

---

SENATE BILL 6376

---

State of Washington

58th Legislature

2004 Regular Session

By Senator Honeyford

Read first time 01/19/2004. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to setting and meeting flow levels; amending RCW  
2 79A.15.030; and adding a new section to chapter 90.54 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.54 RCW  
5 to read as follows:

6 (1) The department shall establish achievable streamflow levels for  
7 each water resource inventory area in which watershed planning under  
8 the provisions of chapter 90.82 RCW is not considering amending an  
9 existing flow or setting new flows or for those water resource  
10 inventory areas without watershed planning activities. The streamflows  
11 must be set within twenty years from the effective date of this  
12 section, as funding is made available by the legislature for such flow  
13 setting. The department shall create a process of public involvement  
14 similar to that of a watershed planning unit under the provision of  
15 chapter 90.82 RCW, in order to ensure that local citizens are informed  
16 and afforded, to the maximum extent practicable, the opportunity to  
17 guide the flow setting process.

18 (2) The department shall establish a schedule for setting flows  
19 under the provisions of subsection (1) of this section, and shall

1 submit the schedule to the appropriate standing committees of the  
2 legislature by December 1, 2005. The department shall subsequently  
3 report to the legislature with an updated schedule every two years  
4 until the schedule is completed. Along with the schedule, the  
5 department shall provide updated information on flows that have been  
6 set.

7 (3) Once flows have been set, the department shall develop a  
8 strategy to achieve such flows. The strategy must be part of the  
9 report to the legislature required by subsection (2) of this section.

10 (4) The reports required under the provisions of this section may  
11 be coordinated with the annual flow status report required by RCW  
12 90.82.080.

13 **Sec. 2.** RCW 79A.15.030 and 2000 c 11 s 66 are each amended to read  
14 as follows:

15 (1) Moneys appropriated for this chapter shall be divided (~~equally~~  
16 ~~between the habitat conservation and outdoor recreation accounts~~) as  
17 follows: Forty-five percent each to the habitat conservation and  
18 outdoor recreation accounts, and ten percent to the water quality  
19 account, and shall be used exclusively for the purposes specified in  
20 this chapter. The ten percent allocated to the water quality account  
21 must be used exclusively for setting and achieving flows in accordance  
22 with section 1 of this act.

23 (2) Moneys deposited in these accounts shall be invested as  
24 authorized for other state funds, and any earnings on them shall be  
25 credited to the respective account.

26 (3) All moneys deposited in the habitat conservation and outdoor  
27 recreation accounts shall be allocated under RCW 79A.15.040 and  
28 79A.15.050 as grants to state or local agencies for acquisition,  
29 development, and renovation within the jurisdiction of those agencies,  
30 subject to legislative appropriation. The committee may use or permit  
31 the use of any funds appropriated for this chapter as matching funds  
32 where federal, local, or other funds are made available for projects  
33 within the purposes of this chapter.

34 (4) Projects receiving grants under this chapter that are developed  
35 or otherwise accessible for public recreational uses shall be available  
36 to the public on a nondiscriminatory basis.

1           (5) The committee may make grants to an eligible project from both  
2 the habitat conservation and outdoor recreation accounts and any one or  
3 more of the applicable categories under such accounts described in RCW  
4 79A.15.040 and 79A.15.050.

--- END ---