

SENATE BILL REPORT

SHB 1826

As Reported By Senate Committee On:
Environmental Quality & Water Resources, April 1, 1999

Title: An act relating to water masters.

Brief Description: Requiring appointment of water masters in watershed management areas with WRIA plans.

Sponsors: House Committee on Agriculture & Ecology (originally sponsored by Representatives Grant, Linville, Mastin and G. Chandler).

Brief History:

Committee Activity: Environmental Quality & Water Resources: 3/23/99, 4/1/99 [DPA].

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: Do pass as amended.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Honeyford, Jacobsen, McAuliffe, Morton and Swecker.

Staff: Genevieve Pisarski (786-7488)

Background: The Water Code allows the Department of Ecology to appoint water masters for any areas, called districts, of the state and for such duration as the department finds appropriate. A water master is employed by the department to regulate and control the use of water within the district by regulating headgates, conduits, and reservoirs to prevent the use of water in excess of the amount to which the owner of the water right is entitled. Water masters are to be deputized by the county or counties in their districts and have the power to arrest violators.

Legislation enacted in 1998 authorizes the development of watershed management plans by local planning units. Such a plan may not contain elements that create obligations for tribal, county, or state government unless each government to be obligated has at least one member on the planning unit and the members representing these governments agree to the obligations. Among the obligations expressly governed by this policy are actions imposing a fiscal impact or requiring a redeployment of resources.

Summary of Amended Bill: The department may appoint a water master for a watershed management area, if the plan adopted for the area by the watershed planning unit and counties with territory in the area requires or requests a water master, subject to availability of state or nonstate funding.

Amended Bill Compared to Substitute Bill: Appointment of a water master is made permissive, rather than mandatory, and subject to availability of funding.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Water masters protect water rights and help to solve and prevent disputes. As watershed planning changes how water use is managed, water masters will help to implement changes, and the local plans should be able to ask for a water master. Water masters will be able to prevent unauthorized use, enforce instream flows, and provide technical assistance. Affected tribes should be consulted. Funding will be budgeted as watershed plans are adopted. Counties can contribute. Water masters provide a community presence for the department.

Testimony Against: None.

Testified: Dawn Vyvyan, Yakama Nation; Ken Slattery, Department of Ecology (pro); Kathleen Collins, WA Water Policy Alliance (pro).