

# SENATE BILL REPORT

## SB 5598

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As of February 1, 1995

**Title:** An act relating to the centennial clean water fund.

**Brief Description:** Making changes to the centennial clean water fund.

**Sponsors:** Senators Fraser, Swecker, C. Anderson, McAuliffe and Spanel.

**Brief History:**

**Committee Activity:** Ecology & Parks: 2/1/95.

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### SENATE COMMITTEE ON ECOLOGY & PARKS

**Staff:** Cathy Baker (786-7708)

**Background:** In 1986, the Legislature created the water quality account, commonly known as the Centennial Clean Water Fund. Most of the funds available from the water quality account are appropriated to the Department of Ecology (Ecology). Ecology uses these funds to administer grants and loans to public entities for water pollution control facilities and activities. The statute provides a list of factors that Ecology is to consider when making grants and loans from the account. These factors include protection of water quality and public health, cost to residential ratepayers, and actions required under federal and state permits.

When the fund was created, the Legislature directed that Ecology distribute Centennial Clean Water Funds in the following manner: no more than 50 percent for marine water quality projects; no more than 20 percent for groundwater projects, of which two-thirds must be devoted to the Spokane-Rathdrum Prairie aquifer; no more than 10 percent for freshwater lakes and rivers; no more than 10 percent for nonpoint water pollution control projects; and a 10 percent discretionary category for projects determined by the department. This statutory formula expires on June 30, 1995.

By statute, 2.5 percent of the total amount available in the water quality account is appropriated to the state Conservation Commission. The commission uses these funds to administer grants to conservation districts for water pollution control facilities and activities. The statutory provision dedicating 2.5 percent of the water quality account to the Conservation Commission expires on December 31, 1995.

**Summary of Bill:** The statutory provisions that expires in 1995 are removed from statute.

Language is added to the intent section governing the water quality account. It is the intent of the Legislature that some of the projects that are funded out of the account provide for public education and involvement in water pollution prevention and control.

The Department of Ecology is required to submit to the Legislature a prioritized list of projects proposed to be funded from the account. The list must be submitted by November 1 each year and the department may not obligate funds from the account until the Legislature has appropriated funds for a specific list of projects. The Legislature may remove projects from the list, but may not change the order of the projects on the list.

The factors that Ecology considers in making grants and loans are modified. Ecology must place an emphasis on funding projects that address water bodies not in compliance with water quality standards, and projects that emphasize preventing water quality degradation where a significant threat exists. Ecology also considers small communities without an adequate rate base to finance needed projects. Other factors include providing a geographic balance, and evaluating the extent to which assistance is provided by other state and federal sources.

Projects that receive a grant or loan from the account must be consistent with adopted watershed plans, capital facilities plans adopted under growth management, and comprehensive sewer plans.

The department is directed to appoint an advisory committee to assist in developing criteria for ranking projects and in proposing a list of projects for funding.

Ten percent of the funds available for appropriation from the water quality account each biennium are to be appropriated to the Conservation Commission for grants to conservation districts for nonpoint water pollution control projects.

**Appropriation:** None.

**Fiscal Note:** Requested on January 27, 1995.

**Effective Date:** The bill contains an emergency clause and takes effect July 1, 1995.