
HOUSE BILL 1549

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives G. Chandler, Linville, Mastin, Schoesler, Koster and Fortunato

Read first time 01/28/1999. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to extending deadlines prescribed as conditions in
2 water rights permits; and amending RCW 90.03.320.

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

4 **Sec. 1.** RCW 90.03.320 and 1997 c 445 s 3 are each amended to read
5 as follows:

6 Actual construction work shall be commenced on any project for
7 which permit has been granted within such reasonable time as shall be
8 prescribed by the department, and shall thereafter be prosecuted with
9 diligence and completed within the time prescribed by the department.
10 The department, in fixing the time for the commencement of the work, or
11 for the completion thereof and the application of the water to the
12 beneficial use prescribed in the permit, shall take into consideration
13 the cost and magnitude of the project and the engineering and physical
14 features to be encountered, and shall allow such time as shall be
15 reasonable and just under the conditions then existing, having due
16 regard for the public welfare and public interests affected(~~(and,~~
17 ~~for good cause shown, it)).~~ For good cause shown, the department shall
18 extend the time or times fixed as aforesaid, and shall grant such
19 further period or periods as may be reasonably necessary, having due

1 regard to the good faith of the applicant and the public interests
2 affected. Good cause includes prevention or restriction of water use
3 by operation of federal laws for the time or times fixed for commencing
4 work, completing work, and applying water to beneficial use otherwise
5 authorized under a water right permit issued for a federal reclamation
6 project. In fixing construction schedules and the time, or extension
7 of time, for application of water to beneficial use for municipal water
8 supply purposes, the department shall also take into consideration the
9 term and amount of financing required to complete the project, delays
10 that may result from planned and existing conservation and water use
11 efficiency measures implemented by the public water system, and the
12 supply needs of the public water system's service area, consistent with
13 an approved comprehensive plan under chapter 36.70A RCW, or in the
14 absence of such a plan, a county-approved comprehensive plan under
15 chapter 36.70 RCW or a plan approved under chapter 35.63 RCW, and
16 related water demand projections prepared by public water systems in
17 accordance with state law. An existing comprehensive plan under
18 chapter 36.70A or 36.70 RCW, plan under chapter 35.63 RCW, or demand
19 projection may be used. If the terms of the permit or extension
20 thereof, are not complied with the department shall give notice by
21 registered mail that such permit will be canceled unless the holders
22 thereof shall show cause within sixty days why the same should not be
23 so canceled. If cause is not shown, the permit shall be canceled.

--- END ---