

SSB 5723 - S AMD 189
By Senator Schoesler

NOT CONSIDERED 05/25/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The directors of the department of
4 agriculture, the department of ecology, and the conservation commission
5 shall coordinate a process to examine the issue of achieving the
6 state's water quality objectives relating to livestock operations. The
7 directors shall determine what personnel are assigned to this activity
8 and may provide oversight to the process. In implementing this
9 process, the directors shall involve representatives of involved
10 agencies, stakeholders, and tribes. The topics to be considered
11 include:

12 (a) The appropriate background and training for personnel that
13 conduct inspections of and provide technical assistance to livestock
14 operators and whether personnel need to be specifically trained and
15 assigned to serve this function;

16 (b) The roles and relationships between technical assistance,
17 inspection, and enforcement, and the concept of customer service;

18 (c) The use, availability, and limitations of DNA testing as a
19 water quality diagnosis tool and the recommendation of water quality
20 testing protocols needed for livestock operations investigations;

21 (d) The availability and constraints of state and federal programs
22 for planning, installation, maintenance of conservation and pollution
23 control practices, and review of alternative practices;

24 (e) The extent of known water quality problems relating to
25 livestock operations;

26 (f) Best methods to achieve state water quality objectives in the
27 context of a system that includes both regulatory and incentive-based
28 approaches;

29 (g) A review of considerations used to determine water quality
30 standards, including those applicable to the shellfish industry; and

1 (h) The availability of state and federal funding and whether it is
2 being appropriately allocated.

3 (2) The directors identified in subsection (1) of this section
4 shall develop recommendations for the administration and improvement of
5 the program, including recommendations on the use of DNA technology.
6 The directors shall provide a written summary of the activities and
7 recommendations to the legislature and the governor by December 1,
8 2011.

9 (3) The activities under this section must be completed to the
10 extent feasible from within existing fiscal resources available to the
11 involved state agencies.

12 (4) This section expires December 31, 2011."

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13 On page 1, line 2 of the title, after "operations;" strike
14 "amending RCW 90.48.144;"

EFFECT: Removes provision that prior to imposing a civil penalty for a water quality violation to a livestock operation as a nonpoint source, the department of ecology must have received certain testing results. Adds the following to the topics to examine for livestock operations: (a) The recommendation of water quality testing protocols needed for livestock operations investigation; and (b) recommendations on the use of DNA technology.

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