
**Agriculture & Natural Resources
Committee**

HB 1685

Brief Description: Regarding water well construction requirements.

Sponsors: Representatives Takko, Rivers, Upthegrove and Sullivan.

Brief Summary of Bill

- Authorizes certain municipal water suppliers to adopt requirements regarding notification of proposed well construction and requires municipal water suppliers to publish these requirements.
- Prohibits any person from commencing construction of a well without complying with construction notification requirements adopted by a municipal water supplier.

Hearing Date: 2/9/11

Staff: Courtney Barnes (786-7194).

Background:

The Washington Well Construction Act (WWCA) governs the design, construction, alteration, and decommissioning of wells in this state. The Department of Ecology (DOE) regulates well design, construction, and maintenance.

Under the WWCA, it is unlawful: (a) to supervise, construct, alter, or decommission a well without complying with all applicable laws and rules; (b) for any person to cause a well to be constructed in violation of the standards for well construction; (c) for a prospective water well owner to have a water well constructed without first obtaining a water right permit, if a permit is required; (d) for any person to construct, alter, or decommission a well unless all required fees have been paid; (e) for a person to tamper with or remove a well identification tag except during well alteration; and (f) for any person to contract to engage in the construction of a well or to act as a well operator without first obtaining a license.

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.

A property owner or the owner's agent is required to notify the DOE of his or her intent to begin well construction, reconstruction, or decommissioning procedures. This notice must be submitted on forms provided by the DOE at least 72 hours in advance of commencing work.

Summary of Bill:

A municipal water supplier with no fewer than 1,000 customers may adopt requirements regarding notification of proposed well construction within the retail service area of the municipal water supplier, specifically requiring that a well driller provide the municipal water supplier with a copy of the notice of intent at least 72 hours in advance of commencing work. A municipal water supplier adopting such requirements must make the requirements known by publication on the supplier's web site or by other means readily available to a property owner or owner's agent.

It is unlawful for any person to commence construction of a well without complying with well construction notification requirements adopted by a municipal water supplier.

Appropriation: None.

Fiscal Note: Requested on 2/3/11.

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