

HOUSE BILL REPORT

HB 1977

As Reported By House Committee On:
Natural Resources & Parks

Title: An act relating to acreage expansion programs.

Brief Description: Clarifying authorization for water right certificate holders to participate in acreage expansion programs.

Sponsors: Representatives Schoesler, Sheahan, Rayburn, Chappell, Vance, Morton, Dyer, Fuhrman, Long, Chandler, Brumsickle, Foreman and Mastin.

Brief History:

Reported by House Committee on:
Natural Resources & Parks, March 3, 1993, DPS.

HOUSE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Pruitt, Chair; R. Johnson, Vice Chair; Morton, Ranking Minority Member; Stevens, Assistant Ranking Minority Member; Dunshee; Linville; Schoesler; Sheldon; Thomas; Valle; and Wolfe.

Staff: Linda Byers (786-7129).

Background: The Department of Ecology, local governments, or ground water users in an area may initiate development of a ground water management program for that specific area. Statute identifies a number of components that must be included in a ground water management program.

The Department of Ecology adopts rules for implementation of a ground water area or sub-area management policy. One such rule addresses the procedure for water right certificate holders to follow if they desire to participate in an acreage expansion program. Under an acreage expansion program, a water right certificate holder is allowed to apply the average of the quantity of water beneficially used during the past three consecutive years to acreage greater than the certificate holder's normal authorized irrigated acreage. In order to participate in an acreage expansion program, the certificate holder must submit a written request to do so to the Department of Ecology. If the

acreage expansion program is to continue for more than one year, the Department of Ecology acknowledges continued participation with an annual letter of authorization.

Summary of Substitute Bill: For new participants in an acreage expansion program, authorization for participation shall be on an annual basis for the first two years. After the two-year period, the Department of Ecology may authorize participation for 10-year periods. For water right certificate holders who have already participated in an acreage expansion program for two years, the department may authorize participation for 10-year periods. The department may require annual certification that the certificate holder has complied with all of the requirements of the program. The department may terminate participation in the program for one year if a certificate holder fails to comply with the requirements.

Substitute Bill Compared to Original Bill: The original bill directed the Department of Ecology to authorize participation in an acreage expansion program for 10-year periods. The substitute bill requires that authorization to participate in such a program be on an annual basis for the first two years. After the two-year period, the department may authorize participation for 10-year periods. The department may also authorize participation for 10-year periods to water right certificate holders who have already participated in an acreage expansion program for two years.

Fiscal Note: Requested February 24, 1993.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill affects a narrow portion of irrigators in one part of the state. It does not increase water use at all. It will eliminate a number of permits which the Department of Ecology currently must process each year. It will allow farmers to plant better crops and to invest in more efficient irrigation systems. It will allow farmers to do better long-range planning and make it easier for them to get financing to implement their long-range plans. It is difficult now to do long-range planning without some assurance that authorization for program participation will continue; this bill will remove that uncertainty. The administrative workload of both farmers and the department will be reduced.

Testimony Against: None.

Witnesses: Representative Mark Schoesler, prime sponsor; Melvin Kagele; and Hedia Adelsman, Department of Ecology

(all in favor).