

# HOUSE BILL REPORT

## HB 2212

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to extending the expiration date of RCW 90.90.030

**Brief Description:** Extending the expiration date of RCW 90.90.030.

**Sponsors:** Representatives Blake and Chandler; by request of Department of Ecology.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/11/12, 1/13/12 [DPS].

**Brief Summary of Substitute Bill**

- Extends the Department of Ecology's authority to enter into voluntary regional agreements in the Columbia River basin for the purposes of providing new water for out-of-stream use from June 30, 2012, to June 30, 2018.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Blake, Chair; Stanford, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dunshee, Finn, Hinkle, Lytton, Orcutt and Van De Wege.

**Staff:** Jason Callahan (786-7117).

**Background:**

The Department of Ecology (Department) has the authority, which expires on June 30, 2012, to enter into voluntary regional agreements (VRA) between the Department and water users that provides for the appropriation of new water for out-of-stream use developed in the Columbia river basin. Any VRA must protect instream flows. Specifically, any new water appropriated under a VRA must not have a negative impact on seasonal instream flows in the main stem of the Columbia and Snake rivers.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Department must follow specific notification and consultation procedures prior to entering into a VRA. This process includes a consultation with county legislative authorities, the Department of Fish and Wildlife, affected tribal governments, and the federal government.

The VRAs entered into by the Department prior to June 30, 2012, remain in effect after June 30, 2012. However, after that date, the Department does not have the authority to enter into additional VRAs.

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**Summary of Substitute Bill:**

The Department of Ecology's authority to enter into voluntary regional agreements for the purposes of providing new water for out-of-stream use in the Columbia River basin is extended from June 30, 2012, to June 30, 2018.

**Substitute Bill Compared to Original Bill:**

The substitute bill removes existing statutory language that mandated certain reporting regarding voluntary regional agreements. The report dates have expired and the reports have been completed.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The voluntary regional agreements (VRA) process has been a successful way to address both in- and out-of-stream water use. The authority deserves to be extended for six more years. There has just been one VRA entered into thus far, but there is interest with other parties to pursue additional VRAs. The VRA process developed differently than was expected when it was first created, but successfully serves as an ongoing conversation between the Department of Ecology and water users that has led to new ground being used for agriculture production and improvement in fisheries.

(Opposed) None.

**Persons Testifying:** Representative Blake, prime sponsor; Evan Sheffels, Department of Ecology; and Darryll Olsen, Columbia-Snake River Irrigators Association.

**Persons Signed In To Testify But Not Testifying:** None.