

# HOUSE BILL REPORT

## HB 2561

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to specifying options for potable water delivery to ski facilities.

**Brief Description:** Specifying options for potable water delivery to ski facilities.

**Sponsors:** Representatives Alexander, Orcutt, DeBolt, Lytton, Kretz, Johnson and Ross.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/27/12, 1/31/12 [DP].

**Brief Summary of Bill**

- Allows ski facilities to satisfy the requirement under the State Building Code that all applicants submit proof of a potable water supply by submitting evidence that the property has, on its premises or reasonably close to its premises, a water tank with a storage capacity large enough to serve the ski facility's daily potable water needs and an agreement with an approved water purveyor to provide water to the tank.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 11 members: Representatives Blake, Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Finn, Hinkle, Kretz, Lytton, Orcutt, Pettigrew and Van De Wege.

**Minority Report:** Do not pass. Signed by 1 member: Representative Dunshee.

**Staff:** Jason Callahan (786-7117).

**Background:**

The State Building Code requires that all building permit applicants must provide evidence that an adequate supply of potable water will be available for the building being proposed. Adequate evidence of a potable water supply can include possession of a water right or a

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

letter from a water purveyor stating the ability to provide water to the building. All public water systems must provide an adequate quantity and quality of water in a reliable manner at all times.

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**Summary of Bill:**

For ski facilities only, the requirement under the State Building Code that all applicants submit proof of a potable water supply can be met if the applicant submits evidence that the property has, on its premises or reasonably close to its premises, a water tank with a storage capacity large enough to serve the ski facility's daily potable water needs and an agreement with an approved water purveyor to provide water to the tank. The water purveyor may maintain water in the tank either through a direct connection to a water main or well or by manually transporting unpressurized water by vehicle from a water main or well to the water tank.

To qualify, a ski facility must be an operation open to the public that holds itself out as a purveyor of alpine or cross-country skiing opportunities.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Ski facilities have unique water needs and challenges due to the fact that they are located in high elevation, alpine settings. These settings make water tank storage not only practicable, but also safe. The authority to rely on a water tank is essential for ski facilities in order for their owners to feel safe investing in the type of facility expansions that draw in tourists and increase local tax revenue. Temporary permits are not sustainable and are not adequate to base a large investment on. The narrow tailoring of the bill ensures that the authority is only used in settings where water tank storage has proven successful.

(Opposed) The state is charged with carrying out the federal safe drinking water standards and must ensure that everyone has safe, reliable water to drink. No building plan can be approved unless the federal standards are met. Water that is hauled to a tank has an increased chance of contamination and decreased reliability for the consumer. Only a handful of states allow water to be hauled into a storage tank. People assume the water they drink will be safe and it's the state's job to ensure that their assumptions are not misguided.

**Persons Testifying:** (In support) Representative Alexander, prime sponsor; Danette York, Lewis County Board of County Commissioners; Lee Grose, Lewis County; Kevin McCarthy, White Pass Company, Inc.; and James Curry, Ski Washington.

(Opposed) Denise Clifford, Washington State Department of Health.

**Persons Signed In To Testify But Not Testifying:** None.