

HOUSE BILL REPORT

HB 1865

As Amended by the Senate

Title: An act relating to irrigation districts acting as initiating governments for watershed planning.

Brief Description: Changing watershed planning provisions.

Sponsors: By Representatives G. Chandler and Grant.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/23/01, 2/26/01 [DP].

Floor Activity:

Passed House: 3/12/01, 98-0.

Senate Amended.

Passed Senate: 4/10/01, 47-0.

Brief Summary of Bill

- Does not allow a federal water supply utility to be an initiating government under the state's watershed planning law, but allows a non-federal water supply utility receiving water from the federal entity to be such an initiating government in the watershed that contains its service area.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Mielke, Republican Vice Chair; B. Chandler, Delvin, Dunshee, Grant, Hunt, Kirby, Quall, Roach, Schoesler and Sump.

Staff: Kenneth Hirst (786-7105).

Background:

The state's watershed planning law establishes a process for the development of watershed plans under a locally initiated planning process. Watershed planning may be initiated for a single water resource inventory area (WRIA), as these watersheds have

been designated by rules adopted by the Department of Ecology (DOE), or for a multi-WRIA area. Watershed planning for a single WRIA may be initiated only with the concurrence of: all counties within the WRIA; the largest city or town within the WRIA unless the WRIA does not contain a city or town; and the water supply utility obtaining the largest quantity of water from the WRIA. It may be initiated for a multi-WRIA area only with the concurrence of: all counties within the multi-WRIA area; the largest city or town in each WRIA unless the WRIA does not contain a city or town; and the water supply utility obtaining the largest quantity of water in each WRIA. If these entities decide to proceed, they must extend an invitation to all tribes with reservation lands within the management area. These entities, including the tribes if they affirmatively accept the invitation, constitute the "initiating governments" for the purposes of initiating watershed planning.

Summary of Bill:

An agency of the federal government that is a water supply utility cannot be an "initiating government" that (1) initiates planning under the state's watershed planning law and (2) selects the lead agency for conducting the planning. However, a non-federal water supply utility that receives water from such a federal agency may be such an initiating government for the WRIA that contains the service area of the non-federal utility.

EFFECT OF SENATE AMENDMENT(S):

Rather than prohibiting a federal water supply utility from being an initiating government under the state's watershed planning law, but allowing a non-federal water supply utility receiving water from the federal entity to be such an initiating government in the WRIA that contains its service area, the Senate amendments create a special rule for initiating planning in a WRIA with lands in the Columbia Basin Project. The water supply utility obtaining from the Project the largest quantity of water for such a WRIA is the water supply utility that is an initiating government for the WRIA.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: (1) Grant, Adams, and Franklin counties contacted the Department of Ecology to inquire about initiating watershed planning, only to find that the largest water utilities in the WRIA, irrigation districts, cannot be initiating governments for the watershed planning process. (2) Under the watershed planning law as amended by the bill, the federal agency supplying the water in the area, the U.S. Bureau of Reclamation,

would still have a role at the planning table, but not as a local initiating government.

Testimony Against: None.

Testified: (In support) Mike Schwisow, Washington Water Resources Association.