

5289-S

Sponsor(s): Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Fraser, Morton, Jacobsen, Winsley, Rasmussen, Patterson, Spanel, Haugen, Eide, Shin, Costa, Fairley, Heavey, Prentice, Gardner, Franklin, Kohl-Welles, Thibaudeau and Kline; by request of Governor Locke)

Brief Title: Strengthening laws concerning water resources in order to protect and restore fish stocks.

SB 5289-S - DIGEST

(SEE ALSO PROPOSED 2ND SUB)

Declares an intent to: (1) Improve streamflow for fish;
(2) provide improved tools and incentives to prevent extinction of declining salmon and trout species and to better meet the water needs of growing and changing communities;

(3) provide an effective component of the state's response to listings and potential listings under the federal endangered species act;

(4) promote greater efforts to conserve and reuse water;

(5) begin the process of updating and clarifying the state's water code to provide additional state authority and more policy guidance to administrative agencies to: (a) establish priorities to address critical needs such as restoration of depressed salmon and trout stocks; (b) provide improved mechanisms for responding to changing economic and demographic characteristics of the state; (c) improve our ability to provide instream flows that meet fish needs; (d) improve opportunities for innovative changes and transfers of water rights; (e) make the water code more readable and understandable; (f) assure that recognized water rights and uses are protected; (g) improve enforcement; and (h) improve mitigation for negative consequences of diversions and withdrawals;

(6) retain the doctrines known as Western water law and provide for better enforcement of them;

(7) promote the spirit of cooperation and information sharing among all who rely on common water resources, both for instream and out-of-stream interests, and between tribal and nontribal entities;

(8) encourage understanding of tribal reserved and treaty rights relating to water and fish;

(9) promote more public understanding and involvement in water resource policy and its administration;

(10) address special challenges and priorities for the agricultural sector, urban growth water supply needs, and fisheries interests;

(11) protect all existing water rights;

(12) improve collection, management, and accessibility of information relating to water resources, water rights, and water rights transfers; and

(13) encourage volunteer efforts to cooperate in achieving water resources needs.

Provides that the act shall be null and void if appropriations are not approved.

