

SENATE BILL REPORT

SB 5682

As of Third Reading, March 15, 1999

Title: An act relating to connection of mobile home parks to public sewer systems.

Brief Description: Authorizing local governments to require that septic systems be removed in areas designated as having a critical recharging effect for an aquifer that is the primary drinking water source for a city of over 150,000 population.

Sponsors: Senator Brown.

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/12/99, 2/23/99 [DP, DNP].

Failed Senate, 3/15/99, 20-26.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: Do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Jacobsen, McAuliffe and Swecker.

Minority Report: Do not pass.

Signed by Senator Honeyford.

Staff: Richard Ramsey (786-7412)

Background: Cities, towns, and counties are authorized to construct, maintain, and operate systems of sewerage. Water-sewer districts have the express authority to compel property owners within an area served by the district's sewers to connect to the sewer system. Cities, towns, and counties lack the express statutory authority to compel property owners to connect to sewers.

When local boards of health identify failing septic systems, they are to use their discretion in implementing corrections, such as specifying nonwater carried sewage disposal devices or other alternative methods of treatment and disposal as a way to address the substandard conditions. A city or county may use more restrictive standards for failing septic systems if it determines that it is necessary to protect the public health, attain state water quality standards, or protect shellfish and other public resources.

As part of comprehensive planning under the Growth Management Act, counties identify and designate critical areas for wetlands, aquifer recharge, and fish and wildlife habitat.

Summary of Bill: A city, town, or county may not require an existing mobile home park to replace an existing, functional septic system, with a sewer system within the community, unless the mobile home park is located within a critical aquifer recharge area and the aquifer

is used as primary drinking water supply for a city greater than 150,000 people east of the Cascades.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Septic drain fields are working too well « going straight through to the aquifer. The aquifer is very sensitive. The impairment is well documented. Damage to aquifers is irreversible. Mobile home parks are not just for poor people. The Washington State Association of Counties endorsed this bill. The aquifer is the sole source for Spokane's drinking water and the bill is aimed only at Spokane.

Testimony Against: Costs to hook up parks will force closure or rental increases and there will be significant disruption to parks to install sewers. Concerns were voiced that this measure could be applied to the whole state.

Testified: David Swink, Spokane Regional Health District (pro); Bob Mack, City of Spokane (pro); Dick Wallace, Department of Ecology (pro); Ed Thorpe, Coalition for Clean Water (pro); Jim Olinger, Circle J Manufactured Home (con); John Woodring, MHCW (con); Len Bouge, MHCW (con); Ray Munson, Mobile Home Owners of America (con)