

OCR's 17-19 Budget & Proposed Legislation

Columbia River Policy Advisory Group
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Presented by
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Department of Ecology

OCR 17-19 Budget Request

Project	dollar amount (millions)
1. Odessa Groundwater Replacement Program (plus environmental obligations)	15.5
2. Icicle Creek Water Resource Management Strategy	4.0
3. Columbia Basin Irrigation Districts Coordinated Conservation Program	3.0
4. Aquifer Storage and Recovery Exploration & Development (Columbia River Off Channel Storage & City of Othello)	2.0
5. WDFW Project Support	1.8
6. OCR Capital Staffing	1.4
7. Misc Feasibility Studies for water supply development projects (Buck Creek, Stemilt, other watersheds)	1.1
8. WRIA 31 Switzler Canyon Storage EIS & prelim design	1.0
9. Port of WallaWalla lease payment	1.0
10. Water Acquisitions	1.0
11. Lake Roosevelt Incremental Storage & Releases Program – M&I payment	1.0
12. WallaWalla Watershed Management	0.5
13. Pasco Basin Rule Development Support – WAC 508-14	0.5
14. Colville Tribe – Water Supply Development Project	0.5
15. OCR facilitation & Legislative Report support	0.5
16. Public Private Partnerships (P3)/Financing Plan	0.2
total	\$35 Million

YBIP 17-19 Budget Request

Yakima Basin Integrated Plan Elements	Projects	Funding Request 2017-2019
Habitat	Tributary/Mainstem Habitat Restoration Projects	5.4
Fish Passage	Cle Elum Dam passage	9
	Tieton Dam passage	0
	Clear Lake Dam passage	1.5
Structural & Operational Modifications	Cle Elum Pool Raise	3
	KKC	0
Surface Storage	KDRPP (cost assumes floating plant alternative)	2.4
	Wymer or Bumping Reservoir	3
Groundwater Storage	Regional Storage Options	1.1
Water Conservation	Agricultural Conservation Projects	5
	Municipal/Domestic Conservation Programs	0.1
Market Driven Water Reallocation	General support for markets and banking	0.6
Totals		\$ 31.1 million

YBIP 17-19 Budget Summary



- The State's YBIP capital budget proposal
 - OCR = \$31.1 million
 - DNR = \$1.5 million
 - Total= \$32.6 million**

17-19 Budget Summary

- OCRs 17–19 capital budget proposal = \$**35** million.
- YBIPs capital budget proposal = \$**31.1** million.
- Agency budget proposal due to OFM in Sept. 2016.
- Governor's budget due mid-December 2016.
- After the 17–19 biennium, this leaves approximately zero (\$0) million in OCR's bonding authority.

OCR Proposed Legislation

BILL REQUEST - CODE REVISER'S OFFICE

- ▶ WAC 173-563-020(4) and 173-531A-060 regarding the processing of applications for Columbia river water right permits to clarify legislative intent to ensure that the rules can be implemented as written.

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.

Addition to RCW 90.90.020

NEW subsection (5)

- The department of ecology may also act on water right applications requesting permits for the use of water that is not associated with water supplies secured through the development of new storage facilities under subsections (1) through (4) of this section.
- The legislature declares that the standards and procedure for the processing of applications for Columbia river water right permits established in WAC 173-563-020(4) and 173-531A-060, as those provisions existed on the effective date of this section, are consistent with legislative intent and are specifically authorized to be maintained and implemented by the department of ecology.

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.

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

6 Sec. 1. RCW 90.90.020 and 2011 c 33 s 4 are each amended to read
7 as follows:

8 (1)(a) Water supplies secured through the development of new
9 storage facilities made possible with funding from the Columbia river
10 basin water supply development account, the Columbia river basin
11 taxable bond water supply development account, and the Columbia river
12 basin water supply revenue recovery account shall be allocated as
13 follows:

14 (i) Two-thirds of active storage shall be available for
15 appropriation for out-of-stream uses; and

16 (ii) One-third of active storage shall be available to augment
17 instream flows and shall be managed by the department of ecology. The
18 timing of releases of this water shall be determined by the
19 department of ecology, in cooperation with the department of fish and
20 wildlife and fisheries co-managers, to maximize benefits to salmon and
21 steelhead populations.

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1 (b) Water available for appropriation under (a)(i) of this
2 subsection but not yet appropriated shall be temporarily available to
3 augment instream flows to the extent that it does not impair existing
4 water rights.

5 (2) Water developed under the provisions of this section to
6 effect out-of-stream uses and for instream flow is deemed adequate
7 mitigation for the issuance of new water rights provided for in
8 subsection (1)(a) of this section and satisfies all consultation
9 requirements under state law related to the issuance of new water
10 rights.

11 (3) The department of ecology shall focus its efforts to develop
12 water supplies for the Columbia river basin on the following needs:

13 (a) Alternatives to groundwater for agricultural users in the
14 Okanogan watershed;

15 (b) Sources of water supply for pending water right applications;

16 (c) A new uninterrupted supply of water for the holders of
17 interruptible water rights on the Columbia river mainstem that are
18 subject to instream flows or other mitigation conditions to protect
19 steelhead; and

20 (d) New municipal, domestic, industrial, and irrigation water
21 needs within the Columbia river basin.

22 (4) The one-third/two-thirds allocation of water resources
23 between instream and out-of-stream uses established in this section
24 does not apply to applications for changes or transfers of existing
25 water rights in the Columbia river basin.

26 (5) ~~The department of ecology may also act on water right
27 applications requesting permits for the use of water that is not
28 associated with water supplies secured through the development of new
29 storage facilities under subsections (1) through (4) of this section.
30 The legislature declares that the standards and procedure for the
31 processing of applications for Columbia river water right permits
32 established in WAC 173-563-020(4) and 173-531A-060, as those
33 provisions existed on the effective date of this section, are
34 consistent with legislative intent and are specifically authorized to be
35 maintained and implemented by the department of ecology. This
36 subsection does not affect the department of ecology's authority to
37 lawfully adopt, amend, or repeal any rule, including WAC
38 173-563-020(4) and 173-531A-060.~~

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QUESTIONS?

