

# SENATE BILL REPORT

## SSB 5505

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As Passed Senate, March 18, 1997

**Title:** An act relating to water supply and growth management.

**Brief Description:** Directing agencies to assist growers in securing safe and reliable water sources.

**Sponsors:** Senate Committee on Agriculture & Environment (originally sponsored by Senators Morton, Rasmussen and Swecker).

**Brief History:**

**Committee Activity:** Agriculture & Environment: 2/19/97, 3/4/97 [DPS].

Ways & Means: 3/7/97 [DPS (AE)]

Passed Senate, 3/18/97, 49-0.

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Majority Report:** That Substitute Senate Bill No. 5505 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, McAuliffe, Newhouse, Oke and Rasmussen.

**Staff:** Kari Guy (786-7437)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5505 as recommended by Committee on Agriculture & Environment be substituted therefor, and the substitute bill do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Brown, Fraser, Hochstatter, Kohl, Long, McDonald, Rossi, Schow, Snyder, Spanel, Swecker, Thibaudeau, Winsley and Zarelli.

**Staff:** Cathy Baker (786-7708)

**Background:** The Growth Management Act requires certain counties, and the cities within those counties, to conduct comprehensive planning for future growth. With input from cities located within its boundaries, each county planning under the GMA must adopt countywide planning policies guiding the development of the comprehensive plans. Counties also must adopt urban growth areas in which the urban growth projected for the next 20 years is to be located. The growth projections are made by the state Office of Financial Management based on demographic information.

Withdrawal of surface or ground waters requires a water right issued by the Department of Ecology. When an application is received, the Department of Ecology will investigate the

application, the amount of water available for appropriation by the applicant, and the beneficial uses to which that water can be applied. If the department finds that water is not available for appropriation, or the proposed appropriation would impair existing rights or be detrimental to the public welfare, the water right will be denied.

In 1996 a number of water right applications were denied by the Department of Ecology, including some permits for public water supply systems. It has been suggested that applicants who have been denied a water right will need assistance in locating and developing sources of water to accommodate projected growth.

**Summary of Bill:** If an application for a water right is denied, the Department of Ecology may offer to assist the applicant with obtaining or developing an adequate supply of water. The supply of water must be consistent with the local land use plan and the population forecast made by the Office of Financial Management for the area.

For public water supply systems, the Department of Ecology must provide assistance upon request at any time in the application process. The supply sought must be consistent with watershed and water system plans, as well as population projections.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For (Agriculture & Environment):** This bill will help better integrate planning under the Growth Management Act with water resources planning.

**Testimony Against (Agriculture & Environment):** Technical assistance should take place earlier in the application process, before the water right is denied.

**Testified (Agriculture & Environment):** Paul Parker, Washington State Association of Counties (pro); Judy Turpin, Washington Environmental Council (concerns); Doug McChesney, Department of Ecology (pro).

**Testimony For (Ways & Means):** This bill will help water right applicants find alternative supplies of water if their water right permit application is denied. This type of assistance is important in order to adequately accommodate growth throughout the state.

**Testimony Against (Ways & Means):** None.

**Testified (Ways & Means):** Senator Bob Morton, prime sponsor (pro); Doug McChesney, Department of Ecology (pro); Eric Bergman, WA State Association of Counties (pro).

**House Amendment(s):** The Department of Ecology must provide assistance in obtaining an adequate supply of water to any water right applicant upon request. The bill is null and void unless specific funding is provided in the appropriations act.