

**SENATE BILL REPORT**

**SB 5736**

**AS OF FEBRUARY 28, 1991**

**Brief Description:** Providing for comprehensive water resources management.

**SPONSORS:** Senators Barr, Madsen, Bailey and Williams; by request of Jnt Sel Com on Water Resource Policy.

**SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES**

**Staff:** Ed Dee (786-7449)

**Hearing Dates:** February 28, 1991

**BACKGROUND:**

In 1990 the Joint Select Committee on Water Resource Policy sponsored legislation requiring water resource planning throughout the state, to be implemented on a regional basis with involvement of state, local, and tribal governments and interested parties. Following passage of ESHB 2932 by the 1990 Legislature, the governments and interest groups worked together to develop the comprehensive regional planning process, to be implemented in 1991 in two pilot regions in the state. Over 200 individuals representing state, local, and tribal governments, agriculture, business, environmental, fisheries, and recreation interests participated in developing the planning process.

In addition to the development of regional water resource plans, the planning process contains several additional elements considered by the governments and interest groups to be essential for success. A conflict resolution mechanism is created through which the governments can resolve disputes that occur in areas that have not yet developed regional plans to address existing water resource problems. A water resources forum is established with representation of all interests, to act as an ongoing policy advisory group to state agencies regarding water resource issues and policies.

The governments and interest groups developed recommendations containing incentives and requirements regarding water conservation and efficiency. Senate Bill 5736 (and its companion, HB 2026) contain these recommendations, in addition to recommendations for funding the conservation and efficiency proposals and for funding various elements of the regional water resources planning process.

**SUMMARY:**

A preference is stated for water conservation and water use efficiency efforts to meet current water supply needs and to assist in meeting future needs. Priority is to be given to state funded water conservation projects achieving greatest water savings.

A trust water rights program is created, providing for state acquisition of saved water resulting from state or federal funded water conservation improvements. The state could also receive trust water rights through voluntary purchase or gift. Trust water rights held by the state could be made available to meet instream or out-of-stream needs.

Efficiency standards for plumbing fixtures contained in the 1989 Water Use Efficiency Act are accelerated one year, and future sales of non-conforming fixtures are prohibited. Tax incentives are created for the purchase of agricultural water conservation equipment and for water reuse by local governments and public utilities. Cities, towns, and water and sewer districts are authorized to build incentives to conservation within their rate structures.

A water restoration account is created in the State Treasury for receipts associated with water right violations. Expenditures from the account must be used for restoration of water and related resources damaged by such violations.

Appropriations of \$7,492,000 are requested for various state agencies to implement the regional water resources planning process, the critical areas consultation and conflict resolution mechanism, interest group participation, and the water resources forum, in addition to the conservation and efficiency recommendations and enhanced compliance efforts by state agencies.

The act is null and void without legislative appropriation, and if the appropriation does not derive from new revenues developed pursuant to the act.

**Appropriation:** \$7,492,000

**Revenue:** none

**Fiscal Note:** requested