

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE HOUSE BILL 1817**

55th Legislature  
1997 Regular Session

Passed by the House April 21, 1997  
Yeas 89 Nays 0

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**Speaker of the  
House of Representatives**

Passed by the Senate April 14, 1997  
Yeas 45 Nays 1

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1817** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SECOND SUBSTITUTE HOUSE BILL 1817**

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Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

**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; and adding a new section to chapter 90.46 RCW.

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

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

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

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

18       It is hereby declared that the people of the state of Washington  
19 have a primary interest in the development of facilities to provide

1 reclaimed water to replace potable water in nonpotable applications, to  
2 supplement existing surface and ground water supplies, and to assist in  
3 meeting the future water requirements of the state.

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

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

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

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

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

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

3        (1) The department of ecology shall establish and administer a  
4 reclaimed water demonstration program for the purposes of funding and  
5 monitoring the progress of five demonstration projects. The department  
6 shall work in cooperation with the department of health.

7        (2) The five demonstration projects will be:

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

12        (b) Lincoln county, for a study of the use of reclaimed water to  
13 transport twenty-two million gallons a day from Spokane to water  
14 sources that will rehydrate and restore long depleted streambeds;

15        (c) The city of Royal City to replace an interim emergency  
16 sprayfield by using one hundred percent of its discharge as class A  
17 reclaimed water to enhance local wetlands and lakes in the winter, and  
18 potentially irrigate a golf course;

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

24        (e) The city of Yelm to use one hundred percent of its wastewater  
25 to provide alternative water supply for irrigation and industrial uses  
26 in order to offset increased demand for water supply, to protect the  
27 Nisqually river chum salmon runs, and to develop experimental  
28 artificial wetlands to test low cost treatment options.

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

33        (4) Upon completion of the projects, the department of ecology  
34 shall report to the appropriate committees of the legislature on the  
35 results of the program.

36        (5) Demonstration projects which will discharge or otherwise  
37 deliver reclaimed water to federal reclamation project facilities or  
38 irrigation district facilities shall meet the requirements of the  
39 facilities' operating entity for such discharges or deliveries.

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

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