

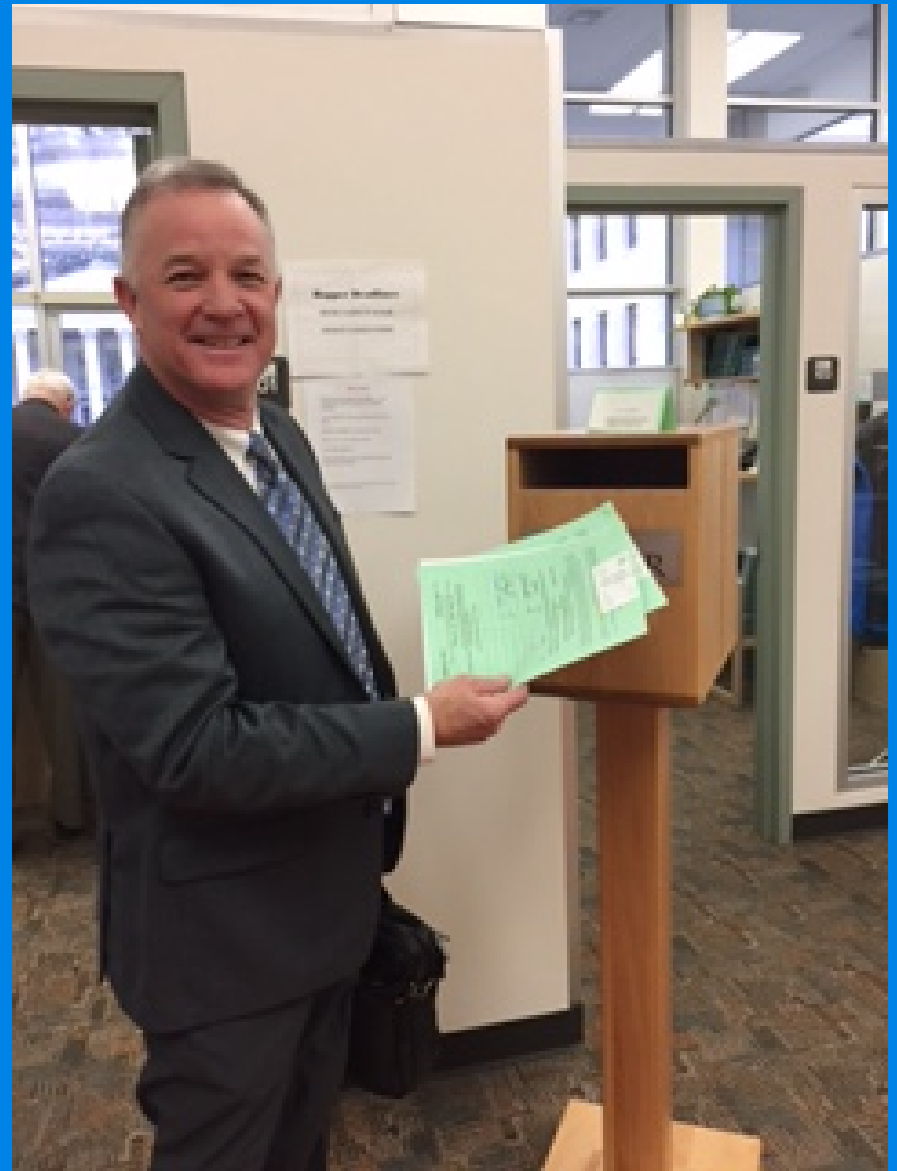
# Office of Columbia River 17-19 Legislative and Budget

G. Thomas Tebb, L.H.g, L.E.G.  
Director  
Office of Columbia River

Columbia River Policy Advisory Group - June 1, 2017



# 2017 LEGISLATIVE SESSION





# OCR Proposed Legislation



## SENATE BILL 5269

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State of Washington                      65th Legislature                      2017 Regular Session

**By** Senators Warnick, Honeyford, Takko, and Chase; by request of  
Department of Ecology

Read first time 01/18/17. Referred to Committee on Agriculture,  
Water, Trade & Economic Development.

## HOUSE BILL 1394

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State of Washington                      65th Legislature                      2017 Regular Session

**By** Representatives Chandler, Blake, Dent, Lytton, and Dye; by request  
of Department of Ecology

Read first time 01/19/17. Referred to Committee on Agriculture &  
Natural Resources.

1            AN ACT Relating to WAC 173-563-020(4) and 173-531A-060 regarding  
2            the processing of applications for Columbia river water right permits  
3            to clarify legislative intent to ensure that the rules can be  
4            implemented as written; and amending RCW 90.90.020.

# Focus on Columbia River Water Supplies



## WHY IT MATTERS

The legislation will remove barriers to the timely issuance of water rights from the Columbia River by clearing up uncertainties brought about by recent court decisions. The added certainty will allow the state to more efficiently issue permits. The public will benefit by having a clearer set of permit requirements.

