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Revised

Fact Sheet

Municipal Water Law

Expanding a water right place of use

The 2003 Municipal Water Law allows municipal water suppliers to expand their water right place of use to a service area identified in a Department of Health (DOH)-approved planning or engineering document. To receive this benefit, a municipal water supplier must meet three criteria and include additional information in its planning or engineering documents.

Three criteria

1. The planning or engineering document must be consistent with adopted local plans and development regulations.
2. The planning or engineering document must be consistent with adopted watershed plans.
3. The municipal water supplier must be in compliance with the terms of its Water System Plan or Small Water System Management Program.

RCW 90.03.386 *Coordinating approval procedures for compliance and consistency with approved water system plan.*

Information in planning or engineering documents

Local plans and development regulations

The change in place of use must be consistent with adopted local plans and development regulations. Consistency determinations must evaluate local comprehensive plans, land use plans, growth projections for the plan approval period, service extension ordinances, new water service provisions, and other elements that DOH determines are related to water supply planning.

Municipal water suppliers must ask their local government(s) to determine consistency. If a local government does not complete the consistency review, the municipal water supplier must document its efforts to obtain local review and then determine consistency itself per WAC 246-290-108(3).

Watershed plans

The change in place of use must be consistent with adopted watershed plans. Consistency applies to watershed plans approved under 90.82 RCW* or comprehensive watershed plans adopted after September 9, 2003, under RCW 90.54.040(1)**

* *Watershed planning - formerly water resource management.*

** *Comprehensive state water resources program - modifying and adopting regulations and statutes*



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER

In compliance

Municipal water suppliers must comply with the terms of their Water System Plan or Small Water System Management Program. DOH will determine compliance during our review of the planning document.

For more information:

If you have technical questions or concerns, contact:

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Additional fact sheets on the Municipal Water Law are online at

http://www.doh.wa.gov/ehp/dw/municipal_water/plan_eng.htm

