



Washington State Senate

September 11, 2017

Governor Jay Inslee
Office of the Governor
P.O. Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee,

The people of Washington are facing extraordinary problems created by the state supreme court's *Hirst* decision. As governor, you have the unique ability to convene the legislature by proclamation on extraordinary occasions. We urge you to engage with us on this issue—now.

The effects of the *Hirst* decision have rippled across Washington this year. Just as the dissenting justices predicted, the *Hirst* decision has pushed a massive and likely insurmountable burden onto individuals applying for building permits. We are in the depths of a housing crisis, yet the *Hirst* decision hinders homebuilding. We see that unemployment rates are highest in the rural areas of our state, yet the *Hirst* decision deters investment in those areas. We are constantly searching for ways to accommodate growth, yet the *Hirst* decision adds risk to the land development process and feeds a relentless cycle of Growth Management Act litigation.

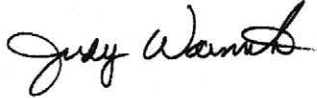
The Senate studied the *Hirst* decision, listened to the public, debated and amended a bill that addresses the relevant issues, and passed it with bipartisan support four times in 2017. That bill—SB 5239—is fundamentally designed to allow local governments to work cooperatively with the Department of Ecology to determine where water may be available for development. This approach attracted broad support among affected people and industries, and even helped produce alliances between private- and public-sector groups, including senior and junior water users, who worked together to help the Senate strike the right balance.

You may believe the Senate's legislation is imperfect, but that is no reason to give up. Senators spent countless hours over many months meeting with members of the House of Representatives in pursuit of a bill that will provide permanent relief. It is unfortunate that we have not reached that point, but we stand ready to continue working on a durable solution that will set a clear course moving forward.

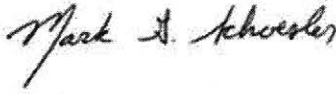
Fixing *Hirst* would also open a path for a capital budget and the many worthy projects it will fund, including water management projects. Ultimately, the legislature's plan for addressing the *Hirst* decision and passing a capital budget must be about setting priorities. Both bills are vital to our state. However, rural families seeking to build a home on their property should take precedence over investment in government buildings. A real *Hirst* solution must come first.

It's time to fix *Hirst*, pass a capital budget, and finish the people's work for 2017.

Sincerely,



Senator Judy Warnick
13th Legislative District



Senator Mark Schoesler
9th Legislative District



Senator Lynda Wilson
17th Legislative District



Senator Curtis King
14th Legislative District



Senator Maureen Walsh
16th Legislative District



Senator Shelly Short
7th Legislative District



Senator Sharon Brown
8th Legislative District



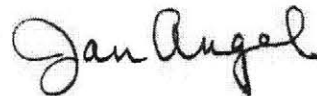
Senator Mike Padden
4th Legislative District



Senator Ann Rivers
18th Legislative District



Senator Steve O'Ban
28th Legislative District



Senator Jan Angel
26th Legislative District



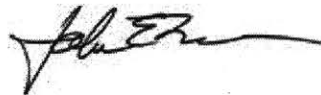
Senator Becker
2nd Legislative District



Senator Barbara Bailey
10th Legislative District



Senator Tim Sheldon
35th Legislative District



Senator John Braun
20th Legislative District



Senator Kirk Pearson
39th Legislative District



Senator Phil Fortunato
31st Legislative District



Senator Michael Baumgartner
6th Legislative District



Senator Dino Rossi
45th Legislative District



Senator Jim Honeyford
15th Legislative District



Senator Hans Zeiger
25th Legislative District