
**Agriculture & Natural
Resources Committee**

HB 2032

Brief Description: Adopting a schedule for establishing instream flows by rule.

Sponsors: Representative Linville.

Brief Summary of Bill

- Adopts as a recommended schedule the work plan for establishing instream flows by rule contained in a December 12, 2002, report.

Hearing Date: 2/25/03

Staff: Kenneth Hirst (786-7105).

Background:

The Department of Ecology (DOE) may establish instream flow requirements by rule. It may do so on its own, or as part of watershed planning. (RCW 90.22.010, 90.54.020 & .040, and 90.82.080.) Once established, the instream flow constitutes an appropriation (a water right) with a priority date that is the effective date of the rule establishing the instream flow. (RCW 90.03.345.)

In a December 12, 2002, document entitled "Work Plan for Instream Flow Setting Through 2010," the DOE divided the state's water resource inventory areas (WRIA's) into four tiers. It identified a schedule for adopting instream flows for the twenty-three WRIA's in tiers 1 and 2 before 2010 and for making recommendations for instream flows for the eleven WRIA's in tier 3 by 2010.

Summary of Bill:

The schedule for establishing instream flows by rule contained in the December 12, 2002, document of the DOE is adopted as the state's recommended schedule for establishing those flows.

Appropriation: None.

Fiscal Note: Requested on February 21, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.