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SENATE BILL 5757

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Nelson and Kline

Read first time 02/10/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to protecting groundwater; amending RCW 18.104.055;  
2 adding a new section to chapter 43.21A RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the state's  
5 groundwater resources provide vital environmental and economic benefits  
6 for all the citizens of the state. Increasing demands for utilization  
7 of groundwater resources and increased understanding of the  
8 interrelationship of the state's groundwaters and surface waters  
9 requires adequate funding for monitoring and analyzing groundwater  
10 levels and programs relating to managing groundwater uses. It is  
11 appropriate that all new well users contribute some of the funding for  
12 these management programs. Therefore, the purpose of this act is to  
13 authorize an additional fee upon the construction of certain new wells  
14 to help fund groundwater data management and mapping, as well as other  
15 groundwater management activities.

16 **Sec. 2.** RCW 18.104.055 and 2005 c 84 s 4 are each amended to read  
17 as follows:

1 (1) A fee is hereby imposed on each well constructed in this state  
2 on or after July 1, 2005.

3 (2)(a) The fee for one water well, other than a dewatering well,  
4 with a minimum top casing diameter of less than twelve inches is two  
5 hundred dollars, plus the surcharge imposed by subsection (4) of this  
6 section. This fee does not apply to a ground source heat pump boring  
7 or a grounding well.

8 (b) The fee for one water well, other than a dewatering well, with  
9 a minimum top casing diameter of twelve inches or greater is three  
10 hundred dollars, plus the surcharge imposed by subsection (4) of this  
11 section.

12 (c) The fee for a resource protection well, except for an  
13 environmental investigation well, a ground source heat pump boring, or  
14 a grounding well, is forty dollars for each well.

15 (d) The fee for an environmental investigation well in which  
16 groundwater is sampled or measured is forty dollars for construction of  
17 up to four environmental investigation wells per project, ten dollars  
18 for each additional environmental investigation well constructed on a  
19 project with more than four wells. There is no fee for soil or vapor  
20 sampling purposes.

21 (e) The fee for a ground source heat pump boring or a grounding  
22 well is forty dollars for construction of up to four ground source heat  
23 pump borings or grounding wells per project and ten dollars for each  
24 additional ground source heat pump boring or grounding well constructed  
25 on a project with more than four wells.

26 (f) The combined fee for construction and decommissioning of a  
27 dewatering well system shall be forty dollars for each two hundred  
28 horizontal lineal feet, or portion thereof, of the dewatering well  
29 system.

30 (g) The fee to decommission a water well is fifty dollars.

31 (h) The fee to decommission a resource protection well, except for  
32 an environmental investigation well, is twenty dollars. There is no  
33 fee to decommission an environmental investigation well or a  
34 geotechnical soil boring.

35 (i) The fee to decommission a ground source heat pump boring or a  
36 grounding well is twenty dollars.

37 (3) The fees imposed by this section shall be paid at the time the  
38 notice of well construction is submitted to the department as provided

1 by RCW 18.104.048. The department by rule may adopt procedures to  
2 permit the fees required for resource protection wells to be paid after  
3 the number of wells actually constructed has been determined. The  
4 department shall refund the amount of any fee collected for wells,  
5 borings, probes, or excavations as long as construction has not started  
6 and the department has received a refund request within one hundred  
7 eighty days from the time the department received the fee. The refund  
8 request shall be made on a form provided by the department.

9 (4) A surcharge of two hundred dollars is imposed upon each water  
10 well subject to the fees in subsections (2)(a) and (b) of this section.  
11 The fees paid under this subsection must be deposited in the  
12 groundwater management account created in section 3 of this act.

13 NEW SECTION. Sec. 3. A new section is added to chapter 43.21A RCW  
14 to read as follows:

15 The groundwater management account is created in the state  
16 treasury. All receipts from fees paid under RCW 18.104.055(4) must be  
17 deposited in the account. Moneys in the account may be spent only  
18 after appropriation. Expenditures from the account may be used by the  
19 department for programs relating to the management of groundwater  
20 resources of the state, including groundwater mapping and resource  
21 assessment.

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