carrie Sessions

Materials:

- [“Water Right Sales and Transfers”](#) background paper for Meeting 2

Meeting Objectives:

1. Build upon the first meeting by identifying specific concerns regarding:
 - a. Transparency in water right sales
 - b. Out of basin transfers
2. Gather feedback on the state’s role in regulating these issues. Are increased regulations warranted and a priority?
3. Increase understanding of water right sales and transfers in Washington, including the administrative process and issues of impairment.

¹ www.webex.com

Event number: 287 750 674

Event password: ukNCqiuQ523

Discussion Questions:

Discussion Part A:

1. We have heard concerns that out-of-basin transfers:
 - a. Negatively impact the social and economic wellbeing of communities;
 - b. Prohibit communities from ever getting the water back; and
 - c. Can be used by outside actors to profit from water rights.

Please discuss your specific concerns about out-of-basin transfers and explain what is driving them. If out-of-basin transfers don't concern you, why not?

2. Most out-of-basin transfers benefit instream resources. Does this benefit outweigh some of the potential social costs?

Discussion Part B:

3. The only public notification of a water right sale occurs with the application to change or transfer the water right.² Is this a sufficient level of public notice? What would we gain by having more transparency? What would we lose? Is there a benefit to added transparency if the standard for review does not consider that information (under current statute, there is only a review for impairment)?
4. Though water is a public resource, the right to use water is privately-held. Should the State regulate the sale of water rights when they occur apart from the land? For example, should we restrict out-of-state entities from buying Washington water rights and putting them in the Trust Water Rights Program? Why or why not?

ADA Accessibility

To request an ADA accommodation, contact Ecology by phone at 360-522-0885 or email at Barbara.Brooks@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](#) for more information.

² While these sales are reported to the County Assessor's Office and Dept. of Revenue, there is no formal mechanism for public notice.
