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State of Washington

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By Senators Williams, McCaslin, Fraser, Talmadge, M. Rasmussen, Moore, Deccio, Sutherland, Barr and Franklin

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1 TO THE HONORABLE BILL CLINTON, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of
6 the State of Washington, in legislative session assembled, respectfully
7 represent and petition as follows:

8 WHEREAS, The Congress has enacted comprehensive national
9 legislation protecting public health and preserving the environment,
10 including such measures as the Safe Drinking Water Act, the Clean Water
11 Act, the Resource Conservation and Recovery Act, the Clean Air Act, the
12 Toxic Substance Control Act, and the Federal Insecticide, Fungicide,
13 and Rodenticide Act; and

14 WHEREAS, The provisions of each of these measures and other similar
15 measures envision a partnership and shared responsibility between the
16 federal government and state governments for assuring that their
17 objectives be attained and that they are best administered at the state
18 or local level where the issues, problems, and remedies under each are
19 best understood; and

20 WHEREAS, The State of Washington has formally accepted the
21 delegation of responsibility from the federal government for

1 administration and enforcement under these and other similar measures;
2 and

3 WHEREAS, Each of these programs contains an express or implied
4 promise of adequate federal resources to the states to assure full
5 implementation of their requirements; and

6 WHEREAS, The costs to the states of administering each of these
7 programs is escalating rapidly, while the level of support and funding
8 to the states from the federal government for these programs is either
9 declining or failing to keep pace with the cost of new requirements
10 being imposed at the federal level; and

11 WHEREAS, It is incumbent upon the federal government, as part of
12 its shared responsibility with state and local governments to assure
13 safe drinking water; clean air; clean rivers, streams, and aquifers;
14 safe disposal of contaminants; and the general health and safety of the
15 citizens of this country, to provide adequate resources to the states
16 that have accepted delegation of responsibility for enforcement of
17 these federal programs with the understanding that the delegation
18 includes a commitment by the federal government to provide such
19 resources; and

20 WHEREAS, The Washington State Department of Health has determined
21 that it will need to approximately double its budget and increase its
22 budget by eight million six hundred thousand dollars over the next two
23 years simply to provide adequate staff to carry out its mandates under
24 the Safe Drinking Water Act administered by the Environmental
25 Protection Agency; and

26 WHEREAS, The Washington State Department of Health conducted a
27 Public Water System Needs Assessment in 1992, which concluded that the
28 state's water systems will need to incur additional capital
29 expenditures of six hundred eighty-six million dollars between 1993 and
30 1999 because of new requirements under the Safe Drinking Water Act,
31 including millions of dollars for surface water treatment and other
32 Safe Drinking Water Act requirements in 1993; and

33 WHEREAS, The costs incurred under these Safe Drinking Water Act
34 requirements, both to the Department of Health and to the state's
35 public water systems, may not be related to significant risks to the
36 public health that exist in the State of Washington; and

37 WHEREAS, The federal government is proposing only modest increases
38 in the federal grant to the State of Washington and other states for

1 administering the Safe Drinking Water Act, in the face of major
2 increases in costs to the state; and

3 WHEREAS, The federal government currently has no comprehensive and
4 large-scale program of financial assistance to public water systems
5 that will be forced to incur major capital costs for Safe Drinking
6 Water Act compliance; and

7 WHEREAS, States are faced with major increased costs for
8 administering many of these federal programs simultaneously and in the
9 face of increasingly difficult fiscal situations; and

10 WHEREAS, The State of Washington is currently facing a budget
11 deficit of approximately one and one-half billion to two billion
12 dollars in a total budget of approximately sixteen billion dollars,
13 which is forcing many painful decisions on budget cuts and tax or other
14 revenue increases; and

15 WHEREAS, Both the Safe Drinking Water Act and the Clean Water Act
16 are due for federal reauthorization; and

17 WHEREAS, The National Governors Conference in 1992 adopted an
18 eight-point program with regard to reauthorization of the Safe Drinking
19 Water Act that addresses many of these issues; and

20 WHEREAS, President Clinton has announced a program to provide both
21 short-term and long-term investment into the infrastructure of this
22 country, including its water systems; and

23 WHEREAS, The State of Washington desires to maintain the high
24 quality of its waters and environment and the high level of health of
25 its citizens;

26 NOW, THEREFORE, Your Memorialists respectfully pray that the
27 President and the Congress of the United States:

28 (1) Review in a comprehensive fashion the Safe Drinking Water Act
29 and other similar measures to assess the impact upon the states, local
30 governments, and others subject to their provisions of the costs of
31 complying with them and whether such costs are justified by the risk
32 being addressed;

33 (2) Substantially increase to the states the amount of resources
34 necessary to implement federal programs, so that the state financial
35 burden is restored to the levels and proportions originally
36 contemplated under such legislation;

37 (3) Study and implement, where appropriate, modified delegation and
38 enforcement of federal laws to reflect the state's ability to implement
39 and enforce all or a portion of such federal laws;

1 (4) Require that federal agencies accept the responsibility for
2 implementation and enforcement of federal laws where the federal
3 government has not provided adequate resources for the state to do so;

4 (5) Reauthorize the Safe Drinking Water Act, incorporating the
5 recommendations of the National Governors Conference with regard to
6 additional flexibility in state enforcement, increased efficiency in
7 the operation of the Safe Drinking Water Act program, and increased
8 resources to the states and water systems to meet the Safe Drinking
9 Water Act requirements; and

10 (6) Make substantial funding available, for both 1993 and long-term
11 needs, to water systems that are required to make capital improvements
12 to their systems because of provisions of the Safe Drinking Water Act.

13 BE IT RESOLVED, That copies of this Memorial be immediately
14 transmitted to the Honorable Bill Clinton, President of the United
15 States, the President of the United States Senate, the Speaker of the
16 House of Representatives, and each member of Congress from the State of
17 Washington.

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