
HOUSE BILL 1152

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Smith, Schmick, Blake, Warnick, Takko, Ross, Pearson, Short, Van De Wege, Orcutt, Bailey, Kristiansen, and McCune

Read first time 01/13/11. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to providing technical assistance to achieve
2 voluntary compliance with water pollution control statutes; and
3 amending RCW 90.48.080.

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

5 **Sec. 1.** RCW 90.48.080 and 1987 c 109 s 126 are each amended to
6 read as follows:

7 (1) Except as provided in subsection (2) of this section, it shall
8 be unlawful for any person to throw, drain, run, or otherwise discharge
9 into any of the waters of this state, or to cause, permit or suffer to
10 be thrown, run, drained, allowed to seep or otherwise discharged into
11 such waters any organic or inorganic matter that shall cause or tend to
12 cause pollution of such waters according to the determination of the
13 department, as provided for in this chapter.

14 (2) For lands on which livestock graze or seek feed in pastures,
15 fields, or rangeland, the department must first make a determination
16 that a water quality problem exists and that a violation under
17 subsection (1) of this section has occurred due to the presence of
18 livestock before any notice of violation or penalty may be assessed on
19 the property owner. When the department determines that a violation

1 has occurred or is about to occur, it shall first attempt to achieve
2 voluntary compliance by offering information and technical assistance
3 to the person in writing identifying one or more means to accomplish
4 the person's purposes within the framework of the law. If education
5 and technical assistance fail to remedy the problem, the department may
6 then issue a notice of violation under this chapter.

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