

# SENATE BILL REPORT

## SB 5944

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As Reported by Senate Committee On:  
Environment, Water & Energy, February 25, 2009

**Title:** An act relating to Lake Whatcom phosphorus loading.

**Brief Description:** Implementing a demonstration project to reduce phosphorus loading in Lake Whatcom.

**Sponsors:** Senators Ranker, Brandland, Hargrove, Morton, Haugen, Shin, Fraser, Pridemore, Kastama, Kilmer, Jacobsen, Rockefeller, Sheldon, Kauffman, Berkey, Kline, Hobbs and Marr.

**Brief History:**

**Committee Activity:** Environment, Water & Energy: 2/18/09, 2/25/09 [DP].

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### SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

**Majority Report:** Do pass.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Fraser, Holmquist, Marr, Morton, Ranker and Sheldon.

**Staff:** Karen Epps (786-7424)

**Background:** In 2007 the Legislature adopted ESSB 5372, creating the Puget Sound Partnership (Partnership). The Partnership is tasked with cleaning up and restoring Puget Sound by the year 2020. The Partnership is governed by the Leadership Council, seven members chosen from around Puget Sound and appointed by the Governor. The Leadership Council developed the initial 2020 Plan and the Action Agenda. The Action Agenda identifies and prioritizes those actions which are necessary to achieve the aims of the 2020 Plan.

In Whatcom County, the Action Agenda recommends the implementation of a watershed management plan, the implementation of a storm water runoff plan, and taking steps to manage on-site sewage systems in the Lake Whatcom watershed. The Lake Whatcom watershed supplies freshwater to half of the county's population. Additionally, Lake Whatcom is the drinking water reservoir for the City of Bellingham.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** The Partnership must assist Bellingham and Whatcom County in implementing a demonstration program regarding phosphorus loading into Lake Whatcom. The Partnership must assist the city and county in securing funding from federal and nongovernmental sources and work to secure funding commitments from the city and county as well. The demonstration program must include elements for prevention, education, compliance, and monitoring to reduce to a minimum the introduction of phosphorus-bearing materials into Lake Whatcom. Any grant made under this section must be matched by at least an equal amount from nonstate sources.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2009.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill is designed to encourage projects that are jointly funded by the city and the county and the water district. The city and the county have identified a combination of programs in an effort to reduce the source load of phosphorus into the lake. The proposal of demonstration projects will successfully apply a whole suite of management tools in order to achieve the desired improvements in water quality in Lake Whatcom. These results will be scalable to other communities in the Puget Sound region. This is a good pilot project on an important factor that is troubling the entire Sound. This will implement things in the Action Agenda that are very meaningful and then can be scaled. This project was specifically called out in the Action Agenda and it is exciting to see we are now in the process of getting some of these things done on the ground.

**Persons Testifying:** PRO: Senator Ranker, prime sponsor; Clare Fogelsong, city of Bellingham; Jon Hutchings, Whatcom County; David Dicks, Puget Sound Partnership.