
SECOND SUBSTITUTE HOUSE BILL 1817

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Chandler, Kessler, Alexander, Linville, DeBolt, O'Brien, Skinner, Wolfe, McMorris, Ogden, D. Sommers, Hankins, Cooke and Mason)

Read first time 03/10/97.

1 AN ACT Relating to a reclaimed water demonstration program;
2 amending RCW 90.46.005; adding a new section to chapter 90.46 RCW; and
3 creating a new section.

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

5 **Sec. 1.** RCW 90.46.005 and 1995 c 342 s 1 are each amended to read
6 as follows:

7 The legislature finds that by encouraging the use of reclaimed
8 water while assuring the health and safety of all Washington citizens
9 and the protection of its environment, the state of Washington will
10 continue to use water in the best interests of present and future
11 generations.

12 To facilitate the use of reclaimed water as soon as is practicable,
13 the legislature encourages the cooperative efforts of the public and
14 private sectors and the use of pilot projects to effectuate the goals
15 of this chapter. The legislature further directs the department of
16 health and the department of ecology to coordinate efforts towards
17 developing an efficient and streamlined process for creating and
18 implementing processes for the use of reclaimed water.

1 It is hereby declared that the people of the state of Washington
2 have a primary interest in the development of facilities to provide
3 reclaimed water to replace potable water in nonpotable applications, to
4 supplement existing surface and ground water supplies, and to assist in
5 meeting the future water requirements of the state.

6 The legislature further finds and declares that the utilization of
7 reclaimed water by local communities for domestic, agricultural,
8 industrial, recreational, and fish and wildlife habitat creation and
9 enhancement purposes, including wetland enhancement, will contribute to
10 the peace, health, safety, and welfare of the people of the state of
11 Washington. To the extent reclaimed water is appropriate for
12 beneficial uses, it should be so used to preserve potable water for
13 drinking purposes. Use of reclaimed water constitutes the development
14 of new basic water supplies needed for future generations.

15 The legislature further finds and declares that the use of
16 reclaimed water is not inconsistent with the policy of antidegradation
17 of state waters announced in other state statutes, including the water
18 pollution control act, chapter 90.48 RCW and the water resources act,
19 chapter 90.54 RCW.

20 The legislature finds that other states, including California,
21 Florida, and Arizona, have successfully used reclaimed water to
22 supplement existing water supplies without threatening existing
23 resources or public health.

24 It is the intent of the legislature that the department of ecology
25 and the department of health undertake the necessary steps to encourage
26 the development of water reclamation facilities so that reclaimed water
27 may be made available to help meet the growing water requirements of
28 the state.

29 The legislature further finds and declares that reclaimed water
30 facilities are water pollution control facilities as defined in chapter
31 70.146 RCW and are eligible for financial assistance as provided in
32 chapter 70.146 RCW. The legislature finds that funding demonstration
33 projects will ensure the future use of reclaimed water. The
34 demonstration projects in section 2 of this act are varied in nature
35 and will provide the experience necessary to test different facets of
36 the standards and refine a variety of technologies so that water
37 purveyors can begin to use reclaimed water technology in a more cost-
38 effective manner. This is especially critical in smaller cities and

1 communities where the feasibility for such projects is great, but there
2 are scarce resources to develop the necessary facilities.

3 The legislature finds that negative public perception related to
4 the use of reclaimed water for the production of food crops has
5 potential to cause economic loss for farmers and liability for
6 irrigation districts supplying water which has been commingled with
7 reclaimed water. To limit this potential harm, federal bureau of
8 reclamation requirements must be met for reclaimed water delivered or
9 discharged to federal reclamation project facilities or lands by the
10 demonstration projects.

11 NEW SECTION. Sec. 2. A new section is added to chapter 90.46 RCW
12 to read as follows:

13 (1) The department of ecology shall establish and administer a
14 reclaimed water demonstration program for the purposes of funding and
15 monitoring the progress of five demonstration projects. The department
16 shall work in cooperation with the department of health.

17 (2) The five demonstration projects will be:

18 (a) The city of Ephrata, to use class A reclaimed water for surface
19 spreading that will recharge the groundwater and reduce the nitrate
20 concentrations that currently exceed drinking water standards in
21 domestic wells;

22 (b) Lincoln county, for a study of the use of reclaimed water to
23 transport twenty-two million gallons a day from Spokane to water
24 sources that will rehydrate and restore long depleted streambeds and
25 eventually become part of the Columbia basin project water;

26 (c) The city of Royal City to replace an interim emergency
27 sprayfield by using one hundred percent of its discharge as class A
28 reclaimed water to augment irrigation water in the summer, enhance
29 local wetlands and lakes in the winter, and potentially irrigate a golf
30 course;

31 (d) The city of Sequim to implement a tertiary treatment system and
32 reuse one hundred percent of the city's wastewater to reopen an
33 existing shellfish closure area to benefit state and tribal resources,
34 improve streamflows in the Dungeness river, and provide a sustainable
35 water supply for irrigation purposes;

36 (e) The city of Yelm to use one hundred percent of its wastewater
37 to provide alternative water supply for irrigation and industrial uses
38 in order to offset increased demand for water supply, to protect the

1 Nisqually river chum salmon runs, and to develop experimental
2 artificial wetlands to test low cost treatment options.

3 (3) By September 30, 1997, the department of ecology shall enter
4 into a grant agreement with the demonstration project jurisdictions
5 that includes reporting requirements, timelines, and a fund
6 disbursement schedule based on the agreed project milestones.

7 (4) Upon completion of the projects, the department of ecology
8 shall report to the appropriate committees of the legislature on the
9 results of the program.

10 (5) Demonstration projects which will discharge or otherwise
11 deliver reclaimed water to federal reclamation project facilities or
12 lands shall meet the requirements of the federal bureau of reclamation
13 for such discharges or deliveries.

14 (6) No irrigation district, its directors, officers, employees, or
15 agents operating and maintaining irrigation works for any purpose
16 authorized by law, including the production of food for human
17 consumption and other agricultural and domestic purposes, is liable for
18 damages to persons or property arising from the implementation of the
19 demonstration projects in this section.

20 NEW SECTION. **Sec. 3.** If specific funding for purposes of this
21 act, referencing this act by bill or chapter number, is not provided by
22 June 30, 1997, in the supplemental or biennial omnibus appropriations
23 act or the capital appropriations act, this act is null and void.

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