



Washington State Legislature

DEPARTMENT OF ECOLOGY

MAY 31 2017

WATER QUALITY PROGRAM

May 26, 2017

Daniel Thompson
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

RE: Comments to Ecology's proposed rulemaking for uses of the Water Pollution Control Revolving Fund (Chapter 173-98 WAC) and Centennial Clean Water Fund (Chapter 173-96A WAC)

Dear Mr. Thompson,

We represent the 13th Legislative District, which is home to two of the five publicly owned industrial wastewater treatment facilities in Washington State. The facilities in the 13th Legislative district are operated by the City of Quincy and the Port of Moses Lake. These treatment facilities are currently not eligible to compete for funding from the Water Pollution Control Revolving Fund (CWSRF) or the Centennial Clean Water Fund (CCWF).

We urge the Department of Ecology, in the rule-making cited above, to modify the rules to the CWSRF and CCWF to allow for publicly owned industrial wastewater treatment facilities to be eligible for funding under both programs.

The City of Quincy and the Port of Moses Lake have invested in wastewater treatment facilities to bring new industries and jobs to rural central Washington. Historically, publicly owned industrial wastewater treatment facilities have not been eligible for funding programs such as the CWSRF and the CCWF unless they can demonstrate that the project directly benefits residential taxpayers. However, DOE has acknowledged that there are no statutory, or other constraints, preventing these facilities from being eligible for assistance under these programs.

Indeed, last summer, DOE recommended expanding the eligibility for these funding programs to publicly-owned industrial wastewater treatment facilities. DOE's recommendation was rejected by the handful of their advisory committee members that attended the meeting to review DOE's

recommended changes to the rules (only 39% of the advisory committee members attended the meeting).

Accordingly, the draft rules under consideration does not include this important element; however, the final rule can make this important change. Adopting a rule that will allow these facilities to become eligible for funding from these two programs will benefit the state in meeting water quality objectives and assist in job creation in rural central Washington.

Additionally, with this change in the rules, these facilities will be more competitive when applying for federal funds, which, in many instances are a critical investment requirement and component of projects.

For example, the U.S. Environmental Protection Agency (EPA) announced the availability of approximately \$1 billion in credit assistance for water infrastructure projects under the new Water Infrastructure Finance and Innovation Act (WIFIA) program. *Unfortunately, eligibility for these federal funds is strongly dependent upon a jurisdiction first being eligible for state level grant funds.* In 2016, DOE acknowledged that publicly-owned industrial wastewater treatment facilities are not prohibited from using federal sources of funding provided to the state for these two water pollution control accounts. Hence, the need to change the current rules.

We urge the final rules to include DOE's original recommendation to allow publicly owned industrial wastewater treatment facilities to be eligible for grants under the CWSRF and CCWF programs.

The change will assist in further job creation in rural Central Washington, and leverage available state and federal funds to achieve our common goal for clean water.

Thank you for considering our comments.

Sincerely,



Senator Judy Warnick
13th Legislative District



Representative Tom Dent
13th Legislative District



Representative Matt Manweller
13th Legislative District