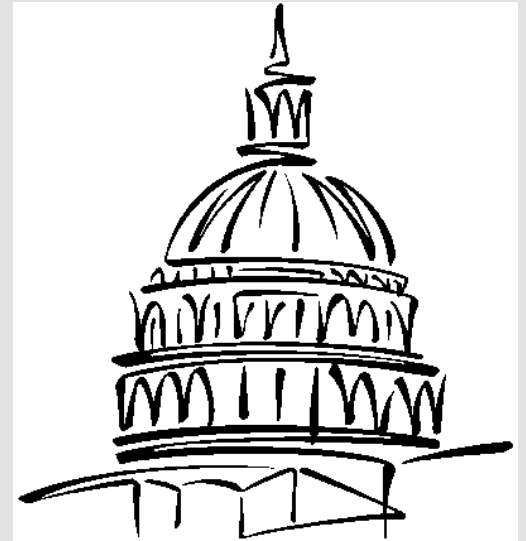


CRPAG LEGISLATIVE UPDATE



DEPARTMENT OF
ECOLOGY
State of Washington

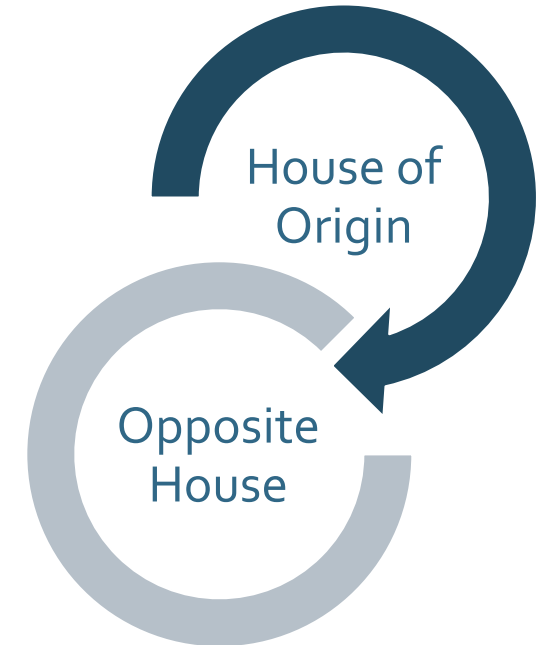
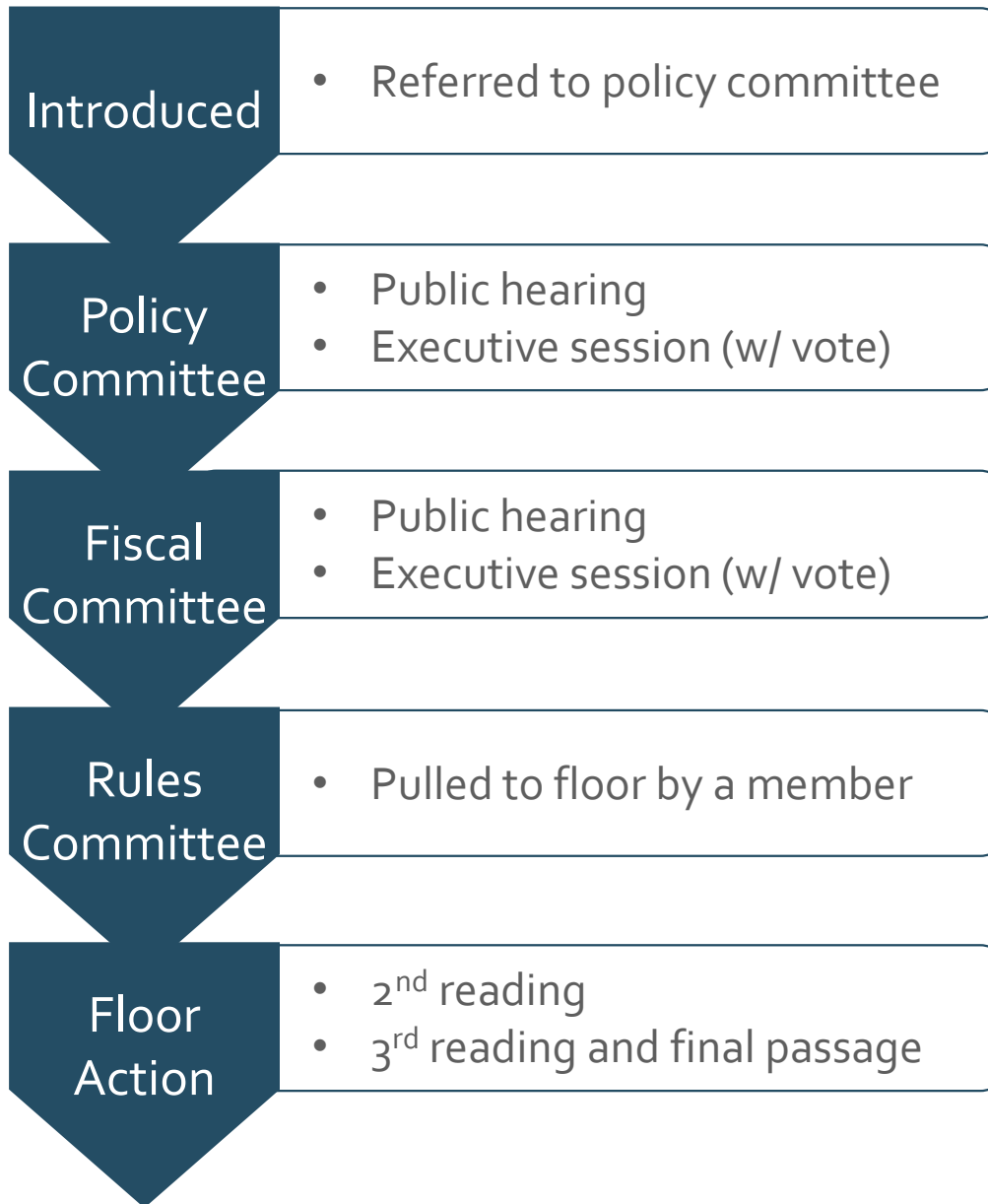
March 3, 2022



