
SENATE BILL 6436

State of Washington

61st Legislature

2010 Regular Session

By Senators Honeyford and Stevens

Read first time 01/14/10. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to limitations on withdrawing various waters from
2 additional appropriations; and reenacting and amending RCW 90.54.050.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.54.050 and 1997 c 439 s 2 and 1997 c 32 s 3 are
5 each reenacted and amended to read as follows:

6 In conjunction with the programs provided for in RCW 90.54.040(1),
7 whenever it appears necessary to the director in carrying out the
8 policy of this chapter, the department may by rule adopted pursuant to
9 chapter 34.05 RCW:

10 (1) Reserve and set aside waters for beneficial utilization in the
11 future(~~(7)~~); and

12 (2)(a) When sufficient information and data are (~~lacking~~)
13 available to allow for the making of sound decisions, withdraw various
14 waters of the state from additional appropriations (~~until such data~~
15 ~~and information are available~~)).

16 (b) Prior to withdrawing waters of the state from additional
17 appropriations, the department shall ensure future water users have the
18 ability to acquire sufficient water for all uses authorized under RCW
19 90.44.050. The department must have reasonable evidence that the

1 program that provides future water users with sufficient water is
2 accessible, easy to use, and operational. The department may utilize
3 programs such as: A mechanism to bank water; a local water plan
4 resembling the water plan authorized in chapter 90.92 RCW; water
5 storage facilities; voluntary regional agreements resembling the
6 voluntary regional agreement as authorized in chapter 90.90 RCW; or any
7 other program suitable for providing sufficient water.

8 (c) Before proposing the adoption of rules to withdraw waters of
9 the state from additional appropriation, the department shall consult
10 with the standing committees of the house of representatives and the
11 senate having jurisdiction over water resource management issues.

12 Prior to the adoption of a rule under this section, the department
13 shall conduct a public hearing in each county in which waters relating
14 to the rule are located. The public hearing shall be preceded by a
15 notice placed in a newspaper of general circulation published within
16 each of said counties. Rules adopted hereunder shall be subject to
17 review in accordance with the provisions of RCW 34.05.240.

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