

**Title 90 RCW**  
**WATER RIGHTS—ENVIRONMENT**

**Chapters**

- 90.03 Water code.
- 90.08 Stream patrollers.
- 90.14 Water rights—Registration—Waiver and relinquishment, etc.
- 90.16 Appropriation of water for public and industrial purposes.
- 90.22 Minimum water flows and levels.
- 90.24 Regulation of outflow of lakes.
- 90.28 Miscellaneous rights and duties.
- 90.36 Artesian wells.
- 90.38 Yakima river basin water rights.
- 90.40 Water rights of United States.
- 90.42 Water resource management.
- 90.44 Regulation of public groundwaters.
- 90.46 Reclaimed water use.
- 90.48 Water pollution control.
- 90.50A Water pollution control facilities—Federal capitalization grants.
- 90.52 Pollution disclosure act of 1971.
- 90.54 Water resources act of 1971.
- 90.56 Oil and hazardous substance spill prevention and response.
- 90.58 Shoreline management act of 1971.
- 90.64 Dairy nutrient management.
- 90.66 Family farm water act.
- 90.71 Puget Sound water quality protection.
- 90.72 Shellfish protection districts.
- 90.74 Aquatic resources mitigation.
- 90.80 Water conservancy boards.
- 90.82 Watershed planning.
- 90.84 Wetlands mitigation banking.
- 90.86 Joint legislative committee on water supply during drought.
- 90.88 Aquatic rehabilitation zones.
- 90.90 Columbia river basin water supply.
- 90.94 Streamflow restoration.

*Actionable nuisances defined—Closing of channel stream: RCW 7.48.010.*

*Annexation of water, sewer, and fire districts (to city or town): RCW 35.02.200, chapter 35.13A RCW.*

*Aquatic lands: Chapters 79.105 through 79.140 RCW.*

*Aquifer protection areas: Chapter 36.36 RCW.*

*Authority to construct viaducts, bridges, drawbridges (first-class cities): Chapter 35.85 RCW.*

*Board of natural resources—Powers and duties (commission on harbor lines): RCW 43.30.215.*

*Bridges across and obstructions in navigable waters: Chapter 88.28 RCW.*

*Canal commission: Chapter 47.72 RCW.*

*Cities and towns*

*auxiliary water systems for protection from fire: RCW 35.21.030.*

*dikes, levees, embankments, authority to construct: RCW 35.21.090.*

*first-class cities*

*specific powers enumerated: RCW 35.22.280.*

*utilities, collective bargaining with employees (waterworks system): RCW 35.22.350.*

*wharves, city may let wharves or privileges thereon: RCW 35.22.410.*

*jurisdiction over adjacent waters: RCW 35.21.160.*

*sewerage, drainage and water supply: RCW 35.21.210.*

*streets and alleys over first-class tidelands, control of: RCW 35.21.250.*

*streets over tidelands, control of: RCW 35.21.240.*

*swimming pools, power to acquire: RCW 35.21.020.*

*utility services, lien for (waterworks): RCW 35.21.290 through 35.21.300.*

*City in adjoining state may condemn watershed property: RCW 8.28.050.*

*Dams, height on tributaries of Columbia River: Chapter 77.55 RCW.*

*Department of natural resources, to locate line between tide and shore land in tidal rivers: RCW 79.125.010.*

*Diking, drainage and sewerage improvement districts: Chapters 85.08 through 85.16 RCW.*

*Diking and drainage districts: Chapters 85.05 through 85.24 RCW.*

*Director of fish and wildlife, may modify inadequate fishways and fish guards: RCW 77.57.040, 77.57.060.*

*Easements over public lands, waterway rights: Chapter 79.36 RCW.*

*Ferries*

*county-owned—Ferry districts: Chapter 36.54 RCW.*

*privately owned (licensed by county): Chapter 36.53 RCW.*

*Fisheries code: Title 77 RCW.*

*Flood control districts: Chapter 86.09 RCW.*

*Food fish, shellfish*

*compacts: Chapter 77.75 RCW.*

*construction projects in state waters: Chapter 77.55 RCW.*

*taxes: Chapter 82.27 RCW.*

*unlawful acts: Chapter 77.50 RCW.*

*Franchises on roads and bridges (by counties): Chapter 36.55 RCW.*

*Furnishing impure water, penalty: RCW 70.54.020.*

*Game and game fish, unlawful acts: Chapter 77.50 RCW.*

Geological survey (objects as to water supplies, etc.): RCW 43.92.020.

Harbor improvements: Chapter 53.20 RCW.

Harbor line commission: RCW 79.115.010.

Highway commission (bridges): Chapter 47.01 RCW.

Irrigation: Title 87 RCW.

Irrigation districts

limits of levy until water is received: RCW 87.04.090.

right to cross other property: RCW 87.03.455.

Joint canal construction (by counties): RCW 36.64.060.

Jurisdiction in special cases

additional right-of-way: RCW 37.08.250.

Lake Washington ship canal: RCW 37.08.240.

Lease or conveyance (by county) to United States for flood control,  
navigation and allied purposes: RCW 36.34.220 through 36.34.240.

Limitation on municipal indebtedness, exception for water supply:  
State Constitution Art. 8 s 6 (Amendment 27).

Local improvements (cities and towns)

filling and draining of lowlands—waterways: Chapter 35.56  
RCW.

filling lowlands: Chapter 35.55 RCW.

harbor area leaseholds—assessment: RCW 35.44.150.

leases on tidelands—assessment: RCW 35.44.160.

