

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1817

Chapter 355, Laws of 1997

55th Legislature
1997 Regular Session

RECLAIMED WATER DEMONSTRATION PROJECTS

EFFECTIVE DATE: 7/27/97

Passed by the House April 21, 1997
Yeas 89 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1997
Yeas 45 Nays 1

BRAD OWEN
President of the Senate

Approved May 14, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1817** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 14, 1997 - 2:06 p.m.

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1817

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Chandler, Kessler, Alexander, Linville, DeBolt, O'Brien, Skinner, Wolfe, McMorris, Ogden, D. Sommers, Hankins, Cooke and Mason)

Read first time 03/10/97.

1 AN ACT Relating to a reclaimed water demonstration program;
2 amending RCW 90.46.005; and adding a new section to chapter 90.46 RCW.

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

4 **Sec. 1.** RCW 90.46.005 and 1995 c 342 s 1 are each amended to read
5 as follows:

6 The legislature finds that by encouraging the use of reclaimed
7 water while assuring the health and safety of all Washington citizens
8 and the protection of its environment, the state of Washington will
9 continue to use water in the best interests of present and future
10 generations.

11 To facilitate the use of reclaimed water as soon as is practicable,
12 the legislature encourages the cooperative efforts of the public and
13 private sectors and the use of pilot projects to effectuate the goals
14 of this chapter. The legislature further directs the department of
15 health and the department of ecology to coordinate efforts towards
16 developing an efficient and streamlined process for creating and
17 implementing processes for the use of reclaimed water.

18 It is hereby declared that the people of the state of Washington
19 have a primary interest in the development of facilities to provide

1 reclaimed water to replace potable water in nonpotable applications, to
2 supplement existing surface and ground water supplies, and to assist in
3 meeting the future water requirements of the state.

4 The legislature further finds and declares that the utilization of
5 reclaimed water by local communities for domestic, agricultural,
6 industrial, recreational, and fish and wildlife habitat creation and
7 enhancement purposes, including wetland enhancement, will contribute to
8 the peace, health, safety, and welfare of the people of the state of
9 Washington. To the extent reclaimed water is appropriate for
10 beneficial uses, it should be so used to preserve potable water for
11 drinking purposes. Use of reclaimed water constitutes the development
12 of new basic water supplies needed for future generations.

13 The legislature further finds and declares that the use of
14 reclaimed water is not inconsistent with the policy of antidegradation
15 of state waters announced in other state statutes, including the water
16 pollution control act, chapter 90.48 RCW and the water resources act,
17 chapter 90.54 RCW.

18 The legislature finds that other states, including California,
19 Florida, and Arizona, have successfully used reclaimed water to
20 supplement existing water supplies without threatening existing
21 resources or public health.

22 It is the intent of the legislature that the department of ecology
23 and the department of health undertake the necessary steps to encourage
24 the development of water reclamation facilities so that reclaimed water
25 may be made available to help meet the growing water requirements of
26 the state.

27 The legislature further finds and declares that reclaimed water
28 facilities are water pollution control facilities as defined in chapter
29 70.146 RCW and are eligible for financial assistance as provided in
30 chapter 70.146 RCW. The legislature finds that funding demonstration
31 projects will ensure the future use of reclaimed water. The
32 demonstration projects in section 2 of this act are varied in nature
33 and will provide the experience necessary to test different facets of
34 the standards and refine a variety of technologies so that water
35 purveyors can begin to use reclaimed water technology in a more cost-
36 effective manner. This is especially critical in smaller cities and
37 communities where the feasibility for such projects is great, but there
38 are scarce resources to develop the necessary facilities.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.46 RCW
2 to read as follows:

3 (1) The department of ecology shall establish and administer a
4 reclaimed water demonstration program for the purposes of funding and
5 monitoring the progress of five demonstration projects. The department
6 shall work in cooperation with the department of health.

7 (2) The five demonstration projects will be:

8 (a) The city of Ephrata, to use class A reclaimed water for surface
9 spreading that will recharge the groundwater and reduce the nitrate
10 concentrations that currently exceed drinking water standards in
11 domestic wells;

12 (b) Lincoln county, for a study of the use of reclaimed water to
13 transport twenty-two million gallons a day from Spokane to water
14 sources that will rehydrate and restore long depleted streambeds;

15 (c) The city of Royal City to replace an interim emergency
16 sprayfield by using one hundred percent of its discharge as class A
17 reclaimed water to enhance local wetlands and lakes in the winter, and
18 potentially irrigate a golf course;

19 (d) The city of Sequim to implement a tertiary treatment system and
20 reuse one hundred percent of the city's wastewater to reopen an
21 existing shellfish closure area to benefit state and tribal resources,
22 improve streamflows in the Dungeness river, and provide a sustainable
23 water supply for irrigation purposes;

24 (e) The city of Yelm to use one hundred percent of its wastewater
25 to provide alternative water supply for irrigation and industrial uses
26 in order to offset increased demand for water supply, to protect the
27 Nisqually river chum salmon runs, and to develop experimental
28 artificial wetlands to test low cost treatment options.

29 (3) By September 30, 1997, the department of ecology shall enter
30 into a grant agreement with the demonstration project jurisdictions
31 that includes reporting requirements, timelines, and a fund
32 disbursement schedule based on the agreed project milestones.

33 (4) Upon completion of the projects, the department of ecology
34 shall report to the appropriate committees of the legislature on the
35 results of the program.

36 (5) Demonstration projects which will discharge or otherwise
37 deliver reclaimed water to federal reclamation project facilities or
38 irrigation district facilities shall meet the requirements of the
39 facilities' operating entity for such discharges or deliveries.

1 (6) No irrigation district, its directors, officers, employees, or
2 agents operating and maintaining irrigation works for any purpose
3 authorized by law, including the production of food for human
4 consumption and other agricultural and domestic purposes, is liable for
5 damages to persons or property arising from the implementation of the
6 demonstration projects in this section.

Passed the House April 21, 1997.

Passed the Senate April 14, 1997.

Approved by the Governor May 14, 1997.

Filed in Office of Secretary of State May 14, 1997.