

5285

Sponsor(s): Senator Fraser

Brief Description: Changing water resource management provisions.

SB 5285 - DIGEST

Provides that the department shall, through a network of water masters appointed under chapter 90.03 RCW, stream patrollers appointed under chapter 90.08 RCW, and other assigned compliance staff, achieve compliance with the water laws and rules of the state of Washington in the following sequence: (1) The department shall prepare and distribute technical and educational information to assist water users in complying with the requirements of their water rights and applicable water laws;

(2) When the department determines that a violation has occurred or is about to occur, it shall first attempt to achieve voluntary compliance by informing and educating the responsible person or persons regarding the law, the reason that the action or incipient action is not allowed under the law, and the potential penalties and sanctions that may be brought if compliance is not achieved. As part of this first response, the department shall offer technical information and assistance to the person in identifying alternative means to accomplish the person's purposes within the framework of the law; and

(3) If education and technical assistance do not achieve compliance, the department shall issue a notice of violation, a formal administrative order under RCW 43.27A.190, or assess penalties under RCW 90.03.600, unless the noncompliance is corrected expeditiously or the department determines no impairment or harm.

Declares that this act is not intended to prevent the department from taking immediate action to cause a violation to be ceased immediately if in the opinion of the department the nature of the violation is causing or is likely to cause immediate harm to other water rights or to public resources.