

2 **ESSB 5725** - H COMM AMD **ADOPTED 4-11-97**
3 By Committee on Agriculture & Ecology

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5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.46 RCW
8 to read as follows:

9 The owner of a wastewater treatment facility that is reclaiming
10 water with a permit issued under this chapter has the exclusive right
11 to any reclaimed water generated by the wastewater treatment facility.
12 Use and distribution of the reclaimed water by the owner of the
13 wastewater treatment facility is exempt from the permit requirements of
14 RCW 90.03.250 and 90.44.060. Revenues derived from the reclaimed water
15 facility shall be used only to offset the cost of operation of the
16 wastewater utility fund or other applicable source of system-wide
17 funding.

18 If the proposed use or uses of reclaimed water are intended to
19 augment or replace potable water supplies or create the potential for
20 the development of additional potable water supplies, such use or uses
21 shall be considered in the development of the regional water supply
22 plan or plans addressing potable water supply service by multiple water
23 purveyors. The owner of a wastewater treatment facility that proposes
24 to reclaim water shall be included as a participant in the development
25 of such regional water supply plan or plans.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.03 RCW
27 to read as follows:

28 The permit requirements of RCW 90.03.250 do not apply to the use of
29 reclaimed water by the owner of a wastewater treatment facility under
30 the provisions of section 1 of this act.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.44 RCW
32 to read as follows:

1 The permit requirements of RCW 90.44.060 do not apply to the use of
2 reclaimed water by the owner of a wastewater treatment facility under
3 the provisions of section 1 of this act.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 90.46 RCW
5 to read as follows:

6 Facilities that reclaim water under this chapter shall not impair
7 any existing water right downstream from any freshwater discharge
8 points of such facilities unless compensation or mitigation for such
9 impairment is agreed to by the holder of the affected water right."

10 Correct the title.

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