

ESSB 5583 - H AMD TO AGNR COMM AMD (H-2949.1/09) **504**
By Representative Blake

ADOPTED 04/13/2009

1 On page 2, line 22 of the amendment, after "provide" insert
2 "electronic"

3 On page 2, line 23 of the amendment, after "and" insert "affected"

4 On page 2, line 24 of the amendment, after "prior to" strike
5 "utilizing" and insert "initiating use of"

6 On page 2, line 25 of the amendment, after "each" strike
7 "watershed" and insert "water resource inventory area"

8 On page 3, line 5 of the amendment, after "district," insert
9 "irrigation district, public port,"

10 On page 4, line 22 of the amendment, after "(4)" insert "(a)"

11 On page 4, line 25 of the amendment, after "impaired." insert the
12 following:

13 "(b)"

14 On page 4, line 27 of the amendment, after "impairment." insert the
15 following:

16 "(c)"

17 On page 4, line 30 of the amendment, after "program." insert the
18 following:

19 "(d)"

20 On page 4, line 35 of the amendment, after "(5)" insert "(a)"

1 On page 5, line 2 of the amendment, after "weeks." insert the
2 following:

3 "(b)"

4 On page 5, after line 5 of the amendment, insert the following:

5 "(c) For a trust water right donation described in RCW
6 90.42.080(1)(b), or for a trust water right lease described in RCW
7 90.42.080(8) that does not exceed five years, the department may post
8 equivalent information on its web site to meet the notice requirements
9 in (a) of this subsection and may send pertinent information by e-mail
10 to meet the notice requirements in (b) of this subsection."

11 On page 5, beginning on line 12 of the amendment, after "(8)"
12 strike all material through "+(9+))" on line 19 and insert
13 "Subsection(~~(s)~~) (4) (~~and~~(~~5~~)) (a) of this section (~~(d)~~) does not
14 apply to a trust water right resulting from a donation for instream
15 flows described in RCW 90.42.080(1)(b) or to a trust water right leased
16 under RCW 90.42.080(8) if the period of the lease does not exceed five
17 years. (~~However, the department shall provide the notice described in~~
18 ~~subsection (5) of this section the first time the trust water right~~
19 ~~resulting from the donation is exercised.))~~

20 (9)"

EFFECT: Allows the department of ecology to notify affected local governments and affected federally recognized tribal governments electronically prior to initiating use of the trust water rights program for water banking purposes for the first time in each water resource inventory area.

Adds irrigation districts and public ports to the definition of "local government" for purposes of electronic notification.

Requires trust water donations and short-term trust water leases to be reviewed under the same standards as current law for donated water rights.

Requires the department of ecology to provide electronic notice for trust water donations and short-term trust water leases.

--- END ---