

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5944**

61st Legislature  
2009 Regular Session

Passed by the Senate March 7, 2009  
YEAS 44 NAYS 0

---

**President of the Senate**

Passed by the House April 1, 2009  
YEAS 96 NAYS 1

---

**Speaker of the House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5944** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

**SENATE BILL 5944**

---

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** Senators Ranker, Brandland, Hargrove, Morton, Haugen, Shin, Fraser, Pridemore, Kastama, Kilmer, Jacobsen, Rockefeller, Sheldon, Kauffman, Berkey, Kline, Hobbs, and Marr

Read first time 02/09/09. Referred to Committee on Environment, Water & Energy.

1            AN ACT Relating to Lake Whatcom phosphorus loading; adding a new  
2 section to chapter 90.71 RCW; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that:

5            (a) The Puget Sound 2020 action agenda identifies water pollution  
6 as a primary threat to the health of Puget Sound and restoration of  
7 polluted waters as a top priority;

8            (b) Lake Whatcom is the drinking water reservoir for the city of  
9 Bellingham and the Lake Whatcom watershed provides fresh drinking water  
10 to one-half the population of Whatcom county;

11           (c) Whatcom creek flows out of Lake Whatcom and directly into  
12 Bellingham Bay which is the subject of a multiagency clean-up effort,  
13 the Bellingham Bay demonstration pilot project;

14           (d) The Puget Sound 2020 action agenda's area profile for Whatcom  
15 county identifies phosphorous pollution of Lake Whatcom as a key  
16 threat;

17           (e) Silver Beach creek is a major tributary to Lake Whatcom and its  
18 watershed is shared by the city of Bellingham and Whatcom county;

1 (f) Two decades of monitoring has shown that Silver Beach creek has  
2 some of the highest phosphorus loading of Lake Whatcom tributaries;

3 (g) Implementation of the recently completed watershed management  
4 plan and water cleanup plan for Lake Whatcom is identified as a  
5 priority strategy in the Puget Sound 2020 action agenda's priorities  
6 for Whatcom county; and

7 (h) Implementation of operations and management plans to manage on-  
8 site sewage systems around Lake Whatcom is identified as a key  
9 restoration strategy in Whatcom county.

10 (2) The legislature intends by this act to assist the city of  
11 Bellingham and Whatcom county in implementing a demonstration program  
12 to reduce phosphorus loading in the Lake Whatcom and Whatcom creek  
13 watershed and to share the lessons learned from this program with other  
14 jurisdictions in the Puget Sound basin working to reduce phosphorus  
15 loading.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.71 RCW  
17 to read as follows:

18 (1) The partnership shall assist the city of Bellingham and Whatcom  
19 county to implement a demonstration program regarding phosphorus  
20 loading into Lake Whatcom. The partnership shall assist the city and  
21 county to secure funding from federal and nongovernmental sources and  
22 work to secure funding commitments from the city and county as well.  
23 The demonstration program must be implemented by the city and the  
24 county and include elements for prevention, education, compliance, and  
25 monitoring to reduce to a minimum the introduction of phosphorus-  
26 bearing materials into Lake Whatcom. The partnership shall share the  
27 results of this program with other jurisdictions in Puget Sound seeking  
28 to reduce phosphorus loading.

29 (2) Any grant made under this section must be matched by at least  
30 an equal amount from nonstate sources.

--- END ---