
HOUSE BILL 1365

State of Washington

68th Legislature

2023 Regular Session

By Representative Dye

1 AN ACT Relating to improving Puget Sound water quality; adding a
2 new section to chapter 90.48 RCW; adding a new section to chapter
3 43.21A RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the 2007
6 legislature formally established a goal for the state that the health
7 of Puget Sound be restored by 2020. The state has not yet achieved
8 this goal, as evidenced by the numerous locations within Puget Sound
9 that are listed as impaired waters that fail to meet federal water
10 quality standards. A variety of expensive hurdles remain in place
11 that have challenged the political will to succeed in cleaning up
12 Puget Sound. Primary among these hurdles are the significant volumes
13 of untreated sewage that wastewater treatment systems continue to
14 discharge into Puget Sound as a result of system failure events, and
15 the lack of infrastructure and processes to remove nutrients from
16 wastewater at treatment facilities, even where facilities are
17 functioning as intended. The department of ecology has recently
18 finalized a permit that would begin to require monitoring of nutrient
19 discharges and minor changes to begin to address the nutrient
20 discharge problem.

1 (2) Therefore, it is the intent of the legislature to expedite
2 nutrient discharge reduction activities towards the achievement of
3 nutrient-related water quality standards across Puget Sound.
4 Furthermore, in order to ensure that the costs of these water quality
5 improvements do not fall solely on local governments and utility
6 ratepayers, it is the intent of the legislature to prioritize climate
7 commitment act revenues towards nutrient discharge reductions.

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

10 (1) Each operator of a municipal wastewater sewerage system that
11 discharges untreated sewage or mixtures of untreated stormwater and
12 sewage into state waters must submit a report to the department by
13 February 1st of each year, covering the discharges from the system
14 during the previous calendar year. The report submitted to the
15 department must identify the location of each discharge, the
16 estimated volume of the discharge, the measured impacts to coliform
17 levels and other water quality metrics from the pollution, and any
18 beach closures or other impacts to recreational uses of state waters
19 resulting from the discharge.

20 (2) By July 1st of each year, relying on the reports submitted to
21 the department under subsection (1) of this section, the department
22 must complete a summary report and provide the summary report to
23 major news media outlets in Washington, post the summary report on
24 its website, and submit the summary report to the appropriate
25 committees of the legislature consistent with RCW 43.01.036. The
26 summary report must:

27 (a) Summarize the impacts of the preceding year's discharges of
28 untreated sewage into Puget Sound;

29 (b) Include the number of water body segments on the department's
30 section 303(d) list relative to the total number of water body
31 segments in Puget Sound; and

32 (c) Analyze the extent to which untreated discharges from
33 municipal wastewater sewerage systems to Puget Sound contribute to
34 the impairment and listing of section 303(d) water body segments in
35 Puget Sound.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A
37 RCW to read as follows:

1 (1) The office of Puget Sound water quality is established within
2 the department. The office of Puget Sound water quality has the
3 authority to:

4 (a) Provide technical assistance to local governments and other
5 municipal wastewater treatment system operators discharging nutrients
6 into Puget Sound in support of their efforts to reduce nutrient
7 discharges into Puget Sound;

8 (b) Identify funding opportunities, including private and
9 federal, state, and local public funds available for use for the
10 purposes of this section;

11 (c) Assist municipal wastewater treatment system operators with
12 water quality grant and loan opportunities;

13 (d) Take all appropriate steps to seek and apply for federal
14 funds for which the office of Puget Sound water quality is eligible,
15 and other grants, and accept donations; and

16 (e) Collaborate with the Puget Sound partnership, programs within
17 the department, and other applicable state agencies.

18 (2) Each year, the office of Puget Sound water quality is
19 responsible for making grants for municipal wastewater nutrient
20 discharge reduction projects. To the extent that appropriated moneys
21 are not sufficient to fully fund all projects proposed by system
22 operators, the department must distribute funds with prioritization
23 given to projects that are:

24 (a) The most cost-effective at reducing nutrients in municipal
25 wastewater discharge; and

26 (b) Capable of most expeditiously achieving nutrient reductions
27 in municipal wastewater discharge.

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