

SENATE BILL REPORT

SB 5230

As of January 28, 2021

Title: An act relating to agreements for allocation of groundwater resulting from bureau of reclamation project operations.

Brief Description: Concerning agreements for allocation of groundwater resulting from bureau of reclamation project operations.

Sponsors: Senators Dozier, Honeyford, King, Schoesler, Warnick and Muzzall.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/02/21.

Brief Summary of Bill

- Provides that agreements with the United States for the allocation of Columbia Basin Program groundwaters do not require compliance with the procedures for the establishment of groundwater areas or subareas.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Karen Epps (786-7424)

Background: The Columbia Basin Project began in 1933 with the allocation of funds for Grand Coulee Dam and was authorized by the United States Congress in 1943. The Columbia Basin Project currently serves about 671,000 acres, or approximately 65 percent of the 1,029,000 acres originally authorized by Congress, in portions of Grant, Lincoln, Adams, and Franklin counties, with some northern facilities located in Douglas County.

Principal project features include Grand Coulee Dam, Franklin D. Roosevelt Lake, Grand Coulee Powerplant Complex, switchyards, and a pump-generating plant. Primary irrigation facilities are the Feeder Canal, Banks Lake, the Main, West, East High, and East Low

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canals, O`Sullivan Dam, Potholes Reservoir, and Potholes Canal. There are over 300 miles of main canals, about 2000 miles of laterals, and 3500 miles of drains and wasteways on the project.

In 2002, the Legislature authorized the Department of Ecology (Ecology) to enter into agreements with the United States for the allocation of ground waters resulting from the Columbia Basin Project. The agreements must be consistent with the:

- authorized purposes of the project,
- federal and state reclamation laws, and
- federal rate and repayment contract obligations regarding the project.

The agreements must provide that Ecology grant an application to use the water only if it determines the application will not impair existing water rights or project operations or harm the public interest. Use of any water allocated under the agreements is contingent upon issuance of licenses by the United States to approved applicants. Before implementing the agreements, Ecology must adopt rules establishing the procedures for implementing the agreements and the priorities for processing applications.

Summary of Bill: Agreements with the United States for the allocation of groundwaters that exist as a result of the Columbia Basin Program do not require compliance with the procedures in the groundwater code for the establishment of groundwater areas or subareas, and for declarations of claims of ownership of artificially stored groundwater within those areas or subareas. However, Ecology is authorized to first establish a groundwater area or subarea under the procedure provided in the groundwater code before an agreement is entered into with the United States for the allocation of groundwater in the groundwater area or subarea.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.