

***Agriculture & Ecology Committee***

***HB 1937***

***Brief Description:*** Reusing waste water derived from food processing.

***Sponsors:*** Representatives Linville, B. Chandler, G. Chandler, Delvin, Quall, Grant and Simpson.

***Brief Summary of Bill***

- *Creates a permit process for application of agricultural industrial reclaimed water to agricultural water use distinct from ground and surface water right permit processes.*
- *Defines "agricultural industrial reclaimed water" as water that has been used for agricultural processing and has been treated to be suitable for other agricultural water uses.*
- *Defines "agricultural processing" to include processing of crops or milk for wholesale or retail sale and "agricultural water use" as water use for irrigation and other uses related to production of agricultural products, including agricultural facilities and livestock operations.*

***Hearing Date:*** 2/22/01

***Staff:*** Caroleen Dineen (786-7156).

***Background:***

*Reclaimed water is an effluent derived from a wastewater treatment system that has been treated to be suitable for a beneficial use or a controlled use that would otherwise not occur. The Department of Health (DOH) may issue permits for commercial or industrial uses of reclaimed water to the water generator. A reclaimed water permit may only be issued to a governmental entity or to the holder of a water quality waste discharge permit.*

*Reclaimed water may be used for a variety of purposes. A generator receiving a permit for land application of reclaimed water from the Department of Ecology (DOE) may distribute*

*the water subject to provisions in the permit governing the location, rate, water quality, and use. Reclaimed water also may be used for surface spreading if the reclaimed water meets the criteria for groundwater recharge and is incorporated into a sewer or water comprehensive plan or if the DOE (in consultation with the DOH) specifically authorizes use of reclaimed water not meeting the criteria. In addition, reclaimed water may be discharged into constructed beneficial use wetlands and constructed treatment wetlands under specified conditions. Further, reclaimed water may be discharged for streamflow augmentation if it meets federal water quality standards and is incorporated into an approved comprehensive sewer or water plan.*

***Summary of Bill:***

*A permit process is established for owners of agricultural processing plants generating agricultural industrial reclaimed water to apply to the Department of Ecology (DOE) for application of agricultural industrial reclaimed water to agricultural water use. This process is created in the reclaimed water statutes and is distinct from the water rights permit processes established in the ground water and surface water statutes.*

*The DOE may issue the permit under water pollution control statutes for distribution of the agricultural industrial reclaimed water through distribution methods including irrigation systems. Permit provisions govern the location, rate, water quality, and purpose. If the DOE determines a significant risk to public health exists for a land application of water, the DOE may refer the permit application to the Department of Health for review and consultation. The agricultural processing plant owner obtaining a permit to apply agricultural industrial reclaimed water has the exclusive right to use and to distribute the water generated.*

*The use and distribution of agricultural industrial reclaimed water is exempt from specified ground and surface water permit statutes relating to temporary use, transfers and changes in point of diversion, and permit amendments. Relinquishment provisions do not apply to a water right or portion of a right authorized for a purpose that is satisfied by the use of agricultural industrial reclaimed water.*

*Definitions are added to the reclaimed water statutes. "Agricultural industrial reclaimed water" is defined as water that has been used for agricultural processing and has been treated to be suitable for other agricultural water uses. "Agricultural processing" is defined to include processing of crops or milk primarily for wholesale or retail sale for human or animal consumption and is specified to include potato, fruit, vegetable, and grain processing. "Agricultural water use" is defined as water use for irrigation and other uses related to production of agricultural products and includes the construction, operation, and maintenance of agricultural facilities and livestock operations at farms, ranches, dairies and nurseries. Examples of agricultural water use are specified to include dust, temperature and fire control.*

*Legislative findings are made that the agricultural processing industry can play a critical and beneficial role in promoting efficient water use through developing and reusing agricultural industrial reclaimed water.*

***Appropriation: None.***

***Fiscal Note: Requested on February 21, 2001.***

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