

SHB 1793 - S COMM AMD

By Committee on Agriculture, Water & Rural Economic Development

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.27.097 and 2010 c 271 s 302 are each amended to
4 read as follows:

5 (1) Each applicant for a building permit of a building
6 necessitating potable water shall provide evidence of an adequate
7 water supply for the intended use of the building. Evidence may be in
8 the form of a water right permit from the department of ecology, a
9 letter from an approved water purveyor stating the ability to provide
10 water, or another form sufficient to verify the existence of an
11 adequate water supply. In addition to other authorities, the county
12 or city may impose conditions on building permits requiring
13 connection to an existing public water system where the existing
14 system is willing and able to provide safe and reliable potable water
15 to the applicant with reasonable economy and efficiency. An
16 application for a water right shall not be sufficient proof of an
17 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
20 those areas in the county in which the requirements of subsection (1)
21 of this section shall not apply. The departments of health and
22 ecology shall coordinate on the implementation of this section.
23 Should the county and the state fail to mutually determine those
24 areas to be designated pursuant to this subsection, the county may
25 petition the department of (~~general administration~~) enterprise
26 services to mediate or, if necessary, make the determination.

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

32 (4) When an applicant is unable to provide evidence of an
33 adequate water supply under this section due to restrictions

1 resulting from an in-stream flow rule, the department of ecology must
2 inform the applicant about alternative water sources that may be used
3 to provide sufficient evidence of an adequate water supply. The
4 department of ecology may develop alternative water source
5 information in cooperation with local governments administering the
6 building permit application processes. For purposes of this section,
7 "alternative water source" means a source or method of providing
8 potable water for domestic purposes other than a single groundwater
9 well or group A or B water system.

10 NEW SECTION. Sec. 2. (1) The department of ecology must
11 coordinate with local governmental entities and utility districts to
12 identify possible capital projects that may assist in providing
13 alternative water sources for use in areas where in-stream flow rules
14 are resulting in restrictions on the use of water, including water
15 resource inventory areas 3 and 4. The department of ecology must
16 report to the office of financial management, the house of
17 representatives capital budget committee, and the senate ways and
18 means committee by October 31, 2015, with recommendations for
19 projects that are eligible for funding from the omnibus capital
20 appropriations act that are identified through the implementation of
21 this section.

22 (2) This section expires July 1, 2016."

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23 On page 1, line 6 of the title, after "waters;" strike the
24 remainder of the title and insert "amending RCW 19.27.097; creating a
25 new section; and providing an expiration date."

EFFECT: Requires the department of ecology to inform building permit applicants who are unable to provide evidence of an adequate water supply because of in-stream flow rule restrictions of alternative water sources sufficient to verify the existence of an adequate water supply; removes references to rainwater collection, mitigation options, trucking water, and Swinomish violations; removes a mandate to each county or city with jurisdiction over potentially affected property to adopt alternative water source local ordinances.

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