

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

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**

Approved April 1, 2016 4:45 PM

JAY INSLEE

**Governor of the State of Washington**

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

**Secretary**

FILED

April 4, 2016

**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)**

READ FIRST TIME 01/20/16.

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

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

4            **Sec. 1.** RCW 90.42.130 and 2014 c 76 s 9 are each amended to read  
5 as follows:

6            ((~~1~~)) The department shall seek input from agricultural  
7 organizations, federal agencies, tribal governments, local  
8 governments, watershed groups, conservation groups, and developers on  
9 water banking, including water banking procedures and identification  
10 of areas in Washington ((~~state~~)) where water banking could assist in  
11 providing water supplies for instream and out-of-stream uses.

12            ((~~2~~) The department shall maintain information on its web site  
13 regarding water banking, including information on water banks and  
14 related programs in various areas of the state.))

15            NEW SECTION.    **Sec. 2.** A new section is added to chapter 90.42  
16 RCW to read as follows:

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

1           (b) The information maintained on the department's web site under  
2 this subsection must include a schedule or table for each water bank  
3 that shows:  
4           (i) The amount charged for mitigation, including any fees;  
5           (ii) If applicable, the priority date of the water rights made  
6 available for mitigation;  
7           (iii) The amount of water made available for mitigation;  
8           (iv) If applicable, any geographic areas in the state where the  
9 department may issue permits or other approvals to use the water  
10 rights associated with the water bank as mitigation;  
11           (v) The processes utilized by the water bank to obtain approval  
12 from the department, or any other applicable governmental agency, to  
13 use the water rights as mitigation for new water uses; and  
14           (vi) The nature of the ownership interest of the water right  
15 available to be conveyed to the landowner and whether the ownership  
16 interest will be recorded on the title.  
17           (2) The department must update the schedule or table required  
18 under this section on a quarterly basis, using information provided  
19 to the department by the operator of each water bank. Any person  
20 operating a water bank in Washington must provide the information  
21 required under this section to the department upon request.

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.