

SENATE BILL REPORT

SHB 2212

As of February 21, 2012

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: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake and Chandler; by request of Department of Ecology).

Brief History: Passed House: 1/27/12, 95-0.

Committee Activity: Agriculture, Water & Rural Economic Development: 2/16/12.

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Staff: Bob Lee (786-7404)

Background: The Department of Ecology (DOE) has the authority, which expires on June 30, 2012, to enter into voluntary regional agreements (VRA) between DOE and water users that provide 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.

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

Summary of Bill: DOE's authority to enter into VRAs 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.

Appropriation: None.

Fiscal Note: Not requested.

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.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is agency request legislation. There is one VRA under the current law, and the agency sees that the additional VRAs might be developed with cities or PUDs in the future. VRA helped to implement water conservation practices to grow high value crops while also helping flows in the river. Extension of the authority is needed.

Persons Testifying: PRO: Evan Sheffels, DOE; John Stuhlmiller, Farm Bureau; Patrick Boss, Columbia-Snake River Irrigators Assn.