

FINAL BILL REPORT

E2SHB 2860

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Synopsis as Enacted

Brief Description: Regarding water resource management in the Columbia river basin.

Sponsors: By House Committee on Capital Budget (originally sponsored by Representatives Grant, Newhouse, Hankins, Haler, Walsh and McCune).

House Committee on Economic Development, Agriculture & Trade

House Committee on Capital Budget

Senate Committee on Water, Energy & Environment

Background:

The 2005 Capital Budget contained a \$10 million appropriation to the Department of Ecology (Department). However, the funding in the appropriation may not be used by the Department unless and until the Legislature takes action to establish policy requirements for a new water resources and water rights management program for the mainstem of the Columbia River.

Summary:

Columbia River Water Supply Inventory

The Department is required to work with stakeholders in developing an initial Columbia River Water Supply Inventory (Inventory) and Water Demand Forecast by November 15, 2006. The Department must update the Inventory each year after 2006 and update the Water Demand Forecast every 5 years. The Inventory must identify potential conservation and storage projects in the Columbia River basin, as well as estimate the costs and benefits of the projects. The Inventory must also rank the identified projects in a number of different ways. This includes rankings of the projects in order of expense, benefits to fish, and benefits to out-of-stream needs.

Columbia River Basin Water Storage and Supply Account

The Columbia River Basin Water Supply Development Account (Account) is created. The Account is allowed to accept direct appropriations, payments made pursuant to voluntary regional agreements, and other sources.

Expenditures from the Account may be used to assess, plan, and develop new water storage, improve existing storage, fund conservation projects, and implement actions designed to provide new access to water in the Columbia River Basin.

Before any funds from the Account can be used for construction, the Department must evaluate the water uses the new facility will serve, the benefits and costs of the project, and alternative means of achieving the same goals.

The \$10 million appropriation in the 2005 Capital Budget is amended to specify that the money may be used to begin implementing the goals of the Account. Specific water supply projects are identified for the Department as a focus of their implementation of the appropriation.

Allocation of "new" water

Water supplies that are developed and secured through projects funded by the Account must be used in specified ways. Two-thirds of this water must be dedicated to out-of-stream uses, while one-third must be used by the Department to enhance instream flows.

Voluntary regional agreements

The Department is given the specific authority to enter into voluntary regional agreements that establish the approval conditions for water withdrawals from the Columbia River and Snake River. These agreements must be limited to specific geographical areas and to parties that use or propose to use water from the mainstem of the Columbia and Snake rivers.

Prior to entering into a voluntary regional agreement, the Department must consult with the Department of Fish and Wildlife and watershed planning groups regarding the benefits that could be produced for fish, wildlife, and other instream values. Any draft agreements are subject to a 30-day public review and comment period. Before providing final consultation to the Department, the Department of Fish and Wildlife must consult with fisheries co-managers.

When voluntary regional agreements lead to the allocation of water for out-of-stream uses, the Department is given specific directions as to how the water is to be allocated. All allocations must ensure that water provided for out-of-stream uses does not cause a reduction in stream flows in the mainstem of the Columbia River during July or August, or in the Snake River between April and August. Water use applicants utilizing the voluntary regional agreement process to access new appropriations must agree to efficient water use practices.

The authority to enter into voluntary regional agreements expires on June 30, 2012. Any agreements entered into prior to the expiration date remain in effect subject to the terms of the agreement.

Conserved water

Except for water conserved within the federal Columbia Basin Reclamation project, when the state funds water conservation from the Account to benefit the mainstem of the Columbia River, conserved water must be held in trust by the Department in the same proportion as the share of funding that was provided by the state for the project that led to the water conservation. This portion of the conserved water must be used to improve instream flows to benefit fish and other instream values.

Columbia Mainstem Water Resources Information System

The Department must establish and maintain a Columbia Mainstem Water Resources Information System (System) to provide information necessary for effective resource planning and management on the mainstem of the Columbia River. In developing the System, the Department must consult with, and rely on information provided by, other public entities operating in the basin.

The System must address the total aggregate quantity of water rights on the Columbia River mainstem and the total volume metered and reported by water users.

The act is null and void if \$200 million is not provided in a separate bond authorization act.

Votes on Final Passage:

House	94	4
Senate	48	0

Effective: July 1, 2006