
HOUSE BILL 2187

State of Washington

68th Legislature

2024 Regular Session

By Representatives Dent, Chapman, Graham, and Cheney

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1 AN ACT Relating to promoting access to water for family farms;
2 and amending RCW 90.54.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.54.020 and 2007 c 445 s 8 are each amended to
5 read as follows:

6 Utilization and management of the waters of the state shall be
7 guided by the following general declaration of fundamentals:

8 (1) Uses of water for domestic, stock watering, industrial,
9 commercial, agricultural, irrigation, hydroelectric power production,
10 mining, fish and wildlife maintenance and enhancement, recreational,
11 and thermal power production purposes, and preservation of
12 environmental and aesthetic values, and all other uses compatible
13 with the enjoyment of the public waters of the state, are declared to
14 be beneficial.

15 (2) Allocation of waters among potential uses and users shall be
16 based generally on the securing of the maximum net benefits for the
17 people of the state. Maximum net benefits shall constitute total
18 benefits less costs including opportunities lost.

19 (3) The quality of the natural environment shall be protected
20 and, where possible, enhanced as follows:

1 (a) Perennial rivers and streams of the state shall be retained
2 with base flows necessary to provide for preservation of wildlife,
3 fish, scenic, aesthetic and other environmental values, and
4 navigational values. Lakes and ponds shall be retained substantially
5 in their natural condition. (~~Withdrawals of water which would~~
6 ~~conflict therewith shall be authorized only in those situations~~)
7 Permanent or temporary appropriations of water that would have
8 adverse impacts on instream values protected by rules adopted
9 pursuant to this chapter or chapter 90.22 RCW may be authorized only
10 with appropriate mitigation, or where it is clear that overriding
11 considerations of the public interest will be served.

12 (b) Waters of the state shall be of high quality. Regardless of
13 the quality of the waters of the state, all wastes and other
14 materials and substances proposed for entry into said waters shall be
15 provided with all known, available, and reasonable methods of
16 treatment prior to entry. Notwithstanding that standards of quality
17 established for the waters of the state would not be violated, wastes
18 and other materials and substances shall not be allowed to enter such
19 waters which will reduce the existing quality thereof, except in
20 those situations where it is clear that overriding considerations of
21 the public interest will be served. Technology-based effluent
22 limitations or standards for discharges for municipal water treatment
23 plants located on the Chehalis, Columbia, Cowlitz, Lewis, or Skagit
24 river shall be adjusted to reflect credit for substances removed from
25 the plant intake water if:

26 (i) The municipality demonstrates that the intake water is drawn
27 from the same body of water into which the discharge is made; and

28 (ii) The municipality demonstrates that no violation of receiving
29 water quality standards or appreciable environmental degradation will
30 result.

31 (4) The development of multipurpose water storage facilities
32 shall be a high priority for programs of water allocation, planning,
33 management, and efficiency. The department, other state agencies, and
34 local governments (~~(, and planning units formed under section 107 or~~
35 ~~108 of this act)~~) shall evaluate the potential for the development of
36 new storage projects and the benefits and effects of storage in
37 reducing damage to stream banks and property, increasing the use of
38 land, providing water for municipal, industrial, agricultural, power
39 generation, and other beneficial uses, and improving streamflow
40 regimes for fisheries and other instream uses.

1 (5) Adequate and safe supplies of water shall be preserved and
2 protected in potable condition to satisfy human domestic needs.

3 (6) Multiple-purpose impoundment structures are to be preferred
4 over single-purpose structures. Due regard shall be given to means
5 and methods for protection of fishery resources in the planning for
6 and construction of water impoundment structures and other artificial
7 obstructions.

8 (7) Federal, state, and local governments, individuals,
9 corporations, groups and other entities shall be encouraged to carry
10 out practices of conservation as they relate to the use of the waters
11 of the state. In addition to traditional development approaches,
12 improved water use efficiency, conservation, and use of reclaimed
13 water shall be emphasized in the management of the state's water
14 resources and in some cases will be a potential new source of water
15 with which to meet future needs throughout the state. Use of
16 reclaimed water shall be encouraged through state and local planning
17 and programs with incentives for state financial assistance
18 recognizing programs and plans that encourage the use of conservation
19 and reclaimed water use, and state agencies shall continue to review
20 and reduce regulatory barriers and streamline permitting for the use
21 of reclaimed water where appropriate.

22 (8) Development of water supply systems, whether publicly or
23 privately owned, which provide water to the public generally in
24 regional areas within the state shall be encouraged. Development of
25 water supply systems for multiple domestic use which will not serve
26 the public generally shall be discouraged where water supplies are
27 available from water systems serving the public.

28 (9) Full recognition shall be given in the administration of
29 water allocation and use programs to the natural interrelationships
30 of surface and groundwaters.

31 (10) Expressions of the public interest will be sought at all
32 stages of water planning and allocation discussions.

33 (11) Water management programs, including but not limited to,
34 water quality, flood control, drainage, erosion control and storm
35 runoff are deemed to be in the public interest.

36 (12) A family farm that is located fewer than 20 miles from a
37 city with a population greater than 150,000, that has been in
38 continuous operation for more than 100 years, and that produces fresh

1 fruits and vegetables for urban residents, is deemed to be in the
2 public interest.

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