

FINAL BILL REPORT

ESHB 1110

C 439 L 97

Synopsis as Enacted

Brief Description: Prohibiting a moratorium on new appropriations of Columbia or Snake river waters based on certain contingencies.

Sponsors: By House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Mastin, McMorris, Koster, Delvin, Mulliken, Schoesler and Honeyford).

House Committee on Agriculture & Ecology
Senate Committee on Agriculture & Environment

Background: Through the adoption of emergency and more permanent rules, the Department of Ecology has placed applications for water right permits to withdraw water from the main stems of the Columbia and Snake rivers on hold. The rules do not apply to applications that were filed with the department before December 20, 1991, which is the date the National Marine Fisheries Service listed Snake River sockeye salmon as endangered under the federal Endangered Species Act. The rules are now scheduled to expire on July 1, 1999, unless a new instream resources protection program is adopted by the department before that date.

The rules establishing this "moratorium" policy apply to applications for the use of surface water and to applications for the use of groundwater that is in direct hydraulic continuity with the main stem of either river. Certain exceptions to the moratorium are provided by the rules.

Summary: A rule adopted by the DOE establishing a moratorium on processing permits for the use of water from the main stem of the Columbia River is declared to be void. Before proposing to adopt rules withdrawing any waters of the state from further appropriation, the DOE must consult with the standing committees of the House and Senate with jurisdiction over water resource management. A reference to a section of law that expired in 1989 is repealed.

Votes on Final Passage:

House 58 37
Senate 47 0 (Senate amended)
House 73 18 (House concurred)

Effective: July 27, 1997