

5478

Sponsor(s): Senators Fraser, Spanel and Winsley

Brief Description: Promoting adequate stream and lake levels.

**SB 5478 - DIGEST**

Directs the department of ecology to incorporate the best available science in establishing flows or levels under this act. In developing methodologies for establishing flows or levels adequate to support the recovery of salmon and trout populations, the department shall consult with the department of fish and wildlife and the science panel created under RCW 75.46.050. The department shall periodically consult with the department of fish and wildlife and the science panel to ensure an ongoing application of best available science in its exercise of authority under this act.

Requires that for the period beginning July 1, 1999, through June 30, 2003, the department of ecology shall place the highest priority in exercising the authority under this act upon the adoption of flows or levels for the recovery of depressed salmon and trout populations. To this end and in consultation with the salmon recovery office and with Indian tribes, the department shall establish a schedule for initiating and completing the establishment of flows or levels for state waters that support salmon and trout populations listed or candidates for listing under the federal endangered species act.

Provides that, before July 1, 2001, the department shall not issue additional permits for the withdrawal of surface or ground waters from water sources where: (1) No flow or level has been adopted for the water source, or an adopted flow or level is determined by the department to require revision to meet the flow adoption standard under RCW 90.22.010;

(2) the water source is included within the designated habitat of one or more fish stocks listed under the federal endangered species act or are proposed for listing; and

(3) adequate streamflows for fish are a limiting factor on recovery of such fish stocks. Notwithstanding the limitations of this provision, the department may issue a temporary permit to address a public health or safety emergency, where the permit conditions are designed to minimize impacts on adequate streamflows for fish.

Repeals RCW 90.22.060.