

SENATE BILL REPORT

SB 5293

As Reported by Senate Committee On:
Environment, Water & Energy, February 4, 2011

Title: An act relating to water delivered from the federal Columbia basin project.

Brief Description: Regarding the use of water delivered from the federal Columbia basin project.

Sponsors: Senators Schoesler, Swecker, Holmquist Newbry and Honeyford.

Brief History:

Committee Activity: Environment, Water & Energy: 2/04/11 [DP].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass.

Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford, Ranking Minority Member; Chase, Delvin, Fraser, Holmquist Newbry and Morton.

Staff: Karen Epps (786-7424)

Background: Ground Water Management Subareas may be established by Department of Ecology (Ecology) rule to address declining aquifer levels and regulate withdrawals of public ground water. Deep well irrigation occurs in some subarea lands that never received federal Columbia Basin Project (Project) water as once anticipated even though they lie within project boundaries.

Ecology must issue a superseding water right permit or certificate for such a groundwater right if water from the federal Project is delivered for use by a person who holds such a groundwater right. The superseding water right permit or certificate must designate the portion of the groundwater right that is replaced by water from the federal Project as a standby or reserve right that may be used when water delivered by the federal Project is curtailed or otherwise not available. The total number of acres irrigated by the person under the groundwater right and through the use of the Project's water must not exceed the quantity of water used and number of acres irrigated under the person's water right permit or certificate for the use of water from the aquifer.

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.

Summary of Bill: The total number of acres irrigated by a person under the groundwater right and through the use of the Project's water must not exceed the quantity of water authorized by the federal Bureau of Reclamation and the number of acres irrigated under the person's water right permit or certificate for the use of water from the aquifer.

Appropriation: None.

Fiscal Note: Available.

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: As transitions occur from deep groundwater wells to surface water in the Odessa aquifer area, there needs to be some flexibility with the deep groundwater wells. This is a technical correction to the statute. Water in the Columbia Basin Project is held by the Bureau of Reclamation. There is continuing interest to get Project water to those farmers who are relying on deep groundwater wells. The Bureau of Reclamation requires anyone using Basin water to sign a water service contract for a set amount of water. This bill clarifies that anyone who has a groundwater permit that is superseded by Project water must not exceed the quantity of water authorized by the Bureau of Reclamation.

Persons Testifying: PRO: Senator Schoesler, prime sponsor; Mike Schwisow, Washington State Water Resources Association.