

# HOUSE BILL REPORT

## HB 2363

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### As Reported By House Committee On:

Natural Resources  
Appropriations

**Title:** An act relating to fish habitat restoration.

**Brief Description:** Requiring a project for designs to restore anadromous fish habitat in the Chandler irrigation canal and on state-owned land on Crab creek.

**Sponsors:** Representatives Delvin, Clements, Mastin, Grant and Hankins.

### Brief History:

#### Committee Activity:

Natural Resources: 1/26/96, 1/31/96 [DPS];  
Appropriations: 2/3/96 [DP2S(w/o sub NR)].

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## HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Basich, Ranking Minority Member; Beeksma; Elliot; Hatfield; Jacobsen; Keiser; Sheldon; Stevens; L. Thomas and Thompson.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Regala, Assistant Ranking Minority Member.

**Staff:** Rick Anderson (786-7114).

**Background:** Habitat degradation is a primary factor in the decline of many anadromous stocks. Over a half million acres are irrigated in the Columbia Basin Project.

**Summary of Substitute Bill:** Legislative findings are made that pilot design studies are necessary to document the benefits of using irrigation facilities and wasteways as a means to provide habitat for salmon and steelhead.

Eighty thousand dollars is appropriated to Washington State University (WSU) to develop conceptual designs for restoring habitat in the Chandler Irrigation Canal and in Crab Creek. WSU is also directed to identify other irrigation facilities that can

provide habitat, cooperate with all appropriate entities, and report to the Legislature by December 1, 1997.

**Substitute Bill Compared to Original Bill:** A provision is added clarifying that WSU must allow the Department of Fish and Wildlife to comment on its conceptual designs.

**Appropriation:** The sum of \$80,000 is appropriated from the state general fund.

**Fiscal Note:** Not requested.

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

**Testimony For:** Irrigation facilities can provide valuable habitat for salmon, particularly in the headwaters of canals where water temperature and chemistry are best. Completion of the conceptual design may help to leverage federal dollars. Providing this kind of habitat is a good idea, but there is some uncertainty as to the legal ramifications of using canals as fish habitat if a stock later becomes listed as threatened or endangered.

**Testimony Against:** None.

**Testified:** Ed Owens, Coalition of Washington Ocean Fishermen; Chuck Garner, Kennewick Irrigation District; Jerry Harper, Columbia Snake Irrigation Association; Bill Kinsel, Washington State University; Ed Manary, Department of Fish and Wildlife (pro); and Mike Schwisow, Washington State Water Resources Association (pro with amendments).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Natural Resources. Signed by 28 members: Representatives Huff, Chairman; Clements, Vice Chairman; Pelesky, Vice Chairman; H. Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Crouse; Dellwo; Dyer; Foreman; Grant; Hargrove; Hickel; Kessler; Lambert; Linville; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott and Wolfe.

**Staff:** Nancy Stevenson (786-7137).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Natural Resources:** In the second substitute bill the appropriation is removed. A requirement is added to make the bill null and void unless funding is provided in the supplemental budget.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date** Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.