

WD # 10

## PHASE II MUNICIPAL STORMWATER PROGRAM

Offer Letters Sent: August 1, 2005

Recipients: 28 Funds Offered: \$2.7 million

Grants Awarded: 15 Funds Awarded: \$1,425,000

---

## FY 07 LOW IMPACT DEVELOPMENT STORMWATER MANAGEMENT PROGRAM

Appropriation: \$2.5 million

Applications Received: 27

Funds Requested: \$10,027,464

### Timeline

- Applications Due September 15, 2006
  - Offer and Applicant List October 18, 2006
  - Original Applicants to sign Letters of Intent November 30, 2006
  - Goal is to sign agreements by March 30, 2007
  - Second round to sign Letters of Intent February 15, 2007
  - Deadline to sign agreements is June 30, 2007
- 

## ON-SITE SEPTIC (OSS) REPAIR & REPLACEMENT PROGRAM

The goal of this program is to provide OSS funding options to local governments and tribes in the Puget Sound area, as identified in the Governor's Puget Sound Initiative, 2005-07 Budget, and 2006 Supplemental Budget.

Available: **\$7.5 million**

- 6 million loans
- 1.5 million grants

Applications Due: September 29, 2006

Offer & Applicant List Available: October 16, 2006

### Project Goals:

- Outreach to homeowners in the Puget Sound region, regarding the critical repair and replacement of failing on-site septic systems.
- Establish and maintain low-interest loan and grant funding opportunities for OSS local loan programs.
- Improve water quality and public health in the Puget Sound region.



## Agency Request Legislation Checklist

---

Agency Name: Department of Ecology  
Agency Contact & Phone Number: Melodie Selby, 407-6489  
Request Title: Permit Fee Cap Removal for RCW 70.95B – OpCert Program  
Z-Draft Number: Z 0112.1/07  
Previously submitted? Not previously submitted  
If so, indicate year: \_\_\_\_\_

A complete package for bills includes **four** paper copies (one for our office and three for OFM) of the following eight items. Also an electronic version to Vickie Van Ness. Agencies should feel free to use the electronic fiscal note system to prepare the fiscal notes, but should not submit them electronically to OFM.

**Agency request legislation will not be reviewed until these items are received:**

- ✓ A completed checklist for each proposal (**this checklist here should go on the front of your package**).
  - ✓ A statement of need for the bill and/or the problem it is designed to correct **in language that is understandable to non-technicians.**
  - ✓ A summary of the major provisions of the bill and their impact on current law.
  - ✓ A thorough list of all other government agencies affected by the bill, a summary of their positions, and each agency's representative who may be contacted on the issue. If no other government agency is affected, please indicate.
  - ✓ A thorough list of all stakeholders and stakeholder groups affected by the bill, **a summary of each stakeholder position**, and the name and phone number of each person contacted.
  - ✓ Names, titles, and phone numbers of staff responsible for policy questions, and the assistant attorney general responsible for legal questions.
  - ✓ A Code Reviser's draft of the proposed bill (**Z-drafts only**).
  - ✓ A fiscal note, **even if there is no fiscal impact. When your proposed bill has a fiscal impact on other agencies, including local government, those agencies' fiscal notes must be included in your package.** Please note that fiscal impacts associated with agency request legislation must also be included in a decision package in the agency's supplemental or biennial budget request.
- N/A A copy of the agency's budget decision package must accompany the corresponding agency request legislation package.

## **Statement of Need**

Ecology requests an amendment of the decades-old fee cap set for the Domestic Wastewater Treatment Plant Operator Certification Program. The program currently has 1 FTE which is half the staff needed to provide a basic level of needed services to operators and local governments. Existing fees offset approximately 60% of current program costs and the remaining 40% is funded by GFS. Ecology requests authorization to set fees by public rule-making to keep staff levels commensurate with numbers of operators. In addition, Ecology requests that the fees be deposited in the permit fee account rather than the general fund.

## **Summary of Bill Provisions and Impact on Current law**

RCW 70.95B.090 currently sets the operator certification fee at not more than \$50.00 and the annual renewal fee at not more than \$30.00. The Bill removes the fee caps and authorizes Ecology to set fees sufficient to recover the administrative costs of the certification program through rule-making. The Bill also authorizes fees to rise in accordance with the fiscal growth factor as provided in chapter 43.135 RCW.

In addition, Ecology requests that an amendment be made to RCW 70.95B.150 and RCW 90.48.465 to allow fees collected to be deposited in the permit fee account rather than the general fund.

Note: Since the fees would not increase until the rulemaking is complete, Ecology is not submitting a budget decision package at this time.

## **Other Government Agencies Affected by the Bill**

None.

## **Stakeholders Affected by this Bill**

An operator certification fee increase will affect all persons holding a wastewater treatment plant operator certification. Some employers pay for their operator's renewals, application fees, and exam fees, but it is not mandatory.

This proposal came out of the budget development process, so the stakeholder work was begun late. Fees would not actually increase until the rulemaking is completed, which will involve much more stakeholder work. The stakeholder process will determine the appropriate level for the fees.

The Certification Program Administrator has spoken at the Pacific Northwest Clean Water Association (PNCWA) tri-section meeting, which included members from all of the Eastern PNCWA sections - Yakima Valley, Inland Empire, and Columbia Basin. She also spoke about the fee increase at the PNCWA short school. Both audiences saw the need for the increase but did not look forward to paying it. The tri-section attendees support the increases and were interested in numbers and when. The short school attendees didn't say much but supported the increase and feel that something needs to be done.

An Ecology field inspector and the roving technical assistance operator have spoken about the increase at Western Washington PNCWA section meetings that they've attended. The operators do not like the idea of paying more but understand the need for the increases.

Melodie Selby is scheduled to talk to the coalition for clean water September 14. They are not meeting over the summer so we could not schedule an earlier meeting. Their contact is Ed Thorpe -360.866-2216

**Staff Contacts:**

Policy Analyst: Melodie Selby 360.407.6489

Section Manager: Nancy Winters 360.407.6461

Certification Program Administrator: Poppy Carre 360.407.6449

Assistant Attorney General: Ron Lavigne 360.586.6751