
**Agriculture & Natural Resources
Committee**

HB 2676

Brief Description: Exempting dairy farms subject to the national pollutant discharge elimination system from shellfish protection district charges.

Sponsors: Representatives Morris, Quall, Linville and Pearson.

Brief Summary of Bill

- Exempts dairy farms subject to the Washington State Dairy Nutrient Management Act from fees or other charges imposed by shellfish protection districts.

Hearing Date: 1/23/08

Staff: Colleen Kerr (786-7168).

Background:

National Pollution Discharge Elimination System

As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources such as discrete conveyances like pipes in man-made ditches that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. The NPDES program applies to dairies with over 700 head of manure cows, and other specified dairy farms that discharge directly into waters or are otherwise significant contributors of pollution. In addition, the NPDES has numerous voluntary programs for agricultural producers.

Chapter 90.64 RCW: Dairy Nutrient Management

Washington requires the proper and effective management of dairy nutrients that affect the quality of surface groundwater. The Washington State Dairy Nutrient Management Act (WSDNMA) requires:

- All newly licensed dairies to have an approved Nutrient Management Plan (NMP) on site within 6 months of licensing, and a certified NMP on site within 2 years of licensing.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- All permitted confined animal feeding operations (CAFO's), dairy and non-dairy, to have a NMP that meets the CAFO permit requirements established by the Department of Ecology in their July 2006 General CAFO permit or in an individual CAFO permit.
- All dairies and CAFO's are required to have their livestock NMP and records on site.

The dairy NMP is designed to satisfy the requirements of the WSDNMA. The minimum requirements were established by the Conservation Commission in conjunction with technical advisors.

Chapter 90.72 RCW: Shellfish Protections Districts

Washington statute encourages, and in some cases requires, counties to establish shellfish protection districts and programs to curb the loss of shellfish beds by sources of nonpoint pollution. A shellfish protection district is a geographic area designated by a county to protect water quality and tideland resources. The district provides a mechanism to generate local funds for water quality services to control nonpoint sources of pollution. CAFO's subject to the NPDES are exempted from fees and other charges imposed by shellfish protection districts.

Summary of Bill:

Dairy farms subject to the WSDNMA are exempted from charges and other fees imposed by shellfish protection districts.

Appropriation: None.

Fiscal Note: Requested on 1/15/2008.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.