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HOUSE BILL 2737

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Linville, B. Chandler, G. Chandler and Koster

Read first time 01/19/2000. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to the dairy nutrient management task force;  
2 amending 1999 c 262 s 3 (uncodified); adding a new section to chapter  
3 90.64 RCW; and providing an expiration date.

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

5 **Sec. 1.** 1999 c 262 s 3 (uncodified) is amended to read as follows:

6 (1) A dairy nutrient management task force is created. The task  
7 force shall be comprised of (~~eleven~~) up to fifteen members, who are  
8 appointed as follows:

9 (a) Two members of the house of representatives, one from each  
10 major caucus, appointed by the co-speakers of the house of  
11 representatives;

12 (b) Two members of the senate, one from each major caucus,  
13 appointed by the president of the senate;

14 (c) A representative of the department of ecology, appointed by the  
15 director of ecology;

16 (d) A representative of the state conservation commission,  
17 appointed by its executive secretary;

18 (e) A representative of local conservation districts, appointed by  
19 the president of a state-wide association of conservation districts;

1 (f) A representative of local health departments, appointed by the  
2 Washington state association of local public health officials;

3 (g) A representative of commercial shellfish growers, appointed by  
4 a state-wide organization representing oyster growers;

5 (h) Three active dairy farmers, appointed by a state-wide  
6 organization representing dairy farmers in the state, who shall be from  
7 different regions and different sizes of dairy operations; ((and

8 (g))) (i) A representative of an environmental interest  
9 organization with familiarity and expertise in water quality issues,  
10 appointed by agreement of the co-speakers of the house of  
11 representatives and the president of the senate;

12 (j) A representative of the United States environmental protection  
13 agency, appointed by the regional director of the agency if the agency  
14 chooses to be represented on the task force; and

15 (k) A representative of the United States natural resources  
16 conservation service, appointed by the state conservationist of that  
17 agency for this state, if the agency chooses to be represented on the  
18 task force.

19 (2) The task force shall conduct a review of the dairy nutrient  
20 management program administered by the department of ecology, the  
21 conservation commission, and local conservation districts. The task  
22 force shall include but not be limited to examination of the following  
23 topics:

24 (a) Compliance with the deadlines established in chapter 262, Laws  
25 of 1998, for the development, implementation, and approval of dairy  
26 nutrient management plans, or deadlines established under other state  
27 water quality laws;

28 (b) Better assurance of consistency in interpretations between  
29 staff that conduct inspections, and between inspectors and staff that  
30 design and approve dairy nutrient management plans;

31 (c) What constitutes waters of the state for purposes of the dairy  
32 nutrient management program;

33 (d) Clarification of what constitutes a violation, including a  
34 review of the federal environmental protection agency guidance manual,  
35 and whether there must be an actual discharge and/or exceedance of  
36 state water quality standards;

37 (e) Clarification as to the circumstances under which dairy  
38 operations are responsible to control flood waters arising from outside

1 of the dairy operation to prevent mixing with dairy nutrients including  
2 flood waters that arise during major flood events;

3 (f) Clarification of the criteria applicable to dairy operations as  
4 to what constitutes a potential to pollute under RCW 90.48.120;

5 (g) A review of materials provided by state agencies to dairy  
6 farmers regarding dairy nutrient management inspections;

7 (h) Review changes in any standards utilized in the development and  
8 approval of dairy nutrient management plans; and

9 (i) The adequacy of funding to implement the dairy nutrient  
10 management program.

11 (3) By December 10, 1999, the task force shall:

12 (a) Provide recommendations to the department of ecology, to the  
13 conservation commission, and to local conservation districts for  
14 improvements in the implementation of the dairy nutrient management  
15 program; and

16 (b) Provide recommendations to the legislature on statutory changes  
17 to clarify and improve the operation of various facets of the program.

18 (4) The task force shall convene as soon as possible upon  
19 appointment of its members. The task force shall elect a chair and  
20 adopt rules for conducting the business of the task force. Staff  
21 support for the task force shall be provided by the department of  
22 ecology.

23 (5) This section expires (~~December 31, 1999~~) June 30, 2004.

24 NEW SECTION. **Sec. 2.** Section 1 of this act is added to chapter  
25 90.64 RCW.

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