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**SUBSTITUTE SENATE BILL 5505**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

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

Read first time 03/05/97.

1 AN ACT Relating to water supply and growth management; amending RCW  
2 43.21A.064; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that there is a need  
5 for development of additional water resources to meet the forecasted  
6 population growth in the state. It is the intent of this act to direct  
7 the responsible agencies to assist growing communities as they attempt  
8 to secure a safe and reliable water source for their residents. This  
9 can be accomplished through the creation of municipal interties and  
10 transfers, additional storage capabilities, enhanced conservation  
11 efforts, and added efficiency standards for using existing supplies.

12 **Sec. 2.** RCW 43.21A.064 and 1995 c 8 s 3 are each amended to read  
13 as follows:

14 Subject to RCW 43.21A.068, the director of the department of  
15 ecology shall have the following powers and duties:

16 (1) The supervision of public waters within the state and their  
17 appropriation, diversion, and use, and of the various officers  
18 connected therewith;

1 (2) Insofar as may be necessary to assure safety to life or  
2 property, ((he)) the director shall inspect the construction of all  
3 dams, canals, ditches, irrigation systems, hydraulic power plants, and  
4 all other works, systems, and plants pertaining to the use of water,  
5 and ((he)) may require such necessary changes in the construction or  
6 maintenance of said works, to be made from time to time, as will  
7 reasonably secure safety to life and property;

8 (3) ((He)) The director shall regulate and control the diversion of  
9 water in accordance with the rights thereto;

10 (4) ((He)) The director shall determine the discharge of streams  
11 and springs and other sources of water supply, and the capacities of  
12 lakes and of reservoirs whose waters are being or may be utilized for  
13 beneficial purposes;

14 (5) ((He)) The director may, if a request for a water right is  
15 denied, offer to assist the applicant in obtaining or developing an  
16 adequate and appropriate supply of water consistent with the land use  
17 permitted and the population forecast for that area provided by the  
18 office of financial management under RCW 43.62.035;

19 (6) The director shall, if requested, provide assistance to a  
20 public water supply system seeking to obtain or develop an adequate and  
21 appropriate supply of water to meet forecasted population growth. The  
22 supply being sought must be used in a manner consistent with applicable  
23 land use, watershed and water system plans, and the population forecast  
24 for that area provided by the office of financial management under RCW  
25 43.62.035;

26 (7) The director shall keep such records as may be necessary for  
27 the recording of the financial transactions and statistical data  
28 thereof, and shall procure all necessary documents, forms, and blanks.  
29 ((He)) The director shall keep a seal of the office, and all  
30 certificates ((by him)) covering any of ((his)) the director's acts or  
31 the acts of ((his)) the director's office, or the records and files of  
32 ((his)) that office, under such seal, shall be taken as evidence  
33 thereof in all courts;

34 ((+6) He)) (8) The director shall render when required by the  
35 governor, a full written report of the ((work of his office)) office's  
36 work with such recommendations for legislation as ((he may)) the  
37 director deems advisable for the better control and development of the  
38 water resources of the state;

1        (~~(7)~~) (9) The director and duly authorized deputies may  
2 administer oaths;

3        (~~(8)~~ He) (10) The director shall establish and promulgate rules  
4 governing the administration of chapter 90.03 RCW;

5        (~~(9)~~ He) (11) The director shall perform such other duties as may  
6 be prescribed by law.

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