
HOUSE BILL 3309

State of Washington

60th Legislature

2008 Regular Session

By Representatives Ormsby, Kretz, Blake, Linville, and Kenney; by request of Governor Gregoire

Read first time 01/30/08. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the Columbia river water delivery account;
2 adding new sections to chapter 90.90 RCW; making appropriations; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.90 RCW
6 to read as follows:

7 (1) In 2006, the legislature enacted chapter 6, Laws of 2006, an
8 act relating to water resource management in the Columbia river basin.
9 In its enactment, the legislature established that a key priority of
10 water resource management in the Columbia river basin is the
11 development of new water supplies to meet economic and community
12 development needs concurrent with instream flow needs.

13 (2) Consistent with this intent, the governor and the legislature
14 are in agreement with the Confederated Tribes of the Colville
15 Reservation and the Spokane Tribe of Indians to support additional
16 releases of water from Lake Roosevelt. Because these tribal
17 governments possess sovereign and proprietary interests in Lake
18 Roosevelt and the bureau of reclamation's operation of Grand Coulee

1 dam, the state intends to share a portion of the benefits derived from
2 Lake Roosevelt water releases and to mitigate for any impacts such
3 releases may have upon the tribes, their members, or their resources.

4 (3) These new releases of Lake Roosevelt water will bolster the
5 state economy and will meet the following critical needs: New surface
6 water supplies for farmers to replace the use of diminishing
7 groundwater in the Odessa aquifer; new water supplies for
8 municipalities with pending water right applications; enhanced
9 certainty for agricultural water users with water rights that are
10 interruptible during times of drought; and water to increase flows in
11 the river when salmon need it most.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.90 RCW
13 to read as follows:

14 (1) The Columbia river water delivery account is created in the
15 state treasury. Moneys in the account may be spent only after
16 appropriation. The account consists of all moneys transferred or
17 appropriated to the account by law. Funds appropriated from the
18 account are provided for the purposes established in the agreements
19 described in section 1 of this act and for the purposes in section 4 of
20 this act.

21 (2) On July 1, 2008, and each July 1st thereafter for the duration
22 of the agreements described in section 1 of this act, the state
23 treasurer shall transfer funds from the general fund into the Columbia
24 river water delivery account in the amounts described in subsection (3)
25 of this section.

26 (3) On July 1, 2008, and each July 1st thereafter, the state
27 treasurer shall distribute funds from the Columbia river water delivery
28 account as follows:

29 (a) To the Confederated Tribes of the Colville Reservation, on July
30 1, 2008, the sum of three million seven hundred seventy-five thousand
31 dollars; and on July 1, 2009, the sum of three million six hundred
32 twenty-five thousand dollars. Each July 1st thereafter for the
33 duration of the agreement, the treasurer shall distribute an amount
34 equal to the previous year's distribution adjusted for inflation based
35 upon the implicit price deflator provided by the office of financial
36 management.

1 (b) To the Spokane Tribe of Indians, on July 1, 2008, the sum of
2 two million two hundred fifty thousand dollars. Each July 1st
3 thereafter for the duration of the agreement, the treasurer shall
4 distribute an amount equal to the previous year's distribution adjusted
5 for inflation based upon the federal consumer price index.

6 (4) The state treasurer may not distribute Columbia river water
7 delivery account funds to a tribe pursuant to this section unless the
8 director of ecology has certified in writing to the state treasurer
9 that the agreement with the tribe is still in effect.

10 NEW SECTION. **Sec. 3.** On July 1, 2008, the state treasurer shall
11 transfer from the general fund to the Columbia river water delivery
12 account the sum of two million one hundred fifty thousand dollars, or
13 as much thereof as may be necessary, for the purposes established in
14 section 4 of this act.

15 NEW SECTION. **Sec. 4.** (1) The sum of two million dollars is
16 appropriated for the fiscal year ending June 30, 2009, from the
17 Columbia river water delivery account to the department of ecology, for
18 distribution to local governments adjacent to Lake Roosevelt to
19 mitigate for negative impacts caused by incremental releases of Lake
20 Roosevelt water for the purposes described in section 1 of this act.
21 The criteria for allocating these funds shall be developed by the
22 department in consultation with affected local governments.

23 (2) The sum of one hundred fifty thousand dollars is appropriated
24 for the fiscal year ending June 30, 2009, from the Columbia river water
25 delivery account to the department of ecology, to retain a contractor
26 to perform an independent analysis of legislative options to protect
27 rural communities in northeast Washington from disproportionate
28 economic, agricultural, and environmental impacts when upstream water
29 rights are purchased and transferred for use, or idled and used as
30 mitigation, in a downstream watershed or county. Before retaining a
31 contractor, the department shall consult with the Washington state
32 association of counties. The contractor selected shall conduct the
33 independent analysis and develop a report describing options and
34 recommended actions. The department of ecology shall provide the
35 report to the appropriate committees of the legislature by December 1,

1 2008.

2 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2008.

--- END ---