

5545-S

Sponsor(s): Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Fraser and Kline)

Brief Title: Authorizing implementation of total maximum daily loads.

**SB 5545-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the federal clean water act requires the development of a total maximum daily load for those waters of the state that are impaired with pollutants and are listed subject to section 303(d) of the clean water act. In 1998, the federal environmental protection agency settled a lawsuit challenging the failure to develop total maximum daily loads under section 303(d) of the clean water act. The resulting consent decree established a fifteen-year timeline for the state of Washington to complete development of total maximum daily loads.

Declares an intent to meet the water quality standards within the established timeline or more quickly if possible by meeting established standards.

Provides that, in addition to developing total maximum daily loads, the legislature supports efforts of the state to attain water quality standards using other water pollution control programs that will result in meeting water quality standards sooner than the fifteen-year schedule under the consent decree.

Directs the department to develop and implement a plan for soliciting public comment on the development and implementation of total maximum daily loads required by section 303(d) of the federal clean water act, 33 U.S.C. Sec. 1313(d). The purpose of the plan is to solicit public comment that: (1) Is consistent with the complexity of the pollution problems causing the water quality impairment; and

(2) reflects the extent of community and public participation the department deems necessary to implement the total maximum daily load successfully. The plan shall consider the formation or use of watershed committees, public meetings, and other avenues to obtain public input.