
HOUSE BILL 1424

State of Washington 60th Legislature 2007 Regular Session

By Representatives McCoy, VanDeWege and Chase

Read first time 01/18/2007. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to rainwater collection facilities; and adding a
2 new section to chapter 90.03 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.03 RCW
5 to read as follows:

6 (1) In order to qualify for the exemptions to rainwater collection
7 facilities, the owner of a rain barrel, cistern, or other similar water
8 storage facility that has a storage capacity of greater than three
9 hundred gallons must intend to put the stored water to beneficial use
10 on the property where the rainwater was collected and manage the water
11 stored in the facility in compliance with rules developed by the
12 department under this section.

13 (2) The department shall adopt rules to specify conditions under
14 which rainwater collection facilities may be constructed and operated
15 in order to protect existing water rights and water quality and to
16 prevent the reduction of stream flows to a level detrimental to
17 instream values. At a minimum, the rules must address consideration of
18 annual rainfall, population density, and discharge impact from
19 rainwater collection facilities. In developing these rules, the

1 department shall work with the representatives of a broad group of
2 interested parties, individuals with technical expertise, and project
3 hosts to adopt rules under this section for permitting rainwater
4 collection facilities.

5 (3) Rainwater collected under this exemption does not result in a
6 water right under RCW 90.03.250 or 90.03.370.

7 (4)(a) Any person owning or using a rain barrel, cistern, or other
8 similar water storage facility greater than three hundred gallons that
9 was installed before the effective date of this section may continue to
10 use the facility without obtaining a permit under RCW 90.03.250 or
11 90.03.370 until the department adopts a final rule governing the use of
12 rain barrels, cisterns, or other similar water storage facilities.
13 After the adoption of final rules, all persons using rain barrels,
14 cisterns, or other similar water storage facilities must comply with
15 the final rules.

16 (b) A permit issued under RCW 90.03.250 or 90.03.370 is not
17 required in circumstances where the use of rainwater collection and use
18 systems is located on an island where groundwater and surface water
19 availability is limited due to saltwater intrusion.

20 (5) The department shall report to the appropriate committees of
21 the legislature by December 31, 2008, regarding the implementation of
22 this section. After June 1, 2009, the department shall proceed with
23 permanent rule making to establish exemptions by rule for rainwater
24 systems consistent with this section unless the legislature acts to
25 direct otherwise.

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