
HOUSE BILL 2666

State of Washington

61st Legislature

2010 Regular Session

By Representatives Chandler and Warnick

Read first time 01/12/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to enhancing economic vitality in rural areas by
2 clarifying when certain waters of the state may be removed from
3 additional appropriations; and reenacting and amending RCW 90.54.050.

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

5 **Sec. 1.** RCW 90.54.050 and 1997 c 439 s 2 and 1997 c 32 s 3 are
6 each reenacted and amended to read as follows:

7 In conjunction with the programs provided for in RCW 90.54.040(1),
8 whenever it appears necessary to the director in carrying out the
9 policy of this chapter, the department may by rule adopted pursuant to
10 chapter 34.05 RCW:

11 (1) Reserve and set aside waters for beneficial utilization in the
12 future(~~(7)~~); and

13 (2)(a) When sufficient information and data are (~~lacking~~)
14 available to allow for the making of sound decisions, withdraw various
15 waters of the state from additional appropriations (~~until such data~~
16 ~~and information are available~~).

17 (b) Prior to withdrawing waters of the state from additional
18 appropriations, the department shall ensure future water users have the
19 ability to acquire sufficient water for all uses authorized under RCW

1 90.44.050. The department must have reasonable evidence that the
2 program that provides future water users with sufficient water is
3 accessible, easy to use, and operational. The department may utilize
4 programs such as: A mechanism to bank water; a local water plan
5 resembling the water plan authorized in chapter 90.92 RCW; water
6 storage facilities; voluntary regional agreements resembling the
7 voluntary regional agreement as authorized in chapter 90.90 RCW; or any
8 other program suitable for providing sufficient water.

9 (c) Before proposing the adoption of rules to withdraw waters of
10 the state from additional appropriation, the department shall consult
11 with the standing committees of the house of representatives and the
12 senate having jurisdiction over water resource management issues.

13 Prior to the adoption of a rule under this section, the department
14 shall conduct a public hearing in each county in which waters relating
15 to the rule are located. The public hearing shall be preceded by a
16 notice placed in a newspaper of general circulation published within
17 each of said counties. Rules adopted hereunder shall be subject to
18 review in accordance with the provisions of RCW 34.05.240.

--- END ---