

# SENATE BILL REPORT

## SSB 5810

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As Passed Senate, March 15, 1999

**Title:** An act relating to allowing for regulation of flowing wells within city limits.

**Brief Description:** Allowing for public access to an artesian well in specified cities.

**Sponsors:** Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Fraser, T. Sheldon and Swecker).

**Brief History:**

**Committee Activity:** Environmental Quality & Water Resources: 2/23/99, 2/24/99 [DPS, DNPS].

Passed Senate, 3/15/99, 34-14.

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### SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

**Majority Report:** That Substitute Senate Bill No. 5810 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Jacobsen, McAuliffe, Swecker.

**Minority Report:** Do not pass substitute.

Signed by Senators Honeyford, Morton.

**Staff:** Richard Rodger (786-7461)

**Background:** Free flowing artesian wells are required to be capped each year from October 15 until March 15. Ground waters may not be wasted without economical beneficial use.

**Summary of Bill:** An artesian well is exempt from the capping requirement if it: (1) meets the well construction rules completed for a confined aquifer; (2) does not discharge more than 12 gallons per minute; (3) is owned by a public body; (4) is located within a city, west of the cascades with a population of more than 36,000, in a county of less than 400,000; (5) pipes the unused flow into a surface water body within the city; and (6) does not degrade the water quality.

The flow of water from an artesian well that is exempt from the capping requirement does not constitute waste.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There is an artesian well in Olympia that is a valuable resource to the community. However, current law requires the well to be capped from October 15 until March 15 each year, thereby depriving its public use. The outflow of this well is going to be moved to Heritage Park. At its new location it can be used for public consumption and for possible irrigation of the park.

**Testimony Against:** None.

**Testified:** PRO: Stan Biles, citizen; Ron Schultz, Black Hills Audubon Society; Pat McClain, Friends of Artesians.