

SENATE BILL REPORT

SB 5575

As Reported By Senate Committee On:
Natural Resources, Energy & Water, February 12, 2003

Title: An act relating to small irrigation impoundments.

Brief Description: Concerning small irrigation impoundments.

Sponsors: Senators Parlette, Morton, Doumit, Honeyford and Hale.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/7/03, 2/12/03 [DPS, DNP].

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Majority Report: That Substitute Senate Bill No. 5575 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Fraser, Hale, Hargrove, Honeyford and Oke.

Minority Report: Do not pass.

Signed by Senator Regala.

Staff: Sam Thompson (786-7413)

Background: Irrigation management in arid regions may depend upon capture and storage of water early in a growing season for delivery during later drought periods when water may not otherwise be available.

Currently, persons proposing to store water in a reservoir must get a reservoir permit from the state Department of Ecology, and, if they propose to beneficially use the stored water, a "secondary permit" authorizing the beneficial use. It has been suggested that relatively small irrigation storage ponds should be exempt from these requirements.

Summary of Substitute Bill: "Small irrigation impoundments," lined storage ponds less than ten acre feet in volume, holding irrigation water impounded to facilitate efficient water use or to promote endangered or threatened species recovery, and not expanding acres irrigated or annual quantity used, are exempt from reservoir and secondary permitting requirements. Water remaining in a small irrigation impoundment at the end of an irrigation season may be carried over for use in the next season, subject to the foregoing limitations. Development and use of a small irrigation impoundment does not constitute a water right change or amendment.

Substitute Bill Compared to Original Bill: Technical changes clarify that there must be an existing water right from which a storage pond can be filled and that year-round water rights may be used to fill a storage pond, and more appropriately revise a water right amendment

section of the groundwater code rather than a resource management techniques section of the groundwater code.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill facilitates creation of small water storage reservoirs by irrigators to meet late season irrigation needs when diversions from other sources, such as a river, may not be available; in drought years, an irrigator's ability to construct and use small on-farm irrigation impoundments permitted by this bill could make the difference between a viable crop and no crop.

Testimony Against: None.

Testified: Senator Parlette (pro); Jim Halstrom, Washington State Horticultural Association (pro).