

SENATE BILL REPORT

SB 6376

As of January 26, 2004

Title: An act relating to setting and meeting flow levels.

Brief Description: Concerning the establishment of streamflow levels.

Sponsors: Senator Honeyford.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 1/28/04

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Staff: Evan Sheffels (786-7486)

Background: Stream flow requirements are water rights established by rule, with the rule's effective date deemed to be the priority date. The Department of Ecology (DOE) may set stream flows through DOE initiated rule-making or through a locally initiated watershed planning process that must include a water use and availability component. This process may also include instream flow, water quality, and habitat planning components.

Funds appropriated for the RCW Chapter on the sale of valuable materials from public lands are shared equally between the habitat conservation account and the outdoor recreation account.

Summary of Bill: For water resource inventory areas (WRIAs) with watershed planning units that are not planning to amend or set stream flows, and for WRIAs where watershed planning activities are not occurring, DOE is required to create a process to give local citizens the opportunity to guide, to the maximum extent practicable, DOE's establishment of achievable flows. This flow setting program is to be modeled after the state's watershed planning unit process.

Subject to funding, stream flow requirements must be set within 20 years. By December 1, 2005, DOE must submit to the Legislature a flow setting schedule, with flow achievement strategies. Once flows are set, DOE must develop a strategy to achieve such flows. The flow setting and achievement strategies report must be updated biennially.

Funds appropriated for the public lands sale of valuable materials statutes are re-allocated as follows: the water quality account is allocated 10 percent, all of which must be used for setting and achieving instream flows. The habitat conservation account and the outdoor recreation account are allocated 45 percent each.

Appropriation: None.

Fiscal Note: Requested on January 28, 2004.

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