## Proposed legislation

The proposed legislation ensures that the current Columbia River rules (Washington Administrative Code 173-563 and 173-531A ), which provide a balanced water management approach for fish, farms and communities, can be implemented as adopted.

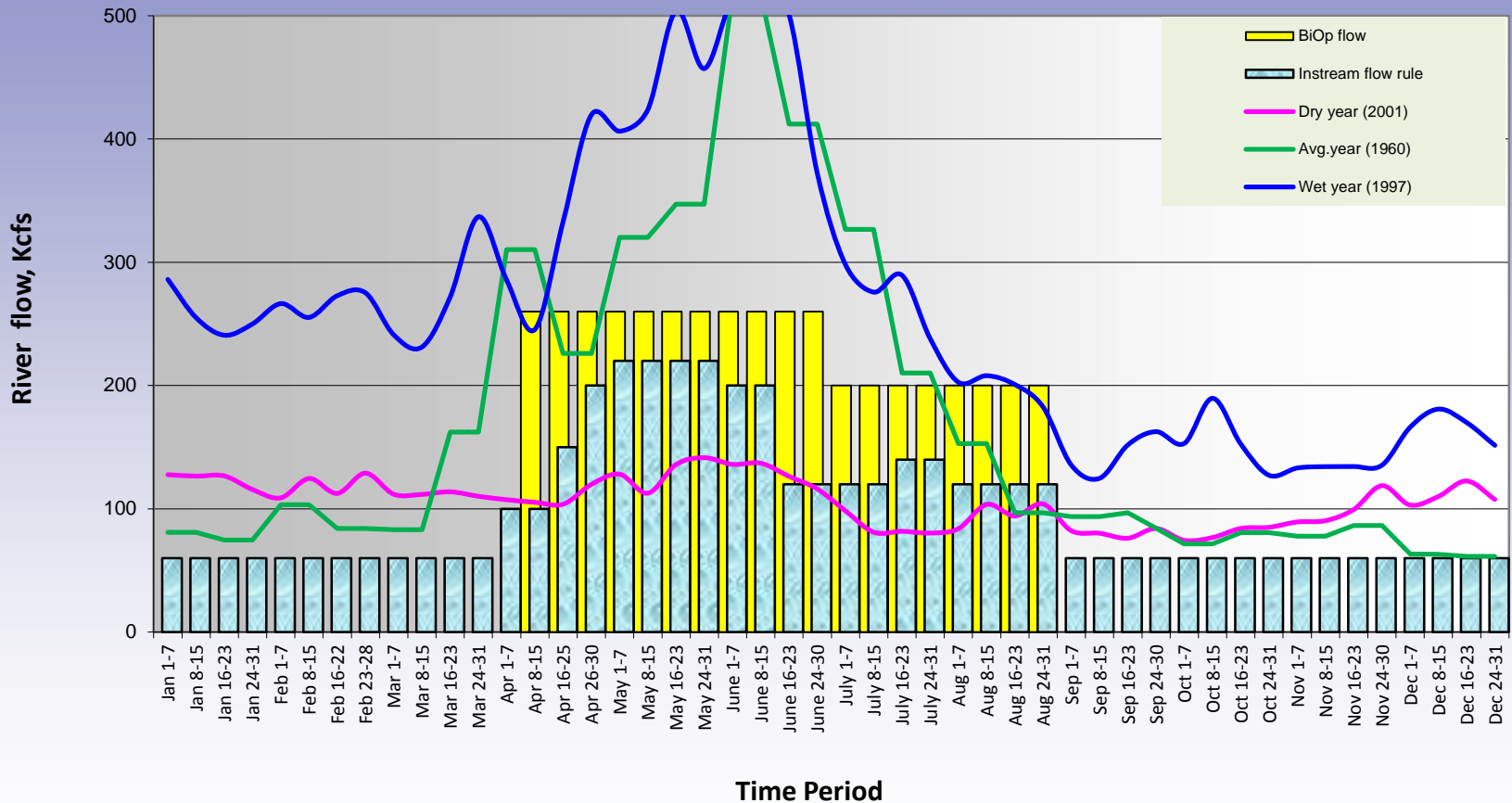
## The problem

The Department of Ecology's Office of Columbia River implements the law governing Columbia Basin water supply, Chapter 90.90 RCW, which was adopted in 2006. Following Legislative direction, Ecology promotes water supply development and takes permitting actions to ensure that water will be available for fish, farms and people in the Columbia River basin. The existing regulatory framework, provided in the Columbia River rules, has been in place since July 1997, when the Legislature passed a law that directed Ecology to process pending applications for Columbia River water supplies (ESHB 1110). Recent Washington State Supreme Court cases involving disputes in other parts of the state have created uncertainty about the rules for water right permits issued from the Columbia River and connected groundwater bodies.



