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**Economic Development,  
Agriculture & Trade Committee**

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**HB 1735**

**Brief Description:** Exempting limited water storage facilities from permit requirements.

**Sponsors:** Representatives Hunt, Buck, Williams, Linville, Kenney, Walsh, Wallace, B. Sullivan, Dickerson, McCoy, Chase, Simpson and Roach.

**Brief Summary of Bill**

- Exempts certain rain barrels and similar facilities, and the use of water from them, from the permit provisions of the water code.

**Hearing Date:** 1/10/06

**Staff:** Jason Callahan (786-7117).

**Background:**

With certain exceptions, new rights to use surface or ground water must be established according to the water right permit system (RCW 90.03.250). The water code requires reservoir permits for both surface reservoirs for water and for the storage of water in an underground formation for subsequent use as part of an underground artificial storage and recovery project. A water right permit, called a "secondary" permit, is also required for the use of the water stored in a surface reservoir (RCW 90.03.370).

**Summary of Bill:**

A reservoir and secondary permit is not required for the users of rain barrels, cisterns, or similar facilities that are used for capturing rain water from impervious surfaces. To qualify for the exemption, the rainwater storage device must service a single property or public facility and not exceed a storage capacity of 10,000 gallons. In addition, the user of the device must intend to put all stored water to beneficial use on the property where the rainwater was collected.

The Department of Ecology (Department) is required to consult with local governments during the installation of any large rainwater collection devices. The Department must use this collaboration to monitor the cumulative effect that the collection systems have on ground water recharge rates and the potential impact on well users relying on the same water source.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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