

5250

Sponsor(s): Senators Regala, Jacobsen and Fraser

Brief Description: Changing instream flow provisions.

SB 5250 - DIGEST

Declares that the purpose of this act is to specify the priorities to be used in establishing instream flows under RCW 90.22.010 and 90.54.020. Instream flows shall be established in rule for all mainstem rivers and primary tributaries of the state by the year 2010. The department of ecology, in close cooperation with the department of fish and wildlife, must pursue achievement of this goal as a matter of high priority.

Requires the department, in consultation with the department of fish and wildlife and with affected tribal governments, planning units under chapter 90.82 RCW, and local governments, to develop and publish strategies for achieving flows that satisfy the flow requirements of the instream flow rules including, but not limited to, an identification of priorities for the use of state resources to achieve the flows.

Requires flows in the state's perennial rivers and streams to be managed to protect the full range of applicable instream interests and values, including fish and wildlife habitat, water quality, navigation, and scenic, aesthetic, and environmental quality values. Regulatory instream flows shall be established pursuant to RCW 90.22.010.

Provides that, no later than October 1, 2003, the department shall adopt a protocol applicable to the processing of applications for new water withdrawals and applications for changes or transfers, for the consideration of the impact of the proposed change or transfers upon the flows subject to the instream flows during the period between the establishment of a priority date as determined under RCW 90.82.080(2) and the adoption of a final instream flow rule.

Requires the directors of ecology and fish and wildlife to jointly develop an interagency agreement providing procedures for consultation on filings regarding water bodies that provide habitat for critical or depressed fish stocks.