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**SENATE BILL 5991**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Becker, and Brown

AN ACT Relating to activities at the department of transportation funded by the environmental legacy stewardship account; reenacting and amending RCW 70.105D.170; providing an effective date; providing a contingent effective date; and declaring an emergency.

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

**Sec.**  RCW 70.105D.170 and 2013 2nd sp.s. c 28 s 1, 2013 2nd sp.s. c 19 s 7042, and 2013 2nd sp.s. c 4 s 991 are each reenacted and amended to read as follows:

(1) The environmental legacy stewardship account is created in the state treasury. Beginning July 1, 2013, and every fiscal year thereafter, the annual amount received from the tax imposed by RCW 82.21.030 that exceeds one hundred forty million dollars must be deposited into the environmental legacy stewardship account, twenty percent of which must be used solely for the purposes identified in subsection (2) (e) and (f) of this section beginning July 1, 2015, and every fiscal year thereafter. The state treasurer may make periodic deposits into the environmental legacy stewardship account based on forecasted revenue. Moneys in the account may only be spent after appropriation.

(2) Moneys in the environmental legacy stewardship account may be spent on:

(a) Grants or loans to local governments for performance and outcome-based projects, model remedies, demonstration projects, procedures, contracts, and project management and oversight that result in significant reductions in the time to complete compared to baseline averages;

(b) Purposes authorized under RCW 70.105D.070 (3) and (4);

(c) Grants or loans awarded through a competitive grant program administered by the department to fund design and construction of low-impact development retrofit projects and other high quality projects that reduce storm water pollution from existing infrastructure. The competitive grant program must apply criteria to review, rank, and prioritize projects for funding based on their water quality benefits, ecological benefits, and effectiveness at reducing environmental degradation; ((~~and~~))

(d) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment;

(e) Legacy storm water permit compliance activities at the department of transportation; and

(f) Fish passage barrier removal activities at the department of transportation.

(3) Except as provided under RCW 70.105D.070(3) (k) and (q), nothing in chapter 1, Laws of 2013 2nd sp. sess. expands the ability of a potentially liable person to receive public funding.

(4) Moneys in the environmental legacy stewardship account may also be used as follows:

(a) During the 2013-2015 fiscal biennia, shoreline update technical assistance and for local government shoreline master program update grants;

(b) During the 2013-2015 fiscal biennium, solid and hazardous waste compliance at the department of corrections;

(c) During the 2013-2015 fiscal biennium, activities at the department of fish and wildlife concerning water quality monitoring, hatchery water quality regulatory compliance, and technical assistance to local governments on growth management and shoreline management;

(d) During the 2013-2015 fiscal biennium, forest practices regulation and aquatic land investigation and cleanup activities at the department of natural resources.

(5) For the 2013-2015 fiscal biennium, moneys in the environmental legacy stewardship account may be transferred to the local toxics control account.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec.**  This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted June 30, 2015.

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