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**HOUSE BILL 2290**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Dye, Wilcox, Chapman, Kretz, Barkis, and Barnard

AN ACT Relating to providing funding for salmon recovery through a fee assessed on municipal discharges of untreated sewage into Puget Sound; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

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

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

(a) Puget Sound, and the complex ecosystem it houses, provides a unique resource of significant environmental, economic, recreational, cultural, and aesthetic value to Washington;

(b) Salmon recovery and the restoration of Puget Sound requires a collaborative approach to address each of the various threats to the survival of salmon;

(c) The environmental impact of untreated wastewater discharges from wastewater treatment plants and combined sewer overflow systems is one of the many challenges facing Puget Sound; and

(d) Salmon need clean and uncontaminated water to thrive. The pollution entering Puget Sound from untreated sewage discharges impacts sensitive ecosystems by decreasing dissolved oxygen to the detriment of aquatic species. This contamination also harms treaty-protected rights and threatens economic activity important to the rural economy, including shellfish growing.

(2) Therefore, it is the intent of the legislature to levy a fee on discharges of untreated sewage to Puget Sound in order to defray the costs incurred by the discharge of untreated sewage and to use those funds to improve salmon habitat. We must ensure Washington state fulfills its treaty promises and protects this keystone species that plays a critical role in the Puget Sound ecosystem.

NEW SECTION. **Sec.**  A new section is added to chapter 90.48 RCW to read as follows:

(1) The department shall levy upon every discharger of untreated sewage a fee of one cent for every gallon of discharge contaminated by untreated sewage, provided that the following conditions are met:

(a) The source of the discharge is a municipal combined sewer overflow system or a municipal wastewater treatment plant; and

(b) The receiving water body is Puget Sound or a water body in hydrological continuity with Puget Sound.

(2) The fee levied pursuant to this section is separate and apart from any other fee or civil penalty that may be assessed pursuant to any other provision of law, court order, or consent decree.

(3) Funds that accrue to the state from fees levied pursuant to this section must be deposited into the salmon recovery account created in RCW 77.85.170.

(4)(a) The department shall adopt such rules as may be necessary to implement this section.

(b) In addition to any other rules the department may adopt pursuant to this section, the department must adopt rules that address the following topics:

(i) The establishment of requirements, to the extent that the department does not already require this information, that operators of municipal wastewater treatment plants and municipal combined sewer overflow systems within the Puget Sound watershed provide to the department annual aggregated reports of discharges into state waters of untreated sewage during the previous calendar year; and

(ii) The creation of a uniform method of calculating, for the purpose of penalties assessed pursuant to this section, gallons of untreated sewage content in discharges from combined sewer overflow systems.

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