
**Agriculture & Natural Resources
Committee**

HB 2532

Brief Description: Regarding a pilot program for the withdrawal of water in a cluster development.

Sponsors: Representative Van De Wege.

Brief Summary of Bill

- Establishes a pilot project in Clallam County to allow a clustered residential development found on agricultural lands of long-term significance to withdraw up to 500 gallons a day per residence without a water right permit.
- Requires the Department of Ecology to report on the pilot project to the Legislature biennially through 2026.

Hearing Date: 1/15/10

Staff: Jaclyn Ford (786-7339).

Background:

The Ground Water Code prohibits a person from withdrawing ground water without a water right permit from the Department of Ecology. However, the code exempts a number of withdrawals from this requirement. One exemption is for single or group domestic uses in an amount not exceeding 5,000 gallons per day. In a recent decision of the state's Supreme Court, the Court found that this exemption did not allow multiple homes to each withdraw 5,000 gallons per day. Instead, each exempt well is only allowed to withdraw up to 5,000 gallons per day, regardless of the amount of users.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

On a pilot project basis in Clallam County, the use of water for domestic purposes in a clustered residential development found on agricultural lands of long-term significance is exempt from water right permit requirements.

For the pilot project, the water withdrawals must not exceed 500 gallons a day per residence for a residential development that has an average density equal to or less than one residence per 3 acres and a minimum of 6 homes.

No new right to use water under the pilot project may be established after December 31, 2020.

The Department of Ecology must review the use of water in this pilot project and its impact on water resources in Clallam County, and report biennially to the Legislature through 2026.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.