

SENATE BILL REPORT

SB 5577

As of February 27, 1995

Title: An act relating to a general permit system for appropriating agricultural and multi-unit residential water.

Brief Description: Providing for streamlined permit processing of agricultural and multi-unit residential water.

Sponsors: Senators Swecker, Rasmussen, Morton, Wood, Moyer, Hochstatter, Palmer, Schow and Roach.

Brief History:

Committee Activity: Water Policy: 2/27/95, 3/2/95.

SENATE SELECT COMMITTEE ON WATER POLICY

Staff: David Danner (786-7784)

Background: When the Department of Ecology (DOE) reviews a water permit application, current law requires DOE to investigate what water is available and what impact the proposed use would have on existing water rights and the public interest. DOE must make written findings of fact based on its investigation.

If DOE finds that there is water available and no adverse impact on the public, it will issue a permit stating the amount of water to which the applicant is entitled and the uses to which the water may be put.

There is currently a significant delay in the processing of water permit applications by DOE. Because of this delay, many homeowners and developers rely upon water sources that are exempt from permitting requirements, including single-family residence wells, resulting in less efficient use of water resources.

Summary of Bill: DOE is directed to establish, by January 1, 1996, a streamlined general permit system for agricultural and multi-unit residential uses of ground water not exceeding more than 0.1 cubic feet per second.

The general permit system applies statewide except in specific areas where DOE, in consultation with affected county or counties, determines that insufficient water is available to accommodate additional water allocations.

DOE must determine, within 60 days of a filing, whether an application is eligible for general permit processing. If DOE determines that an application is eligible, it must process the application within the next 60 days. If DOE determines that an application is not eligible, it must explain in writing the basis for its decision.

Fees for general permits are the same as those for ordinary permits under state law.

A water right holder under a general permit may not impair the rights of a senior rights holders. A senior rights holder who believes his or her rights are impaired by a general permittee may file a complaint with DOE.

In developing the permit system, DOE must consult with interests representing agriculture and aquaculture, home construction and development, county, city and tribal governments, and environmental groups. It must hold at least four public hearings on its proposed rules.

Appropriation: None.

Fiscal Note: Available.

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