CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6179**

Chapter 215, Laws of 2016

64th Legislature

2016 Regular Session

WATER BANKING--INFORMATION

EFFECTIVE DATE: 6/9/2016

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| Passed by the Senate March 7, 2016  Yeas 47 Nays 1  BRAD OWEN  **President of the Senate**  Passed by the House March 4, 2016  Yeas 94 Nays 3  FRANK CHOPP  **Speaker of the House of Representatives** | CERTIFICATE  I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6179** as passed by Senate and the House of Representatives on the dates hereon set forth.  HUNTER G. GOODMAN  **Chief Clerk** |
| Approved April 1, 2016 4:45 PM | April 4, 2016 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE SENATE BILL 6179**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2016 Regular Session

**State of Washington 64th Legislature 2016 Regular Session**

**By** Senate Agriculture, Water & Rural Economic Development (originally sponsored by Senator Honeyford)

AN ACT Relating to water banking; amending RCW 90.42.130; and adding a new section to chapter 90.42 RCW.

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

**Sec.**  RCW 90.42.130 and 2014 c 76 s 9 are each amended to read as follows:

((~~(1)~~)) The department shall seek input from agricultural organizations, federal agencies, tribal governments, local governments, watershed groups, conservation groups, and developers on water banking, including water banking procedures and identification of areas in Washington ((~~state~~)) where water banking could assist in providing water supplies for instream and out-of-stream uses.

((~~(2) The department shall maintain information on its web site regarding water banking, including information on water banks and related programs in various areas of the state.~~))

NEW SECTION. **Sec.**  A new section is added to chapter 90.42 RCW to read as follows:

(1)(a) The department must maintain information on its web site regarding water banking, including information on water banks and related programs in various areas of the state.

(b) The information maintained on the department's web site under this subsection must include a schedule or table for each water bank that shows:

(i) The amount charged for mitigation, including any fees;

(ii) If applicable, the priority date of the water rights made available for mitigation;

(iii) The amount of water made available for mitigation;

(iv) If applicable, any geographic areas in the state where the department may issue permits or other approvals to use the water rights associated with the water bank as mitigation;

(v) The processes utilized by the water bank to obtain approval from the department, or any other applicable governmental agency, to use the water rights as mitigation for new water uses; and

(vi) The nature of the ownership interest of the water right available to be conveyed to the landowner and whether the ownership interest will be recorded on the title.

(2) The department must update the schedule or table required under this section on a quarterly basis, using information provided to the department by the operator of each water bank. Any person operating a water bank in Washington must provide the information required under this section to the department upon request.

**--- END ---**

Passed by the Senate March 7, 2016.

Passed by the House March 4, 2016.

Approved by the Governor April 1, 2016.

Filed in Office of Secretary of State April 4, 2016.