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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

Read first time 01/10/24. Referred to Committee on Environment & Energy.

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

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

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

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

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

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

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

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

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.48  
8 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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