

SENATE BILL REPORT

SHJM 4036

As Reported By Senate Committee On:
Natural Resources, Energy & Water, February 18, 2004

Brief Description: Requesting federal funding to help implement certain Clean Water Act requirements.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Rockefeller, Chase, Morrell and Kagi).

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/18/04 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Majority Report: Do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Fraser, Honeyford, Oke and Regala.

Staff: Richard Rodger (786-7461)

Background: The federal Clean Water Act (CWA) establishes the National Pollutant Discharge Elimination System (NPDES) permit program to regulate wastewater discharges from point sources to surface waters.

The federal CWA and implementing EPA storm water regulations established two phases for NPDES permit issuance to control storm water discharges from various entities. Phase I permits were issued to cover storm water discharges from certain industries, construction sites involving five or more acres, and municipalities operating municipal separate storm sewer systems (MS4s) with a population greater than 100,000. Public entities covered under Phase I include King County, Pierce County, Snohomish County, Clark County, City of Seattle, City of Tacoma, and the Washington Department of Transportation facilities in the named jurisdictions.

Phase II NPDES permits are required for construction sites disturbing between one and five acres and for municipalities with greater than 1,000 population that operate MS4s discharging to surface waters, are located in "census defined urbanized areas" as defined in federal regulations, and meet certain criteria.

Summary of Bill: The Legislature requests that the federal government provide the state of Washington and Washington cities and counties with adequate funding to fully implement the MS4 permit requirements of the federal CWA and its implementing regulations. Some actual and projected costs of compliance with these federal requirements are identified.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: Representative Kelli Linville, prime sponsor; Dave Williams, Association of Washington Cities (pro).

Testimony Against: None.

Testified: The federal government has passed Clean Water Act requirements that are very expensive for the state and local governments to implement. The state needs to take a strong position regarding the federal duty to fund these federal requirements. Cities are ready to implement the new storm water requirements but do not have adequate resources to cover these additional costs.