OLYMPIA — Lawmakers in both the state House and Senate passed a bill Thursday night deemed a fix to the Hirst decision — the state Supreme Court ruling that left counties uncertain whether they could issue building permits without proof of available water.

North Central Washington lawmakers say Senate Bill 6091 brings clarity, certainty and water to those who've been waiting to build on private property.

Gov. Jay Inslee promised to sign the bill.

It passed 35-14 in the state Senate, and 66-30 in the state House.

A news release from Sen. Brad Hawkins, R-Wenatchee, said the bill uses existing water resource inventory areas, known as WIRAs, to categorize how decisions about water wills will be made — mostly spelling out the requirements that applicants need to show in terms of adequate water supply.

Most existing wells will be grandfathered, meaning any current landowner with a permit-exempt well will not be affected by the law, which takes effect immediately after it’s signed by the governor.

According to Hawkins’ release:

- In a WRIA without an instream flow rule, which is not listed in the bill, a water well report is sufficient evidence of adequate water supply. This applies to WRIA 44 (Moses Coulee), WRIA 47 (Chelan Watershed) and WRIA 50 (Foster Creek Watershed).
- In a WRIA with an instream flow rule that explicitly regulates exempt wells, the terms of the rule must be followed in determining whether an applicant can show evidence of adequate water supply. This applies to WRIA 45 (Wenatchee River Basin), WRIA 46 (Entiat River Basin), and WRIA 48 (Methow Watershed).
- In a WRIA with an instream flow rule that does not explicitly regulate exempt wells and where a watershed plan was completed, wells are authorized if the applicant pays a $500 fee. Water use for domestic purposes is set at a maximum annual average of 3,000 gallons per day. This applies to WRIA 49 (Okanogan River Basin), of which a portion is located in District 12.
Rep. Joel Kretz, R-Wauconda, was part of the negotiating team that arrived at the solution.

“At the beginning of this process, we had an urban state Supreme Court backed by an urban Legislature deciding water law for the entire state,” said Kretz. “While I’m not thrilled with every aspect of this legislation, the fact is, if you own a well and have been living in limbo waiting to build on your land, you can. You can go down and get a permit tomorrow and start building.”

Hawkins, in a statement, said the bill will have different effects in different parts of the state. “My goal going into this process was for the final outcome to be either positive or not harmful to our North Central Washington watersheds. I supported the Hirst legislation because I believe this goal was accomplished,” he said.

Republicans in the Legislature had demanded a solution to Hirst in exchange for a vote on the state’s $4.2 billion capital budget, which languished last year amid negotiations.The budget bill passed both houses near-unanimously once the Hirst bill went through.

The capital budget addresses maintenance and upgrades for state lands, buildings and infrastructure, and can include earmarks for local projects. NCW’s 12th Legislative District is in line for about $21.5 million in infrastructure funding — $10 million of it in the Wenatchee Valley alone — for projects including realignment and storm sewer repairs on Miller Street, shrub steppe restoration in northern Douglas County, a massive renovation of Wenatchee Valley College’s Wells Hall, revitalization of Wenatchee and East Wenatchee parks, and a planned new Chelan County emergency operations center.

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