

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5919

Chapter 19, Laws of 2001

57th Legislature
2001 Second Special Session

WATER STORAGE PROJECTS

EFFECTIVE DATE: 9/20/01

Passed by the Senate June 6, 2001
YEAS 43 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House June 20, 2001
YEAS 83 NAYS 0

FRANK CHOPP
**Speaker of the
House of Representatives**

CLYDE BALLARD
**Speaker of the
House of Representatives**

Approved July 13, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5919** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

July 13, 2001 - 3:10 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5919

Passed Legislature - 2001 Second Special Session

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Environment, Energy & Water (originally sponsored by Senators Morton, Fraser, Honeyford and Rasmussen)

READ FIRST TIME 02/21/01.

1 AN ACT Relating to the assessment of potential site locations for
2 water storage projects; amending RCW 90.82.070; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes the potential for
6 additional water storage as a solution to the water supply needs of the
7 state. Last year the legislature created a task force to examine the
8 role of increased water storage in providing water supplies to meet the
9 needs of fish, population growth, and economic development, and to
10 enhance the protection of people's lives and their property and the
11 protection of aquatic habitat through flood control facilities. One
12 solution discussed by the task force to address the state's water
13 supply problem is to store water when there is excess runoff and stream
14 flow, and deliver or release it during the low flow period when it is
15 needed. The task force discussed the need for assessments of potential
16 site locations for water storage projects. The legislature intends
17 this act to assist in obtaining the assessments relating to water
18 storage.

1 **Sec. 2.** RCW 90.82.070 and 1998 c 247 s 3 are each amended to read
2 as follows:

3 Watershed planning under this chapter shall address water quantity
4 in the management area by undertaking an assessment of water supply and
5 use in the management area and developing strategies for future use.

6 (1) The assessment shall include:

7 (a) An estimate of the surface and ground water present in the
8 management area;

9 (b) An estimate of the surface and ground water available in the
10 management area, taking into account seasonal and other variations;

11 (c) An estimate of the water in the management area represented by
12 claims in the water rights claims registry, water use permits,
13 certificated rights, existing minimum instream flow rules, federally
14 reserved rights, and any other rights to water;

15 (d) An estimate of the surface and ground water actually being used
16 in the management area;

17 (e) An estimate of the water needed in the future for use in the
18 management area;

19 (f) An identification of the location of areas where aquifers are
20 known to recharge surface bodies of water and areas known to provide
21 for the recharge of aquifers from the surface; and

22 (g) An estimate of the surface and ground water available for
23 further appropriation, taking into account the minimum instream flows
24 adopted by rule or to be adopted by rule under this chapter for streams
25 in the management area including the data necessary to evaluate
26 necessary flows for fish.

27 (2) Strategies for increasing water supplies in the management
28 area, which may include, but are not limited to, increasing water
29 supplies through water conservation, water reuse, the use of reclaimed
30 water, voluntary water transfers, aquifer recharge and recovery,
31 additional water allocations, or additional water storage and water
32 storage enhancements. The objective of these strategies is to supply
33 water in sufficient quantities to satisfy the minimum instream flows
34 for fish and to provide water for future out-of-stream uses for water
35 identified in subsection (1)(e) and (g) of this section and to ensure
36 that adequate water supplies are available for agriculture, energy
37 production, and population and economic growth under the requirements
38 of the state's growth management act, chapter 36.70A RCW. These
39 strategies, in and of themselves, shall not be construed to confer new

1 water rights. The watershed plan must address the strategies required
2 under this subsection.

3 (3) The assessment may include the identification of potential site
4 locations for water storage projects. The potential site locations may
5 be for either large or small projects and cover the full range of
6 possible alternatives. The possible alternatives include off-channel
7 storage, underground storage, the enlargement or enhancement of
8 existing storage, and on-channel storage.

Passed the Senate June 6, 2001.

Passed the House June 20, 2001.

Approved by the Governor July 13, 2001.

Filed in Office of Secretary of State July 13, 2001.