

# HOUSE BILL REPORT

## HB 2737

---

---

### As Reported By House Committee On:

Agriculture & Ecology

**Title:** An act relating to the dairy nutrient management task force.

**Brief Description:** Modifying the composition and extending the term of the dairy nutrient management task force.

**Sponsors:** Representatives Linville, B. Chandler, G. Chandler and Koster.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 1/27/00, 2/3/00 [DPS].

#### Brief Summary of Substitute Bill

The Dairy Nutrient Task Force is created to address issues relating to the dairy nutrient management program.

---

### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

**Staff:** Carole Richmond (786-7114).

### Background:

Substitute Senate Bill 6161 passed by the Legislature in 1998 substantially amended the state's dairy waste management law. It requires that every dairy farm be inspected at least once within two years and that every dairy producer develop a dairy nutrient management plan.

The Department of Ecology established an advisory committee on dairy nutrient management as directed by the Governor in his veto message on section 8 of SSB 6161. In 1999 Substitute Senate Bill 5803 was passed setting up the Dairy Nutrient Management Task Force. The task force was directed to review enumerated topics to provide more clarification to the program. The task force was also directed to provide a report in December 1999 identifying its recommendations for administrative improvements and statutory changes. The task force terminated on December 31, 1999.

A final task force report became available in January 2000. The report finds that dairy producers will need to make an investment of \$25 million over the next few years in order to meet the deadlines established in the Dairy Nutrient Management Act. The task force also recommends that it continue to provide oversight for the dairy nutrient management program, and that the advisory and oversight committee be merged with the task force.

---

### **Summary of Substitute Bill:**

The Dairy Nutrient Management Task Force is created and terminates June 30, 2004. It supplements the existing membership on the task force with those members of the advisory committee that were not represented on the task force. Those members are:

- a representative of a local health department;
- a representative of commercial shellfish growers;
- a representative of the U.S. Environmental Protection Agency, at the agency's discretion; and
- a representative of the U.S. Natural Resources Conservation Service, at that agency's discretion.

By December 31, 2002, the task force is required to provide recommendations to the department and to the Legislature on a list of enumerated topics related to implementation of the Dairy Nutrient Management Act (chapter 90.64 RCW).

By September 1, 2000, the Department of Ecology is required to provide a report to the task force on the disposition of penalties from dairy producers for violations of chapters 90.48 and 90.64 RCW.

By September 1, 2000, the Office of Financial Management is required to provide recommendations to the task force on ways to provide adequate funding through June 30, 2004, for the Dairy Nutrient Management Task Force to meet statutory deadlines.

Staff support is provided by the Conservation Commission.

**Substitute Bill Compared to Original Bill:** A list of issues is provided for the task force to address. By December 31, 2000, the task force must provide recommendations to the Department of Ecology and to the Legislature on:

- clarification of key terms;
- how frequently plans should be updated;
- in what account(s) penalties should be deposited;
- to what extent engineering expertise is needed in dairy nutrient management planning;
- identification of sources of funding for program implementation;
- how to address responsibility for contamination from neighboring farms;
- clarification of the duties of the department as they pertain to initial inspections of dairy farms; and
- any other issues deemed important by the task force.

Staffing for the task force is changed from the Department of Ecology to the Conservation Commission.

---

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The task force should continue to study issues related to implementation of the dairy nutrient management program.

**Testimony Against:** None.

**Testified:** Dick Wallace, Department of Ecology.