Legislative Update

- Session overview
- Bills (active and inactive)
- Relevant budget elements
- Questions

Legislative Process



Legislative Calendar

We are here

| | |
|--------------------------|---|
| January 10, 2022 | First Day of Session |
| February 3, 2022 | Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees. |
| February 7, 2022 | Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin. |
| February 15, 2022 | Last day to consider (pass) bills in house of origin (5 p.m.). |
| February 24, 2022 | Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees. |
| February 28, 2022 | Last day to read in opposite house committee reports (pass bills out of committee and read them into the record on the floor) from House fiscal committees and Senate Ways & Means and Transportation committees. |
| March 4, 2022* | Last day to consider (pass) opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session). |
| March 10, 2022 | Last day allowed for regular session under state constitution. |

* After 5:00pm on the 54th day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, matters that affect state revenue, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.

2022 Regular Session cutoff dates were established in [SCR 8401](#), and adopted by the House & Senate.

2022 Legislative Session

- Mostly virtual, some in-person activity by legislators.
- Bill intros as of 2/23/22:
 - **1,033** bills introduced
 - **172** bills tracked by Ecology
- **11** bills tracked by WRP/OCR

| | 2022 | 2021 |
|--------|-------|------|
| House | 539 | 993 |
| Senate | 494 | 913 |
| Total | 1,033 | 1846 |

Active Bills

SSB 5860

Groundwater Agreements

- **Prime Sponsor:** Sen. Warnick

- **Description**

Reestablishes the process for groundwater right holders in the Odessa subarea to apply for exemption from relinquishment for involuntary nonuse. Provides that nonuse of a groundwater right in the Odessa subarea is involuntary due to aquifer conditions.

Amended: provides automatic re-enrollment for water right holders who had previously provided notice of non-use.

- **Status**

Senate: Passed 43-4

House: Passed 97-0

Awaiting governor's signature

Inactive Bills

2SSB 5746

Drought Preparedness and Response

- **Prime Sponsor:** Sen. Warnick
- **Description**
 - Appropriates \$2 million per biennium to support a new grant program to fund drought planning and preparedness projects.
 - Allocates \$3 million for emergency drought response at the time of a drought emergency order.
 - Authorizes the Joint Legislative Committee on Water Supply During Drought to convene when a drought advisory has been declared.
- **Status**
 - Senate:** Passed 49-0
 - House:** Passed out of RDAN policy committee, no action taken in Appropriations fiscal committee

SB 5632 *Water Infrastructure Projects*

- **Prime Sponsor:** Sen. Honeyford
- **Description:**
 - Establishes a large-scale water infrastructure program to fund projects that promote water availability, flood protection, fish passage, and stormwater management.
 - Directs Ecology to pursue all new federal funding sources.
 - Creates two new treasury accounts and commits to appropriating at least \$50 million per biennium up to a total program funding limit (including federal funding) of \$5 billion.
- **Progress:** Received a public hearing but did not advance beyond Senate AWP policy committee.

SSB 5882

Riparian Stock Water Rights

- **Prime Sponsor:** Sen. Muzzall
- **Companion Bill:** HB 2106
- **Description**
 - Identifies the existence of de facto riparian stock water rights and amends 90.03.010 to include riparian stock water rights within the broader category of riparian water rights preserved under the 1917 water code.
 - *Amended:* Requires riparian landowners to provide notice of “de minimis” surface diversion for stock. Also directs Ecology to create a new information portal to receive and manage notice of these diversions
- **Progress:** Voted out of Senate AWWNP policy committee but did not receive a floor vote prior to house-of-origin cutoff.

HB 2067

Allocation of Relinquished Water Rights

- **Prime Sponsor:** Rep. Kraft
- **Description:**

Amends 90.14 to provide new requirements for allocating relinquished water:

 - Two-thirds of relinquished water must be made available for out-of-stream uses with preference for local family farms.
 - The remaining one-third of relinquished water must be made available for instream use.
- **Progress:** Did not receive a public hearing.

HB 2101

Family Farm Permit Transfers

- **Prime Sponsor:** Rep. Goehner
- **Description:**
Allows family farm permits to be used for development of additional non-agricultural uses.
- **Progress:** Did not receive a public hearing.

SB 5966

Adjudication Data Reporting

- **Prime Sponsor:** Sen. Sefzik
- **Description:**
Requires Ecology to provide cost estimate analysis and great water right(s) evaluation data to the legislature as part of its regular reporting requirements for water rights adjudication
- **Progress:** Did not receive a public hearing.

Budget Items *Proposed*

- Green Infrastructure Projects – Capital Budget
 - \$5.5 million for projects intended to retune streamflows to support freshwater habitat improvements
 - Intended to augment streamflows during critical low flow periods to improve water quality and support salmonid recovery
- Water Code Advisory Group – Operating Budget
 - \$709,000 to support convening a new advisory group of stakeholders, legal experts, and tribal representatives to develop recommendations to water resource statutes
 - Suggested discussion topics: Increased demand for water resources, climate change adaptation, salmon recovery priorities, permitting standards, compliance actions
 - Recommendations due to the legislature by November 1, 2023

Budget Items

Active

- Drought Funding
- Water Code Research
 - Washington Water Research Center
 - UW Climate Impacts Group



Thank You

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