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SENATE BILL 6732

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State of Washington

58th Legislature

2004 Regular Session

By Senators Honeyford, Mulliken and Rasmussen

Read first time 02/05/2004. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to water availability; amending RCW 19.27.097; and  
2 adding new sections to chapter 90.54 RCW.

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

4 **Sec. 1.** RCW 19.27.097 and 1995 c 399 s 9 are each amended to read  
5 as follows:

6 (1) Each applicant for a building permit of a building  
7 necessitating potable water shall provide evidence of an adequate water  
8 supply for the intended use of the building. Evidence may be in the  
9 form of a water right permit from the department of ecology, a letter  
10 from an approved water purveyor stating the ability to provide water,  
11 or another form sufficient to verify the existence of an adequate water  
12 supply. In addition to other authorities, the county or city may  
13 impose conditions on building permits requiring connection to an  
14 existing public water system where the existing system is willing and  
15 able to provide safe and reliable potable water to the applicant with  
16 reasonable economy and efficiency. An application for a water right  
17 shall not be sufficient proof of an adequate water supply.

18 (2) Within counties not required or not choosing to plan pursuant  
19 to RCW 36.70A.040, the county and the state may mutually determine

1 those areas in the county in which the requirements of subsection (1)  
2 of this section shall not apply. The departments of health and ecology  
3 shall coordinate on the implementation of this section. Should the  
4 county and the state fail to mutually determine those areas to be  
5 designated pursuant to this subsection, the county may petition the  
6 department of community, trade, and economic development to mediate or,  
7 if necessary, make the determination.

8 (3) Buildings that do not need potable water facilities are exempt  
9 from the provisions of this section. The department of ecology, after  
10 consultation with local governments, may adopt rules to implement this  
11 section, which may recognize differences between high-growth and low-  
12 growth counties.

13 (4) For purposes of this section, reliance on a well authorized  
14 under RCW 90.44.050 shall serve as evidence of an adequate water  
15 supply.

16 NEW SECTION. Sec. 2. A new section is added to chapter 90.54 RCW  
17 to read as follows:

18 The stock water account is created in the custody of the state  
19 treasurer. All receipts from legislative appropriations to the account  
20 or federal or local funds provided to the account must be deposited  
21 into the account. Expenditures from the account may only be used for  
22 purposes in accordance with section 3 of this act. Only the director  
23 of the department of community, trade, and economic development or the  
24 director's designee may authorize expenditures from the account. The  
25 account is subject to allotment procedures under chapter 43.88 RCW, but  
26 an appropriation is not required for expenditures.

27 NEW SECTION. Sec. 3. A new section is added to chapter 90.54 RCW  
28 to read as follows:

29 (1) The department of community, trade, and economic development  
30 shall provide grants from the stock water account created in section 2  
31 of this act to any county-based economic development agency that makes  
32 application for such grants, to the extent such funds are available.

33 (2) An economic development agency receiving a grant under  
34 subsection (1) of this section may only use the grant to acquire,  
35 lease, or otherwise obtain water for stock-watering purposes.

1           (3) An economic development agency that has acquired, leased, or  
2 otherwise obtained water under subsection (2) of this section may lease  
3 or sell water rights acquired to persons who intend to put the water to  
4 beneficial use for stock-watering purposes, on a first-come,  
5 first-served basis.

6           (4) Any revenue derived from the lease of waters under this section  
7 must be placed in the stock water account created in section 2 of this  
8 act.

9           (5) The department shall seek federal and local funds to augment  
10 state funding for the stock water account created in section 2 of this  
11 act.

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