

FINAL BILL REPORT

SSB 5230

C 185 L 21
Synopsis as Enacted

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

Sponsors: Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Dozier, Honeyford, King, Schoesler, Warnick and Muzzall).

Senate Committee on Agriculture, Water, Natural Resources & Parks
House Committee on Rural Development, Agriculture & Natural Resources

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 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

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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: Agreements with the United States for the allocation of groundwater that exist as a result of the Columbia Basin Project will be used for allocating that groundwater and shall not require compliance with the procedures in the Groundwater Code for declarations of claims of ownership of artificially stored groundwater within a groundwater area or subarea. Ecology must establish a groundwater area or subarea before entering into an agreement with the United States for the allocation of groundwaters that exist as a result of the Columbia Basin Project. Agreements for the allocation of groundwater that exist as a result of the Columbia Basin Project fulfill the requirements of the Groundwater Code for determinations of the availability of public groundwater.

Votes on Final Passage:

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| Senate | 39 | 10 |
| House | 97 | 1 |

Effective: July 25, 2021