

Operating

9/14/2020 \$ in thousands - Biennialized FTEs

2021-23 Carryforward Base Budget

2021-23 Biennium Budget Request

		FTE	GF-State	MTCA ¹	Other	Total
		1,743.2	59,788	248,384	291,445	599,617
Maintenance Level Changes						
1	NWRO Lease Rate Increase		146	710	354	1,210
2	NWRO Relocation Furniture Costs		47	232	114	393
3	eHub System Support & Licensing		104	514	380	998
4	Public Participation Grants			1,289		1,289
5	WCC Member Wages and Benefits			163	328	491
6	Teck Metals Litigation Support			1,334		1,334
7	Hanford Cleanup Litigation				1,600	1,600
8	Lease Adjustments		2	9	3	14
9	Data Center Migration Reduction	(2.3)	(342)	(1,654)	(940)	(2,936)
Policy Level Changes						
General Fund-State Reduction Options						
10	15% Reduction: Shift GF-S to MTCA		(8,781)	8,781		-
11	Water Resources GF-S Reduction	(1.2)	(178)			(178)
Reduce and Prepare for Climate Impacts						
12	Implementing GHG Limits Program	0.9		243		243
Prevent and Reduce Toxic Threats and Pollution						
13	Safer Products for Washington	3.6		1,554		1,554
14	Preventing Federal Nonattainment	1.7		2,062		2,062
15	Expand Product Testing	7.5		2,305		2,305
16	Sustainable Recycling	0.6			620	620
17	Antifouling Paint Technical Review	1.5			377	377
18	Local Solid Waste Financial Assistance			15,000		15,000
19	Biosolids Permitting Efficiencies	1.2			268	268
20	Hanford SEPA Evaluation Support	1.2			268	268
21	Hanford Unauthorized Unit Closures	1.2			338	338
22	Meeting Air Operating Permit Needs	0.7			218	218
23	Shift to Voluntary Cleanup Account			(344)	344	-
Protect and Manage Our State's Waters						
24	Aquaculture Section 401 Permitting	5.8		1,432		1,432
25	Federal Waters of the U.S. Rollback	6.9		1,482		1,482
26	Water Right Adjudications	2.3	1,000			1,000
27	Increase Water Cleanup Plans	9.8		3,897		3,897
28	Floodplain Management Grants				3,200	3,200
29	Equipment Cache Grant Delay			242		242
30	OpCert Program Fund Shift ²					-
31	Move Aquatic Grants to Capital ³	(2.4)			(2,034)	(2,034)
Other						
32	Advancing EJ and Title VI Compliance	1.2		328		328
Total Changes		40.2	(8,002)	39,579	5,438	37,015
Total Proposed Operating Budget Request		1,783.3	51,786	287,963	296,883	636,632

Notes

¹ Model Toxics Control Operating Account (23P-1, 23P-7).

² Fund shift from Water Quality Permit Account (Fund 176-1) to Wastewater Treatment Plant Operator Certification Account (Fund 21H-1).

³ Budget shift of grant program from the Operating to Capital Budget.

Protecting the Environment | Ensuring Public Health | Supporting Economic Growth & Jobs

As the state's lead environmental agency, Ecology's mission is to protect and preserve the environment for current and future generations, while valuing and supporting Washington's economic success. We're tackling challenges that are unique to our times and require us to take a broad and holistic approach to our work that focuses on not only *what* we do, but also *how* we do it.

Ecology's strategic planning goals are to:

- Support and engage our communities, customers, and employees.
- Reduce and prepare for climate change impacts.
- Prevent and reduce toxic threats and pollution.
- Protect and manage our state's waters.
- Protect and restore Puget Sound.

Our agency's deep commitment to environmental justice is tied to each one of our strategic goals and guides the ways in which we work to accomplish those goals.

