

SENATE BILL REPORT

SB 6533

AS OF FEBRUARY 1, 1994

Brief Description: Addressing protection of public water supplies.

SPONSORS: Senators Fraser and Franklin; by request of Governor Lowry

SENATE COMMITTEE ON ENERGY & UTILITIES

Staff: Phil Moeller (786-7445)

Hearing Dates: February 1, 1994

BACKGROUND:

Public water supplies are under increasing pressure. System failures and increasingly stringent federal testing and compliance requirements have placed many public systems at risk of being unable to provide economical supplies. State policy enacted by the Legislature over the past several years has encouraged the consolidation of water systems along with discouraging the proliferation of new systems.

One provision of the 1990 Growth Management Act (RCW 19.27.097) requires evidence of potable water prior to the issuance of a building permit for buildings requiring water. The Legislature amended this section in 1991 to allow cities or counties to impose additional conditions on building permits related to connections to public water systems.

In 1991 the Legislature also created a permitting program for public water systems. Part of this program allowed for a single permit for entities managing multiple water systems, known as "satellite" management of water systems.

SUMMARY:

After January 1, 1995, counties and cities are required to impose conditions on building permits that require connection to an existing public water system approved by the state Board of Health, except in specific areas of the counties that do not plan under the Growth Management Act if the county and state mutually agree on the areas not needing this requirement.

The Department of Health, in conjunction with the Department of Community, Trade, and Economic Development, the Utilities and Transportation Commission, water purveyors and local governments is directed to develop criteria for determining what constitutes reasonable economy and efficiency for connections to a public water system.

No new public water system may be approved or created in an urban growth boundary unless it is owned by a satellite system management agency. In areas outside of urban growth boundaries, no public water system may be approved or created unless it is owned by a satellite system management agency if such a management agency is available and meets financial viability requirements.

The Department of Ecology (Ecology) is authorized to adopt permanent and emergency rules to partially or totally limit groundwater withdrawals that otherwise are exempt from permit requirements in certain areas. In selecting these areas Ecology is to consult with local governments and recognized Indian tribes, and shall consider specific impacts on groundwater conditions, and shall be consistent with relevant water management plans.

When a city, town, or county is determining whether appropriate provisions have been made for potable water supplies for a proposed subdivision, the local government is to ensure that the number of new water systems and individual wells are minimized and that proper water rights are obtained. After August 1, 1994, the county or city shall condition a subdivision approval on the connection to an existing public water system that is able to provide safe and reasonable economical supply.

Appropriation: none

Revenue: none

Fiscal Note: requested January 27, 1994