

# Advisory Group on Water Trust, Banking, and Transfers

## Meeting 3: Private Investment and Marketing of Water Rights

### Part A: Use of the State Water Trust

9:30 am to 12:30 pm

May 26, 2020

Online via WebEx

#### WebEx Access:

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

#### Agenda:

Time	Topic	Speaker/Lead
9:30 – 9:45	Welcome, review agenda & objectives, introductions, summary of last meeting	Carrie Sessions
9:45 – 10:30	Background presentations: History and use of the Trust Water Rights Program (TWRP)	Susan Adams, Washington Water Trust Carrie Sessions
10:30 – 11:15	Discussion questions 1 & 2	Dave Christensen
11:15 – 11:30	Break	
11:30 – 12:25	Discussion question 3	Carrie Sessions
12:25 – 12:30	Wrap up, look ahead to next meeting, and open post-meeting survey	Carrie Sessions

#### Materials:

- [The State Water Trust and Water Banking: History and Function](#)<sup>2</sup>

#### Meeting Objectives:

1. Build upon the previous meetings by identifying specific concerns (or lack thereof) about private investment and marketing of water rights enabled through temporary donations into the TWRP.
2. Increase understanding of the history, functions, and use of the TWRP in Washington. Specifically, increase understanding of trust water rights, the different ways they are created (including temporary donations, leases, and transfers), and the ways they are used.
3. Gather feedback on whether changes to the Trust Water statutes, either clarifying or substantive, are needed to address concerns identified in the discussion.

<sup>1</sup> [www.webex.com](http://www.webex.com)      Event number: 288 826 014      Event password: MQc8m9KfPZ7

<sup>2</sup> <https://fortress.wa.gov/ecy/publications/documents/2011063.pdf>

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**Discussion Questions:**

1. Do you agree with the definitions outlined in Ecology's presentation? How do you see these differently?
2. Do you think chapter 90.42 RCW provides sufficient direction and sideboards as to what type(s) of trust water rights should be used to mitigate for new uses? For example, temporary donations into trust are not required to undergo a tentative determination of extent and validity. Are there circumstances when temporary donations can (and should) be used for mitigation?
3. Temporary donations under the TWRP are inherently flexible – water rights can remain in trust indefinitely and under terms prescribed by the water right holder. Do you believe that the TWRP enables private investment and speculation in water? Do you believe that the environmental benefits outweigh speculative concerns? If you are concerned about private investment and speculation, do you think additional restrictions, like time limits or fees on temporary donations, would help to address your concerns?

**ADA Accessibility**

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