

5276-S

Sponsor(s): Senate Committee on Agriculture & Environment
(originally sponsored by Senators Swecker, Roach and Oke)

Brief Title: Providing an alternative for persons whose water rights permits were conditioned due to impact on existing rights or established flows.

SB 5276-S - DIGEST

(DIGEST AS ENACTED)

Finds there is a range of alternatives that offset the impacts that should be encouraged including the creation, restoration, enhancement, or enlargement of ponds, wetlands, and reservoirs and the artificial recharge of aquifers.

Provides that the department shall, when evaluating an application for a water right, transfer, or change filed pursuant to RCW 90.03.250 or 90.03.380 that includes provision for any water impoundment or other resource management technique, take into consideration the benefits and costs, including environmental effects, of any water impoundment or other resources management technique that is included as a component of the application.

VETO MESSAGE ON SB 5276-S

May 14, 1997

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 4 and 5, Substitute Senate Bill No. 5276 entitled:

"AN ACT Relating to water withdrawals and diversions;"

Substitute Senate Bill No. 5276 provides mitigation policy direction for the state as it relates to water rights, transfers, changes and amendments. Sections 1 through 3 of the bill provide innovative mitigation policy direction to help the state address increased demand on our finite water resources while protecting the environment, and I support those sections.

Sections 4 and 5 of SSB 5276 contain provisions that would require the termination of water rights if the right holder were to stop using a septic system or other wastewater treatment facility that was recharging the water supply. It would create an impractical expectation that the water right would be terminated if sewers eventually replace the septic systems or other wastewater treatment facilities involved. These sections also create a disincentive to convert from septic systems to sewers, contrary to state policy.

For these reasons, I have vetoed sections 4 and 5 of Substitute Senate Bill No. 5276.

With the exception of sections 4 and 5, Substitute Senate Bill No. 5276 is approved.

Respectfully submitted,

Gary Locke
Governor