Marine employees—Public employment relations: Chapter 47.64 RCW.

Master plan of development (including flood control): RCW 43.21A.350.

Material removed for channel or harbor improvement or flood control—  
Use for public purpose: RCW 79.140.110.

Merger of minor irrigation district into major irrigation district—  
Existing water rights not impaired: RCW 87.03.857.

Municipal utilities

acquisition of out-of-state waterworks: RCW 35.92.014  
through 35.92.015.

acquisition of water rights: RCW 35.92.220.

authority to acquire and operate waterworks: RCW 35.92.010.

cannot condemn irrigation system: RCW 35.92.190.

city may extend water system outside limits: RCW 35.92.170.

may acquire property outside city: RCW 35.92.180.

Navigation and harbor improvements: Title 88 RCW.

Nuisance defined (as to water rights): RCW 7.48.120.

Nuisance (deposit of unwholesome substance into any lake, creek or river): RCW 9.66.050.

Operating agencies (power commission)—Policy declaration as to water resources: Chapter 43.52 RCW.

Parks, bathing beaches, public camps: Chapter 67.20 RCW.

Penalties imposed by parks and recreation commission: RCW 79A.05.165.

Planning commissions (cities and towns)—Restrictions on buildings—Use of land: RCW 35.63.080.

Pollution of drinking water supply—Penalty: RCW 70.54.010.

Pollution of watershed of city outside state—Penalty: RCW 70.54.030.

Port districts: Title 53 RCW.

Private ditches and drains: Chapter 85.28 RCW.

Private way of necessity defined—Maintaining drain, flume or ditch: RCW 8.24.010.

Prohibited parking places (upon any bridge): RCW 46.61.570.

Public lands: Title 79 RCW.

Public nuisance (tend to obstruct, or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin): RCW 9.66.010.

Public nuisances enumerated: RCW 7.48.140.

Public utilities and transportation commission: Chapter 80.01 RCW.

Public utilities—Gas, electrical and water companies: Chapter 80.28 RCW.

Public utility districts—Powers: Chapter 54.16 RCW.

Public waterways: Chapter 91.08 RCW.

Public works: Chapters 39.04 through 39.28 RCW.

Puget Sound ferry and toll bridge system: Chapter 47.60 RCW.

#### Railroads

bridges over navigable streams: RCW 81.36.100.

lines across or along watercourses: RCW 81.36.040.

may construct and operate canals and ditches: RCW 81.36.130.

structures across state waterways: RCW 81.36.100.

Reclamation and irrigation in United States reclamation areas: Chapter 89.12 RCW.

Reclamation districts of one million acres

general improvement and divisional districts: Chapter 89.30  
RCW.

limitation on water appropriation: RCW 89.30.001, 89.30.007.

powers: Chapter 89.30 RCW.

purposes: RCW 89.30.007.

right to cross streams, highways, etc.: RCW 89.30.214.

tolls for electricity and water: RCW 89.30.787.

Regulation of watercourses (counties): RCW 36.32.280.

Relocation of inner harbor line: RCW 79.115.020.

Removal of obstructions (from watercourses, by counties): RCW  
36.32.290.

Restrictions on sale of certain water rights by state: State  
Constitution Art. 15 s 1 (Amendment 15).

Roads and bridges (county): Chapters 36.75 through 36.87 RCW.

Sales and leases of public lands and materials—Water right as  
improvement: RCW 79.13.170.

Second-class cities

acquisition of property for municipal purposes (waterfront  
leases, etc.): RCW 35.23.452.

specific powers enumerated: RCW 35.23.440.

utilities (supply city with water): RCW 35.23.515 through  
35.23.535.

waterworks: RCW 35.23.560 through 35.23.580.

Sewerage systems (cities and towns)—Waterworks: RCW 35.67.331 through  
35.67.340.

Shellfish: Chapter 77.60 RCW.

Small boat facilities for Puget Sound authorized: RCW 79A.05.185.

Soil conservation (conservation of water): Chapter 89.08 RCW.

Soil conservation—Water rights preserved: RCW 89.08.390.

Speed in traversing bridge, tunnels, etc.: RCW 46.61.450.

State board of health—Powers and duties (investigation of water  
supply): RCW 43.20.050.

Street grades—Sanitary fills (cities and towns): Chapter 35.73 RCW.

Streets—Drawbridges (cities and towns): Chapter 35.74 RCW.

Tidelands, shorelands, and harbor areas: Chapters 79.115, 79.125 RCW.

Towns, specific powers enumerated: RCW 35.27.370.

*Transfer of territory where city's harbor lies in two counties:  
Chapter 36.08 RCW.*

*Trees may be removed from riverbanks (by counties): RCW 36.32.300.*

*Unclassified cities, additional indebtedness for municipal utilities  
(water supply): RCW 35.30.060.*

*Use of waters for irrigation, mining, manufacturing, deemed public  
use: State Constitution Art. 21.*

*Washington utilities and transportation commission: Chapter 80.01 RCW.*

*Water*

*pollution—Protection from (cities and towns): Chapter 35.88  
RCW.*

*redemption bonds (cities and towns): Chapter 35.89 RCW.*

*Water-sewer districts*

*generally: Title 57 RCW.*

*powers: Chapter 57.08 RCW.*

*Watercraft adrift: Chapter 79A.60 RCW.*

*Wharves and landings: Chapter 88.24 RCW.*