

ESSB 5092 - H AMD TO H AMD (H-1459.2/21) **509**

By Representative Rule

ADOPTED 04/03/2021

1 On page 246, beginning on line 25, after "(6)" strike all material
2 through "farmland" on line 39 and insert the following:

3 "\$588,000 of the general fund–state appropriation for fiscal year
4 2022 and \$662,000 of the general fund–state appropriation for fiscal
5 year 2023 are provided solely for the department to address
6 outstanding water rights issues. Of the amounts provided in this
7 subsection:

8 (a) \$463,000 of the general fund–state appropriation for fiscal
9 year 2022 and \$537,000 of the general fund–state appropriation for
10 fiscal year 2023 are provided solely for preparation and filing of
11 adjudications of state water rights in the Nooksack (water resource
12 inventory area 1) and lake Roosevelt and middle tributaries (water
13 resource inventory area 58) watersheds. The department may not file an
14 adjudication in water resource inventory area 1 prior to June 1, 2023;
15 and

16 (b) \$125,000 of the general fund–state appropriation for fiscal
17 year 2022 and \$125,000 of the general fund–state appropriation for
18 fiscal year 2023 are provided for Whatcom county to support a
19 collaborative process among local water users and water right holders
20 that can complement water rights adjudication in the Nooksack (water
21 resources inventory area 1) watershed. Funding is provided for
22 facilitation and mediation among parties, development of planning and
23 technical information, and assessment of local solutions. At a
24 minimum, the collaborative process must seek to provide opportunities
25 for discussion of increasing salmon populations and preserving
26 farmland"

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EFFECT: Amends language for the Department of Ecology (Ecology) to address water rights issues by prohibiting Ecology from filing the water rights adjudication in the Nooksack watershed before June 1, 2023, and specifying how much of the funding provided is for water rights adjudications and how much is for a collaborative process among local water users and water right holders.

FISCAL IMPACT: No net change to appropriated levels.

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