Ecology's 2021-23 Biennial Operating Budget request totals \$37 million. These requests are supported primarily by dedicated environmental funds, federal funds, and direct charges to customers for services that:

- Address federal rollbacks affecting state water quality and Washington's \$270 million commercial shellfish industry.
- Continue implementation of enacted legislation from the 2019 and 2020 sessions aimed at greenhouse gas emission reductions, safer consumer products, and sustainable recycling.
- Support our communities through expanded product testing, water right adjudications, and new grant funding to prevent violations of federal clean air standards, reduce flood risks and improve long-term planning for such risks, and address solid waste planning and cleanup.
- Improve water quality.
- Support legal costs incurred by the Attorney General's Office related to current and pending litigation involving Ecology.
- Fund key facility and information technology needs that were funded, either partially, or on a one-time basis, in the 2019-21 Operating Budget.
- Help meet permit and cleanup obligations with the U.S. Department of Energy related to Hanford.
- Implement fund and budget shifts needed to better align ongoing work with best fund source and budget options available.

Projected General Fund-State Shortfall and 15 Percent Submittal Requirement

The impacts of the COVID-19 pandemic on Washington's economy have been widespread and significant. Nearly every sector of the state's economy has been affected, and revenue collections are now projected to be down significantly over the next three fiscal years. In June, the state reduced its Near

General Fund-State (GF-S) revenue forecast by nearly \$4.5 billion for the remainder of the 2019-21 Biennium, and by more than \$4.3 billion for the 2021-23 Biennium.

At the direction of OFM, Ecology's 2021-23 Biennial Operating Budget request includes budget reduction options equal to 15 percent of our 2021-23 GF-S Maintenance Level budget. For Ecology, this equates to a reduction target of \$8.876 million. GF-S represents only about 10 percent of Ecology's 2021-23 Biennial Operating Budget, with nearly 80 percent of that funding in the Water Resources Program. The remainder of Ecology's operating budget comes from dedicated environmental funds, federal and private/local funds, and interagency agreements.

To achieve the majority of its reduction target, Ecology is proposing a combination of one-time and ongoing fund shifts for specific operating budget activities from GF-S to the Model Toxics Control Operating Account, totaling \$8.781 million (\$4.296 million is ongoing and \$4.485 million is one-time). The majority of these shifts are consistent with ones proposed, but not enacted, in the Governor's 2020 Supplemental Operating Budget. These proposed fund shifts provide real dollar-for-dollar GF-S savings for the state, while maintaining important environmental and public health work done across the state. The remainder of our reduction would be achieved through vacancy savings in the Water Resources Program.

Impacts of Federal Government Rollbacks and Court Decisions Affecting the Clean Water Act

Enacted by Congress in 1972, the federal Clean Water Act is one of the nation's capstone environmental regulations. The Clean Water Act establishes the basic structure for regulating pollution discharges to waters of the United States, and setting water quality standards for U.S. surface waters. Under Section 401, proponents seeking permission from a federal agency (permit or license) to undertake a project, action, or activity that could result in a discharge to U.S. waters must request a Section 401 Water Quality certification from the state or tribal government where the discharge would occur.

The Clean Water Act gives states and tribal governments the authority to grant, grant with conditions, deny, or waive requests for certifications. A federal agency, such as the U.S. Army Corps of Engineers or the Federal Energy Regulatory Commission, cannot issue a license or permit before the state takes action on a certification request.

A June 2020 ruling by the U.S. District Court for Western Washington vacated the Army Corps' Nationwide Permit 48 for shellfish aquaculture. This ruling places a significant burden on Washington's shellfish industry, requiring shellfish farmers to submit applications to the Corps for individual permits and to Ecology for individual 401 certifications. Over the next two to four years, Ecology anticipates receiving approximately 900 new requests for Section 401 Water Quality certifications and Coastal Zone Management federal consistency determinations as a result of the Court's decision. At the same time, the federal Environmental Protection Agency has amended its rules for 401 certifications, giving states much less time to make decisions on certification applications.

