
HOUSE BILL 2105

State of Washington

59th Legislature

2005 Regular Session

By Representatives Chase, DeBolt, Eickmeyer, Hinkle, Kessler, O'Brien, McCune, Ormsby, Hankins, Clements, Hasegawa, Ericks, Upthegrove, Moeller, Flannigan, Appleton, Hunt and McCoy

Read first time 02/17/2005. Referred to Committee on Select Committee on Hood Canal.

1 AN ACT Relating to including the Hood Canal area in the state's on-
2 site sewage grant program; amending RCW 90.71.100; and declaring an
3 emergency.

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

5 **Sec. 1.** RCW 90.71.100 and 2001 c 273 s 3 are each amended to read
6 as follows:

7 (1) The action team shall establish (~~(a shellfish)~~) an on-site
8 sewage grant program (~~(in)~~) for:

9 (a) Puget Sound;

10 (b) Mason, Jefferson, and Kitsap counties; and

11 (~~for~~) (c) Pacific and Grays Harbor counties.

12 (2) The action team shall provide funds to local health
13 jurisdictions to be used as grants to individuals for improving their
14 on-site sewage systems. The grants may be provided only in areas:

15 (a) That have the potential to adversely affect water quality in
16 commercial and recreational shellfish growing areas; and

17 (b) Within the watersheds that drain to Hood Canal south of a line
18 projected from Tala Point in Jefferson county to Foulweather Bluff in
19 Kitsap county.

1 (3) A recipient of a grant shall enter into an agreement with the
2 appropriate local health jurisdiction to maintain the improved on-site
3 sewage system according to specifications required by the local health
4 jurisdiction.

5 (4)(a) For grants provided in Puget Sound and Pacific and Grays
6 Harbor counties, the action team shall work closely with local health
7 jurisdictions and shall endeavor to attain geographic equity between
8 Willapa Bay and the Puget Sound when making funds available under this
9 program. For the purposes of this subsection, "geographic equity"
10 means issuing on-site sewage grants at a level that matches the funds
11 generated from the oyster reserve lands in that area.

12 ~~((+2))~~ (b) The action team may use funds appropriated by the
13 legislature for grants provided in Jefferson, Kitsap, and Mason
14 counties. The action team also may provide grants under this section
15 with any federal funds received for this program and any funds
16 generated from oyster reserve lands in these three counties.

17 (5) In the Puget Sound, the action team shall give first priority
18 to areas that are:

19 (a) Identified as "areas of special concern" under WAC 246-272-
20 01001; or

21 (b) Included within a shellfish protection district under chapter
22 90.72 RCW.

23 ~~((+3))~~ (6) In Grays Harbor and Pacific counties, the action team
24 shall give first priority to preventing the deterioration of water
25 quality in areas where commercial or recreational shellfish are grown.

26 ~~((+4))~~ (7) The action team and each participating local health
27 jurisdiction shall enter into a memorandum of understanding that will
28 establish an applicant income eligibility requirement for individual
29 grant applicants from within the jurisdiction and other mutually
30 agreeable terms and conditions of the grant program.

31 ~~((+5))~~ (8) The action team may recover the costs to administer
32 this program not to exceed ten percent of the shellfish - on-site
33 sewage grant program.

34 ~~((+6) For the 2001-2003 biennium, the action team may use up to~~
35 ~~fifty percent of the shellfish on-site sewage grant program funds for~~
36 ~~grants to local health jurisdictions to establish areas of special~~
37 ~~concern under WAC 246-272-01001, or for operation and maintenance~~
38 ~~programs therein, where commercial and recreational uses are present.))~~

1 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

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