

5276

Sponsor(s): Senators Swecker, Roach and Oke

Brief Title: Providing an alternative for persons whose water rights permits were conditioned due to impact on existing rights or established flows.

SB 5276 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Finds there is a range of alternatives that offset the impacts that should be encouraged including the creation, restoration, enhancement, or enlargement of ponds, wetlands, and reservoirs and the artificial recharge of aquifers.

Provides that, in cases that the department determines that the proposed diversion of surface water would cause impairment of an existing water right including an instream flow established under chapter 90.22 or 90.54 RCW, the department shall allow impoundment and release of surface water, or the recharge of ground water from such impoundment, to offset the impact of the withdrawal of ground water in the same basin or diversion of surface water at a point downstream from the impoundment.

Directs the department to place a priority on processing applications for water rights filed pursuant to RCW 90.03.250 or 90.03.380 that include a means of offsetting the impact of the diversion.

Provides that applicants who were denied permits or who had permits conditioned due to impact on existing water rights or established instream flows may resubmit a revised application that includes a plan for offsetting the impact of the withdrawal within one hundred eighty days of the department's action on the permit application.