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**SUBSTITUTE SENATE BILL 6459**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** Senate Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Anderson and Conner)

Read first time 02/07/92.

1 AN ACT Relating to pollution caused by storm water runoff; and  
2 creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the efforts  
5 of the department of ecology and the Puget Sound water quality  
6 authority has brought public recognition to the link between water  
7 pollution and the resulting sediment pollution. Scientific data shows  
8 that sediment pollution from storm water runoff from city, county, and  
9 state storm water pipes is especially acute. Of particular concern is  
10 bottomland that is polluted, in many cases, by government facilities  
11 which is owned by private citizens as well as the state, itself.  
12 Furthermore, the legislature finds that state laws and department of  
13 ecology rules make these private property owners liable for the  
14 pollution whether or not they cause the pollution. Therefore, the

1 legislature intends to form a special committee to propose a method to  
2 protect innocent landowners and state resources.

3 NEW SECTION. **Sec. 2.** The special committee on government  
4 storm water pollution and liability is created. The committee  
5 comprises: (1) Eight members from the legislature, two members from  
6 each majority and minority caucus of both the house of representatives  
7 and the senate; (2) two members to represent cities; (3) two members to  
8 represent counties; (4) two members from the department of ecology; (5)  
9 one member each from the department of transportation, the department  
10 of natural resources, and the Puget Sound water quality authority; (6)  
11 two representatives from environmental groups; and (7) four members to  
12 represent bottomland owners.

13 NEW SECTION. **Sec. 3.** (1) The special government storm water  
14 committee shall investigate and make recommendations on:

15 (2) How to equitably assess liability for pollution caused by storm  
16 water runoff from government facilities;

17 (3) How to prevent polluting storm water runoff from government  
18 facilities;

19 (4) The potential liability for damage to natural resources; and

20 (5) How the state will pay for cleaning up sediment pollution when  
21 found legally liable under the model toxics control act and the federal  
22 NPDES storm water rules.

23 (6) The special committee on government storm water pollution and  
24 liability shall report its findings to the appropriate legislative  
25 committees by December 31, 1992.

1        NEW SECTION.    **Sec. 4.**        This act and the special committee on  
2 government storm water pollution and liability terminates January 1,  
3 1993.

4        NEW SECTION.    **Sec. 5.**        If specific funding for the purposes of  
5 this act, referencing this act by bill number, is not provided by June  
6 30, 1992, in the supplemental omnibus appropriations act, this act  
7 shall be null and void.