
**Agriculture & Natural Resources
Committee**

HB 1137

Brief Description: Authorizing licensed geologists to perform the duties of licensed water well operators or resource protection well operators.

Sponsors: Representatives Short, Blake, Kretz, Buys and Van De Wege.

Brief Summary of Bill

- Allows a licensed geologist to construct, alter, or decommission a water well or resource protection well within the state without a secondary water well or resource protection well license when performing duties covered by the geologist's license.

Hearing Date: 1/28/15

Staff: Peter Clodfelter (786-7127).

Background:

Licensing of Water Well Construction.

A license issued by the Department of Ecology (DOE) is required for any person to construct, alter, or decommission a water well or a resource protection well within the state. To qualify for a license a person must submit an application to and pay a fee to the DOE, have sufficient field experience and education training related to well construction, and pass a written examination. Failing to comply with the license requirement is a misdemeanor and a person may also be subject to civil penalties.

Exemptions from Licensing.

Certain people are exempted from the license requirement and may construct, alter, or decommission a well without a license, although they must still comply with other requirements like those related to well construction standards, payments of well construction fees, and

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notification of well construction. The following people are exempted from the licensing requirement:

- a person who personally constructs a well on land that the person has certain property interests in and that the person uses for farm or single-family residential uses (a person relying on this exemption may construct no more than one well every two years);
- a person who performs labor or services for a well contractor in connection with the construction of a well at the direction and under the control of a licensed operator who is present; and
- a person who is a licensed architect, a licensed professional engineer, or a licensed professional land surveyor.

Licensing of Geologists.

Practicing geology includes things like collecting data, consulting, planning and performing other services related to earth's rocks, minerals, solids, and fluids, including underground water.

It is unlawful for any person to practice geology for others in the state without a license.

Practicing geology for others includes preparing geologic reports or documents when the geological reports or documents generated are disseminated in a way that could lead the public to reasonably rely on the geological reports or documents.

The state Department of Licensing with the state Geologist Licensing Board is responsible for licensing geologists who meet certain qualifications. Qualifications include having a documented record of five years of experience in geology or a specialty of geology, which may include hydrology, having graduated from a course of study in geology, and having passed an examination covering the fundamentals and practice of geology.

Summary of Bill:

Licensed geologists are added to the list of people who are exempted from the license requirement for water well and resource protection well construction when performing duties covered by their license.

Appropriation: None.

Fiscal Note: Available.

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