

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6581

Chapter 169, Laws of 2006

59th Legislature
2006 Regular Session

HANFORD REACH--INSTREAM FLOWS STUDY

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 8, 2006
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 8, 2006
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE SENATE BILL 6581** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 22, 2006.

FILED

March 22, 2006 - 3:02 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6581

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Ways & Means (originally sponsored by
Senators Poulsen and Delvin)

READ FIRST TIME 02/7/06.

1 AN ACT Relating to a study of the instream flows of the Hanford
2 Reach; and amending 2005 c 488 s 330 (uncodified).

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

4 **Sec. 1.** 2005 c 488 s 330 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF ECOLOGY**

7 Watershed Plan Implementation and Flow Achievement (06-2-003)

8 The appropriation in this section is subject to the following
9 conditions and limitations: \$12,000,000 of the appropriation is
10 provided solely for projects and water right acquisitions to support
11 watershed planning efforts and achieving instream flows subject to the
12 following project types, conditions, and limitations:

13 (1) Up to \$1,353,172 of the appropriation is provided to improve
14 irrigation efficiency and to achieve associated flow improvements in
15 the Twisp and Methow rivers by providing for cleaning and lining and/or
16 piping of 30,943 linear feet of the irrigation canal within the lower
17 (downstream) seven miles of the Methow Valley irrigation district's
18 west canal. Of this amount, up to \$100,000 is provided for a neutral

1 independent consultant to provide management assistance to the Methow
2 Valley irrigation district for purposes of identifying structural and
3 operational improvements to increase overall system water use
4 efficiency.

5 (2) Up to \$200,000 of the appropriation is provided for a portion
6 of the costs of the project level environmental impact statement for
7 the Ahtanum creek watershed restoration program, including construction
8 of the Pine Hollow reservoir, provided there is agreement among the
9 Yakama nation, Ahtanum irrigation district, and other jurisdictional
10 federal, state, and local agencies and entities to proceed with the
11 environmental impact statement.

12 (3) Up to \$75,000 of the appropriation is provided to formalize the
13 Ahtanum creek watershed restoration program, including identification
14 of site specific habitat improvement projects and determination of the
15 most appropriate restoration program alternative to implement.

16 (4) Up to \$1,500,000 of the appropriation is provided to reduce
17 diversions from the Dungeness river through pipeline projects
18 identified in the Dungeness river comprehensive irrigation district
19 management plan. For at least one year from the effective date of this
20 section, while the parties seek resolution of the court action filed in
21 Thurston county superior court, No. 04-2-00078-2, none of these funds
22 may be allocated to any projects in the Dungeness river basin that are
23 within the area that is the zone of contribution for ground and surface
24 water infiltration to the existing Graysmarsh wetland.

25 (5) \$100,000 of the appropriation is provided solely to the city of
26 Normandy Park to implement the basin plan for the Miller/Walker and
27 Salmon creek basins.

28 (6) Water storage grants for the development of plans, engineering
29 and financing reports, acquiring lands and facilities, and other
30 preconstruction activities associated with the development of water
31 storage and groundwater storage and recovery projects. Proposed
32 projects should be consistent with the recommendations of the water
33 storage task force. The department of ecology would issue grants in
34 consultation with the departments of agriculture and fish and wildlife.

35 (7) Infrastructure improvement projects and other water management
36 actions that benefit stream flows and enhance water supply to resolve
37 conflicts among water needs for municipal water supply, agriculture

1 water supply, and fish restoration. The stream flow improvements and
2 other public benefits secured from these projects should be
3 commensurate with the investment of state funds.

4 (8) Projects for planning, acquisition, construction, and
5 improvement of agriculture water supply facilities and achieving water
6 conservation and water use efficiency improvements.

7 (9) Financial assistance to purchase and install water measuring
8 devices at points of diversion and withdrawal. Preference would be
9 given to fish-critical basins, to areas participating in the department
10 of fish and wildlife fish screening and cooperative compliance
11 programs, and to basins where watershed planning has determined
12 additional water diversion and withdrawal information is needed.

13 (10) Funding for acquisition of either water or water rights, or
14 both, for instream flow achievement and establishment of water
15 accounts. The appropriation is provided for either the purchase or
16 lease, or both, of water rights. It is also provided for the purpose
17 of improving stream and river flows in fish critical basins under the
18 trust water rights program under chapters 90.42 and 90.38 RCW.

19 (11) The department shall provide small grants to watershed
20 councils that have completed watershed plans. The grants are intended
21 to support periodic meetings of the councils so that they can monitor
22 the implementation of watershed plans.

23 (12) \$250,000 of the state building construction account--state
24 appropriation for fiscal year 2007 is provided solely to the department
25 of ecology to work with interested parties to study instream flows in
26 the Hanford Reach and their impact on the ecological condition of the
27 Hanford Reach especially as it relates to the needs of salmon and
28 steelhead in the Hanford Reach. The department shall submit to the
29 office of the governor and to the appropriate fiscal and policy
30 committees of the legislature a report of its findings by July 1, 2007.

31 Appropriation:

32	State Building Construction Account--State	\$12,000,000
33	Prior Biennia (Expenditures)	\$0
34	Future Biennia (Projected Costs)	\$48,000,000
35	TOTAL	\$60,000,000

Passed by the Senate March 8, 2006.
Passed by the House March 8, 2006.
Approved by the Governor March 22, 2006.
Filed in Office of Secretary of State March 22, 2006.