

HOUSE BILL REPORT

HB 3275

As Passed House:
February 13, 2006

Title: An act relating to expedited processing for small water impoundments.

Brief Description: Regarding expedited processing for small water impoundments.

Sponsors: By Representative Hinkle.

Brief History:

Committee Activity:

Economic Development, Agriculture & Trade: 2/1/06 [DP].

Floor Activity:

Passed House: 2/13/06, 98-0.

Brief Summary of Bill

- Directs the Department to expedite the processing of applications for certain storage projects that have a volume of 100 acre feet or less.

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

Majority Report: Do pass. Signed by 21 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Appleton, Bailey, Buri, Chase, Clibborn, Dunn, Grant, Haler, Holmquist, Kilmer, Kretz, McCoy, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

Staff: Jason Callahan (786-7117).

Background:

With certain exceptions, new rights to use surface or ground water must be established according to the water right permit system. The water code requires reservoir permits for both surface reservoirs and for the storage of water in an underground formation for subsequent use as part of an underground artificial storage and recovery project. A water right permit, called a "secondary" permit, is also required for the use of the water stored in a surface reservoir.

The Department of Ecology (Department) is responsible for processing and issuing secondary permits. Generally the Department issues permits in the order that applications are received; however, the Department is directed to expedite the processing of applications for certain storage projects. These include adding capacity to an existing storage facility, changing the

purpose of an existing storage facility's use, and developing storage facilities that do not require a new water right.

Summary of Bill:

The Department is directed to expedite the processing of applications for storage projects that have a volume of 100 acre feet or less if the project will create a substantial late-season flow and habitat improvement for fish by eliminating the diversion of water during a stream's base flow.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date:

Testimony For: (In support of HB 2659) The recent drought years have demonstrated the state's need to increase water storage capacities. Farmers and ranchers should be allowed to maximize their water right by capturing water during the high flow periods. Many tributaries do not have the storage available to take advantage of high winter flow rates. The bill creates a potential for stakeholders to work together and increase benefits to both the environment and to water management.

(With concerns on HB 2659) It is important to make sure that a full environmental review is conducted for all new storage projects.

Testimony Against: (On HB 2659) Environmental determinations should be made with fisheries co-managers at the table.

Persons Testifying: (In support of HB 2659) Representative Hinkle, prime-sponsor; Joe Stohr, Department of Ecology; and Pat Denean.

(With concerns on HB 2659) Mo McBroom, Washington Environmental Council; and John Stuhlmiller, Washington Farm Bureau.

(Opposed to HB 2659) Dawn Vyvyan, Yakama Nation.

Persons Signed In To Testify But Not Testifying: None.