H-2152.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2140**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Buys, Taylor, Manweller, Wilcox, Dent, Chandler, Shea, and Koster

AN ACT Relating to equitable treatment in water pollution control permitting; and adding a new section to chapter 90.48 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 90.48 RCW to read as follows:

(1) If the department provides affirmative defenses or opportunities for leniency to penalties in pollutant discharge elimination permits that govern operations of state and local government agencies, then substantially similar affirmative defenses and opportunities for leniency to penalties must be provided in pollutant discharge elimination permits issued under this chapter that govern agricultural and farm activities or must be allowed for a violation of the requirements of this chapter for enforcement actions against agricultural activities or activities on a farm.

(2) This section must be liberally construed to effectuate the polices and purposes of this section so that individuals are not treated more stringently than government agencies during enforcement actions.

**--- END ---**