

# SENATE BILL REPORT

## SB 5238

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As Passed Senate, March 9, 2015

**Title:** An act relating to public water systems.

**Brief Description:** Concerning public water systems' public participation notice provisions.

**Sponsors:** Senators Angel, Liias, Honeyford, McCoy, Dammeier and Chase.

**Brief History:**

**Committee Activity:** Government Operations & Security (Note: Senate Resolution 8609 adopted January 27, 2015, renamed the Committee on Government Operations & State Security to Committee on Government Operations & Security): 1/22/15, 1/27/15 [DP].  
Passed Senate: 3/09/15, 49-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Pearson, Vice Chair; Liias, Ranking Minority Member; Habib and McCoy.

**Staff:** Karen Epps (786-7424)

**Background:** Public Water Systems. More than 5.5 million Washington residents receive their drinking water from Group A or Group B public water systems, representing roughly 85 percent of the state's population. Group A water systems either have 15 or more service connections, regularly serve 25 or more people 60 or more days per year, or serve 1000 or more people for two or more consecutive days. Group B water systems serve fewer than 15 connections and fewer than 25 people per day.

Some public water systems must submit a water system plan for review and approval by the Department of Health. These public water systems include the following:

- systems having 1000 or more services;
- systems required to develop water system plans under the Public Water System Coordination Act of 1977;
- new systems or expanding systems; and
- other specified systems.

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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.*

The Growth Management Act (GMA). GMA is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 28 counties and the cities within them that fully plan under GMA.

GMA requires counties and cities to establish a program that identifies procedures and schedules for the public to participate in the development and amendment of comprehensive plans and development regulations. The program must include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations of proposed amendments to comprehensive plans and development regulations. The procedures should provide for broad dissemination of proposals and alternatives, an opportunity for written comments, public meetings after the effective notice, a provision for open discussion, communication programs, information services, and consideration of and response to public comments.

**Summary of Bill:** The list of persons and entities that public participation requirements of GMA must, through notice procedures, be reasonably calculated to provide notice of proposed amendments to comprehensive plans and development regulations is expanded to include Group A public water systems that are required to develop water system plans.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The idea for this bill originated several years ago from the Pierce County Water Cooperative. This bill amends GMA to require notice to water purveyors when a city or a county is making changes to their comp plan. Water utilities need notice so that they can participate when the county is making changes to their comp plan. This bill will affect about 280 water systems throughout the state. This bill is good for ratepayers and for the public process itself because the water purveyors can participate on behalf of their ratepayers.

**Persons Testifying:** PRO: Senator Angel, prime sponsor; Jeff Johnson, Regional Water Cooperative of Pierce County; Randy Black, Lakewood Water District.