Also in June, the federal government revised the Clean Water Act, narrowing the definition of "Waters of the United States" to exclude many Washington wetlands, and other waters, from federal protection. However, the state Water Pollution Control Act still provides protection for all Washington wetlands and waters. Prior to the definitional change, the Army Corps issued permits for projects that could impact these waters. However, now that federal permits are no longer available for certain waters, the state will have to provide a state permit or authorization before projects can proceed.

Ecology is requesting funding for additional staff to support these new workloads, and ensure we are responsive to the needs of both the state's shellfish industry, and other project proponents looking to conduct work in state waters that are no longer eligible for federal permits.

The following summarizes each request for Ecology. The numbers for each item correspond with the numbers in the spreadsheet at the beginning of this section.

Maintenance Level

- 1. NWRO Lease Rate Increase. \$1,210,000.** Ecology received authorization and funding in the 2019-21 Operating Budget to relocate its Northwest Regional Office from its current location in Bellevue to Shoreline, and co-locate with the Washington State Department of Transportation. As part of this relocation project, Ecology worked with the Office of Financial Management's Facilities Oversight Program and the Department of Transportation to negotiate a 20-year lease for its space within the Shoreline facility. This request is for an ongoing maintenance level adjustment to cover the increased lease costs of Ecology's new office location at Shoreline. (Multiple Funds)
- 2. NWRO Relocation Furniture Costs. \$393,000.** Ecology's Northwest Regional Office is relocating from Bellevue to Shoreline, and will co-locate with the Washington State Department of Transportation (WSDOT). Ecology is requesting funding for a Certificate of Participation (COP) to finance the replacement of decades-old furniture, its current cubicle system, and a high-density filing system as we relocate. This relocation was approved by the Legislature in the 2019-21 Operating Budget and a lease has been executed between WSDOT and Ecology with an anticipated move-in date on or before June 30, 2021. The furniture located at Ecology's current facility in Bellevue is antiquated Steelcase office furniture from the early 1990s and cannot fit in the new office environment. (Multiple Funds)
- 3. eHub System Support & Licensing. \$998,000.** Ecology's ability to fulfill its mission depends on our ability to efficiently and effectively manage federal grant receivables, recover costs associated with cleanup activities, and administer over \$900 million in pass through funding to local partners for work in local communities throughout the state. Ecology received one-time funding in the 2019-21 Operating Budget to complete a financial systems replacement project designed to modernize and integrate a number of the agency's outdated and failing financial systems into a single application. However, because the funding provided in 2019-21 was placed into the state's Information Technology Pool, the ongoing costs needed to maintain and license the new system were not funded. Ecology is now requesting the spending authority needed to support these ongoing costs. (Multiple Funds)
- 4. Public Participation Grants. \$1,289,000.** The Public Participation Grant Program is a competitive grant program that provides funding to help individuals and not-for-profit public interest organizations facilitate public participation in the investigation and remediation of contaminated sites, carry out waste management education projects, and promote or improve state or local solid waste or hazardous waste management plans. Ecology is requesting a maintenance level adjustment of \$1,289,000 to keep grant funding aligned with the mandated level of one percent of moneys collected under RCW 82 .21.030, Hazardous Substance Tax. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)

