

# HOUSE BILL REPORT

## SB 6609

---

---

**As Reported by House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to studies conducted by the department of ecology.

**Brief Description:** Allowing cost recovery in cases involving disputed department of ecology studies.

**Sponsors:** Senators Snyder, Deccio, T. Sheldon, Morton, Rasmussen, Honeyford, Hale and Hargrove.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 2/28/02 [DPA].

**Brief Summary of Bill**  
**(As Amended by House Committee)**

- Requires the Department of Ecology to involve local watershed planning groups, local governments, and affected citizens when conducting a water quality study.

---

### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 13 members: Representatives Linville, Chair; Hunt, Vice Chair; Schoesler, Ranking Minority Member; Chandler, Cooper, Delvin, Dunshee, Grant, Holmquist, Kirby, Quall, Roach and Sump.

**Staff:** Jason Callahan (786-7117).

**Background:**

The director of the Department of Ecology has the statutory authority to undertake any study dealing with all aspects of environmental problems involving land, water, or air. Such studies must be limited to the investigation of particular problems and may not be implemented by positive action.

---

**Summary of Amended Bill:**

The Department of Ecology is required to involve local watershed planning groups, local governments, and affected citizens when conducting a water quality study.

**Amended Bill Compared to Original Bill:**

The original bill contained an intent section and authorized local governments affected by studies conducted by the Department of Ecology to discuss and dispute the study's findings. Under the original bill, if the department was unresponsive to the local government's concerns, the affected parties would have been allowed to hire a consultant to review the study. If the consultant found that the study was flawed or was conducted in an unprofessional manner, the affected local governments would have been authorized to bring a court action to have the study disregarded. If the local government prevailed in this court action, the court would have been given discretionary authority to award the court costs and the consultant's fees to the local government.

---

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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

**Testimony For:** Local governments have a need for a mechanism that will hold the Department of Ecology accountable for the results of the studies it produces. The results of a study done on the water quality in Willipa Bay were flawed and not agreed to by outside experts. However, the regulatory effects of the study would discourage business expansion in the region.

In the past, the Department of Ecology has always been willing to come to the table and discuss issues, but they have not always been able to produce acceptable results. Therefore, the striking amendment is necessary, but perhaps not sufficient.

**Testimony Against:** None.

**Testified:** Commissioner Pat Hamilton, Pacific County; and Bryan Harrison, Pacific County.