

HOUSE BILL REPORT

HB 1715

As Reported by House Committee On:
Environment

Title: An act relating to protecting Puget Sound through funding and implementing local on-site sewage program management plans.

Brief Description: Protecting Puget Sound through funding and implementing local on-site sewage program management plans.

Sponsors: Representatives Peterson, Fitzgibbon and S. Hunt; by request of Department of Health.

Brief History:

Committee Activity:

Environment: 2/12/15, 2/19/15 [DPS].

Brief Summary of Substitute Bill

- Establishes a mandatory fee of at least \$30 per year for on-site sewage systems located in Puget Sound counties.
- Authorizes counties that have already established septic system fees of less than \$30 to maintain their current fee levels.
- Directs fees to local health boards to implement on-site sewage management plans.
- Enables counties to establish a loan program with the Department of Health and Department of Ecology to assist homeowners in on-site sewage system maintenance and repairs.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell, Fey, Goodman and McBride.

Minority Report: Do not pass. Signed by 5 members: Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris, Pike and Taylor.

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.

Staff: Daniel Rusk (786-7290) and Jacob Lipson (786-7196).

Background:

Twelve counties in Washington are located within the Puget Sound basin. Within the basin, there are an estimated 600,000 on-site sewage systems (OSS). Local health jurisdictions administer regulations regarding OSS.

In 2005 the Department of Health (Department) reset standards and expectations regarding the management and care of OSS. These standards require an owner of an OSS to maintain the OSS and complete a full system evaluation every three years. In general, the owner bears the costs associated with repair and upkeep of the OSS.

Beginning in July 2007, local health boards in the 12 counties bordering the Puget Sound basin were required to develop an OSS management plan. The management plans are intended to help owners of an OSS evaluate and maintain their systems. When developing the management plans, the local health board must propose marine recovery areas where OSS are a significant contributing factor to concerns associated with: shellfish growing, marine waters with low-dissolved oxygen or fecal coliform, and waters where nitrogen is a contaminant. These local management plans must include information on how the local health jurisdiction will, among other things:

- maintain an inventory of all the OSS within the local health jurisdiction;
- identify areas where an OSS may pose an increased risk to public health;
- identify requirements for an OSS to address areas of increased risk; and
- help and encourage homeowners to inspect and maintain their OSS.

Each county was required to have its OSS management plan approved by the Department. The local health board in the counties bordering the Puget Sound may collect reasonable rates from OSS owners to help administer a management plan.

The Washington State Water Pollution Control Revolving Fund and the Centennial Clean Water Fund are loan programs funded by state and federal money that may be used for a variety of programs related to water quality.

Summary of Substitute Bill:

The local health board in the 12 counties bordering the Puget Sound must impose an annual fee of at least \$30 on owners of an OSS located within the Puget Sound basin. The fee may be imposed on areas of the counties located outside the basin. However, certain elderly persons and disabled veterans who are exempt from paying property taxes are exempt from paying this fee. Additionally, counties that adopted an on-site sewage fee prior to December 31, 2014, may maintain that charge if it is less than \$30. The local health board must use the fee for implementing an OSS management plan. This fee may not be used to finance OSS management plan services financed by another funding source. However, any existing fee that covers substantially the same service must be adjusted to account for this new fee.

The Department must review and approve local health boards' on-site sewage management plans to ensure that they meet specific standards to be set by the Department by rule. Once approved, or after 60 days without notification from the Department, the local health board must implement the management plan. The local health board must update these plans at least once every five years.

Additionally, the Department and counties may coordinate with the Department of Ecology to establish a low-interest loan program to help owners repair and replace their on-site sewage systems.

Substitute Bill Compared to Original Bill:

The substitute bill allows counties that implemented an on-site sewage system charge prior to December 31, 2014, to maintain that charge if it is less than \$30.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 20, 2015.

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

Staff Summary of Public Testimony:

(In support) The number of septic systems in the counties bordering the Puget Sound pose problems for water quality. The problems are well-documented and routine septic system maintenance to protect against these problems is not occurring. Additionally, the current funding system to address these problems is not adequate. Poor water quality poses issues to both shellfish and beaches, and a long-term funding program is needed to address these issues. This bill provides the necessary tools to continue to address water quality. It will help address this problem through two finance programs: local funding coming through an annual fee, and a low-interest loan program. The bill also ensures that the counties continue to update their management plans.

(Opposed) None.

Persons Testifying: Representative Peterson, prime sponsor; Jerrod Davis, Department of Health; Jeff Parsons, Puget Sound Partnership; Bill Dewey, Taylor Shellfish Farms; Keith Grellner, State Board of Health and Kitsap Public Health; Terri Jeffreys, Mason County; Art Starry, Thurston County Public Health; Bruce Wishart, Washington Environmental Council and Puget Sound Kelper; and Adrienne Thompson, Professional and Technical Employees Local 147.

Persons Signed In To Testify But Not Testifying: None.