# Columbia River Instream Flows

Comparison of Dry, Average, Wet Year Flows to Instream Flow Rule  
(Columbia River at McNary Dam)



# What is currently permissible on the Columbia River mainstem ?

1. Non-Consumptive uses
2. Qi (instantaneous) only
3. In-kind, In-time, In-place mitigation (water for water)
4. Sept to March season of use
5. Consultation under WAC 173-563 & 173-531A

# What may be permissible ?

Consultation

1. Short term, limited duration uses
2. Out-of-kind mitigation
3. In-kind & in-place mitigation but temporally offset
4. Tributary water in lesser quantities than CR mainstem quantities
5. Interruptible water right



# What is a non-starter?

1. Permanent consumptive appropriations during April – August
2. Interruptible water rights





The Future ...

# 17-19 Capital Budget




# 17 -19 BUDGET

<b>17-19 Capital Budget</b>	<b>Governor's Budget</b>	<b>Senate Budget</b>	<b>House Budget</b>
<b>OCR</b>	<b>\$33.8 M</b>	<b>\$28.94 M</b>	<b>\$24.2 M</b>
<b>YBIP</b>	<b>\$31.1 M</b>	<b>\$26.435 M</b>	<b>\$18.9 M</b>



17-19 BUDGET Office of Columbia River – Project ID	Governor's Budget	Senate Budget	House Budget
1. Odessa - Odessa Groundwater Replacement Program - East Low Canal	15,000,000	10,000,000	15,000,000
2. Odessa - Pumping Plant(s) & Pipeline(s)		5,000,000	
3. Icicle Creek Integrated Planning	4,000,000	-	-
4. Coordinated Conservation Columbia Basin Irrigation Districts	3,000,000	13,940,000	3,000,000
5. Department of Fish and Wildlife Support	1,800,000	-	1,800,000
6. Columbia River Off Channel Storage - EIS	1,500,000	-	-
7. Department of Ecology Staffing	1,400,000	-	1,400,000
8. Walla Walla Lease	1,000,000	-	1,000,000
9. Franklin D. Roosevelt Lease	1,000,000	-	1,000,000
10. HHH Switzler Storage – EIS	1,000,000	-	-
11. New water supply projects/lease payments	1,000,000	-	-
12. Water Acquisitions	1,000,000	-	-
13. Odessa – Mitigation	500,000	-	500,000
14. Walla Walla Integrated Planning	500,000	-	-
15. Othello Aquifer Storage & Recharge (ASR)	500,000	-	500,000
16. Colville Pump Storage Appraisal	500,000	-	-
17. Stemilt Water storage study	100,000	-	-
18. CRPAG Facilitation	-	-	-
19. 508-14 WAC Rule Making	-	-	-
20. Public-Private Partnership Financing Plans	-	-	-
Total	<b>\$33,800,000</b>	<b>\$28,940,000</b>	<b>\$24,200,000</b>

# YBIP 17-19 Capital Budget Comparison

Yakima Basin Integrated Plan Elements	Projects 	Governor's Budget (millions)	Senate Budget (millions)	House Budget (millions)
Habitat	Tributary/Mainstem Habitat Restoration Projects Bull Trout Enhancement - Phase 1 Federal, Tribal and/or Local Habitat Actions	5.4	Flexible Spending Amongst all Elements	5.4
Fish Passage	Cle Elum Dam passage Tieton Dam passage Clear Lake Dam passage	10.5		10.5
Structural & Operational Modifications	Cle Elum Pool Raise KKC	3.0		3.0
Surface Storage	KDRPP (cost assumes floating plant alternative) Wymer or Bumping Reservoir	5.4		-
Groundwater Storage	Regional Storage Options	1.1		-
Water Conservation	Agricultural Conservation Projects Municipal/Domestic Conservation Programs	5.1		-
Market Driven Water Reallocation	General support for markets and banking	0.6		-
<b>Totals</b>		<b>\$ 31.1 million</b>		<b>\$26.435 million</b>

# Future Financial Challenges



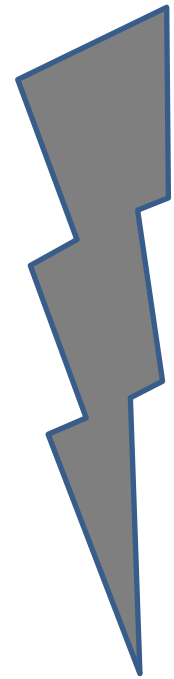
Pay as You Go Model



New Bonding Authority



New Comprehensive Water Bill





# Questions or Discussion

<http://www.ecy.wa.gov/programs/wr/cwp/crwmp.html>