

# HOUSE BILL REPORT

## SSB 6197

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**As Reported By House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to water supply augmentation.

**Brief Description:** Augmenting water supply.

**Sponsors:** Senate Committee on Ecology & Parks (originally sponsored by Senator Swecker).

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 2/14/96, 2/22/96 [DPA].

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 12 members: Representatives Chandler, Chairman; Koster, Vice Chairman; Chappell, Ranking Minority Member; Linville, Assistant Ranking Minority Member; Boldt; Clements; Delvin; Honeyford; Johnson; Mastin; Robertson and Schoesler.

**Minority Report:** Without recommendation. Signed by 5 members: Representatives R. Fisher; Murray; Ogden; Regala and Rust.

**Staff:** Jennifer Galvin (786-7349).

**Background:** The surface water code of 1917 and the groundwater code of 1945 created a permit system under which, with certain exceptions, new rights to the use of water are established. The permit system is based on the prior appropriation doctrine that "first in time is first in right."

The permit system and the state's laws for managing water are administered by the Department of Ecology (DOE). Upon receipt of an application, the DOE conducts an investigation regarding the application and determines whether water is available. If the water is available for appropriation and the proposed appropriation will not impair existing rights or be detrimental to the public welfare, the department issues a permit.

"Ground water" refers to all water that exists beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water.

**Summary of Amended Bill:** When evaluating an application for surface or ground water, the department must take into consideration the benefits of any water impoundment that is included as a component of the application. The department must give credit for any increased water supply that results from the impoundment, including any recharge of ground water that may occur. Provision for impoundment is made solely at the discretion of the applicant. Existing water rights are not modified.

**Amended Bill Compared to Substitute Bill:** (1) The amended bill removes a section which allowed the DOE to place priority on the processing of water applications that include water impoundments. (2) The amended bill removes a section that changed who must apply for a secondary permit and the content of secondary permit applications.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Permit applications often include water impoundments that will have beneficial local impact. The department should be able to consider such effects and prioritize the processing of these permits.

**Testimony Against:** None.

**Testified:** Senator Swecker, prime sponsor; and Judy Turpin, Washington Environmental Council (in favor).