
SENATE BILL 5750

State of Washington

62nd Legislature

2011 Regular Session

By Senators Holmquist Newbry, King, Honeyford, and Morton

Read first time 02/09/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to limitations on withdrawing various waters from
2 additional appropriations; and reenacting and amending RCW 90.54.050.

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

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

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

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

12 ~~((2) When sufficient information and data are lacking to allow for
13 the making of sound decisions))~~ (b)(i) When the department has
14 sufficient information establishing impairment based on sound, reliable
15 science that has undergone peer review, withdraw various waters of the
16 state from additional appropriations ~~((until such data and information
17 are available))~~.

18 (ii) Prior to withdrawing waters of the state from additional

1 appropriations, the department must establish an alternate available
2 water source for use in the closed basin.

3 (iii) Before proposing the adoption of rules to withdraw waters of
4 the state from additional appropriation, the department shall consult
5 with the standing committees of the house of representatives and the
6 senate having jurisdiction over water resource management issues.

7 (2) Prior to the adoption of a rule under this section, the
8 department shall conduct a public hearing in each county in which
9 waters relating to the rule are located. The public hearing shall be
10 preceded by a notice placed in a newspaper of general circulation
11 published within each of said counties. Rules adopted (~~hereunder~~)
12 under this section shall be subject to review in accordance with the
13 provisions of RCW 34.05.240.

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