

SHB 1453 - H AMD 979

By Representative Grant

WITHDRAWN 02/01/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 90.03.397 and 1999 c 232 s 2 are each amended to read
4 as follows:

5 (1) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Main stem of the Columbia and Snake rivers" means the main
8 stem of the Columbia and Snake rivers from the Bonneville dam to the
9 upper limits of the pool behind the Chief Joseph dam on the Columbia
10 river, from the confluence of the Snake river and the Columbia river to
11 the upper limits of the pool behind the Ice Harbor dam.

12 (b) "Pool" means any surface water reservoir where water is
13 collected and stored for subsequent beneficial use.

14 (2) The department may approve a change of the point of diversion
15 prescribed in a permit to appropriate water for a beneficial use to a
16 point of diversion that is located downstream and is an ((existing))
17 approved intake structure ((with capacity to transport the additional
18 diversion,)) if the ownership, purpose of use, season of use, and place
19 of use of the permit remain the same.

20 (3) In addition to the authority granted in subsection (2) of this
21 section, the department may approve a change of the point of diversion
22 prescribed in a permit to appropriate water for a beneficial use to a
23 point of diversion that is located in the same pool of the main stem of
24 the Columbia and Snake rivers, and is an approved intake structure, if
25 the ownership, purpose of use, season of use, and place of use of the
26 permit remain the same.

27 (a) Prior to approving the transfer of such a permit, the
28 department must provide a thirty-day consultation with interested
29 government agencies, including tribal governments, regarding the

1 requested transfer and its potential to affect instream resources in
2 the Columbia river.

3 (b) The department shall report to the appropriate standing
4 committees of the legislature regarding implementation of this
5 authority by January 10, 2010.

6 (4) This section may not be construed as limiting in any manner
7 whatsoever other authorities of the department under RCW 90.03.380 or
8 other changes that may be approved under RCW 90.03.380 under
9 authorities existing before July 25, 1999."

--- END ---