- 5. WCC Member Wages and Benefits. \$491,000.** The Washington Conservation Corps (WCC) collaborates with organizations to complete environmental restoration and recreation enhancement projects statewide. As the state minimum wage continues to increase, WCC must increase the living allowance and benefits package for its AmeriCorps members to remain competitive with other opportunities, retain members for their full terms, and allow anyone eligible, the opportunity to serve, regardless of socio-economic background. This is an equity adjustment in the living allowance to ensure it is comparable to, and consistent with, the state minimum wage law. Ecology requests state funding to maintain its 388.5 WCC members and staff under the current cost-share model, where partners provide 75 percent of the costs, and Ecology provides a 25 percent match through a mix of AmeriCorps grant funds and state appropriation. (Model Toxics Control Operating Account, General Fund-Federal, General Fund-Private/Local)
- 6. Teck Metals Litigation Support. \$1,334,000.** This request aligns with the Office of the Attorney General's (AGO) budget request for Phase 3 of the *Pakootas v. Teck Metals, Ltd.* (Teck) litigation, in which Washington and the Confederated Tribes of the Colville Reservation are co-plaintiffs in federal district court. Phases 1 and 2 of the litigation previously established Teck's liability for releases of metals and other chemicals into the Columbia River from its smelting complex in Canada. Phase 3 of the litigation is needed to recover natural resource injuries and damages as a result of pollution from the smelter operations. This request is to support expert and AGO resources needed for Phase 3 of the litigation, which Ecology will then be billed for. Ecology is requesting appropriation, consistent with the AGO's budget request, to cover these increased legal costs. (Model Toxics Control Operating Account)
- 7. Hanford Cleanup Litigation. \$1,600,000.** The office of the Attorney General (AGO) is requesting funding to compel the U.S. Department of Energy (USDOE) to meet its Hanford cleanup deadlines that it has failed to meet. Specifically, USDOE has failed to meet deadlines in the *Washington v. Brouillette* (formerly *Washington v. Perry*) consent decree. Additionally, Ecology may issue a determination requiring USDOE to design new storage tanks as a contingency measure. If so, USDOE will likely appeal that determination. Legal service needs in both situations will entail substantial AGO staff resources and a need to hire specialized experts, which the AGO will then bill Ecology for the costs. Ecology is requesting appropriation, consistent with the AGO's budget request, to cover these increased legal costs. (Radioactive Mixed Waste Account)
- 8. Lease Adjustments. \$14,000.** This request is for a maintenance level lease increase for the Department of Ecology's Bellingham Field Office in Whatcom County. This lease increase was negotiated by Department of Enterprise Services Real Estate Services on behalf of Ecology as part of the initial lease. The work done at this facility benefits the public, other state agencies, tribes, local partners, and helps protect, preserve, and enhance Washington's environment for current and future generations. (Multiple Funds)
- 9. Data Center Migration Reduction. (\$2,936,000), (2.3) FTE.** Ecology is required by RCW 43.105.375 and Office of the Chief Information Officer Policy 184 to migrate out of its agency data center. In the 2018 Supplemental Operating Budget, Ecology received funding to modernize and migrate the agency's business applications into the State Data Center and/or a cloud environment by June 2021. This project is on schedule to be completed by June 30, 2021, so Ecology is requesting a maintenance level reduction from multiple fund sources for the associated one-time costs of this project. (Multiple Funds)

Policy Level

General Fund State Reduction Options

10. 15% Reduction: Shift GF-S to MTCA. \$8,781,000 MTCA-Operating / (\$8,781,000) GF-S.

This request is in response to the Office of Financial Management's instructions to identify and submit budget reduction options equal to 15 percent of Ecology's Near-General Fund Maintenance Level budget for the 2021-23 Biennium. The COVID-19 pandemic has had a significant impact on Washington's economy, and state revenues are projected to be down significantly through at least the 2021-23 Biennium. As part of meeting the reduction target, Ecology is requesting a mix of one-time and ongoing fund shifts for specific operating budget activities from General Fund-State (GF-S) to the Model Toxics Control Operating Account. These shifts, many of which were proposed in the Governor's 2020 Supplemental Operating Budget, will reduce the demand on GF-S, while maintaining funding needed for critical environmental and public health work done throughout the state. Many of the activities identified support state environmental priorities, such as Southern Resident orca recovery and protection, and climate change. Related to Puget Sound Action Agenda Implementation. (General Fund-State, Model Toxics Control Operating Account)

11. Water Resources GF-S Reduction. (\$178,000), (1.2) FTE. This request is in response to the Office of Financial Management's instructions to identify and submit budget reduction options equal to 15 percent of Ecology's Near-General Fund Maintenance Level budget for the 2021-23 Biennium. The COVID-19 pandemic has had a significant impact on Washington's economy, and state revenues are projected to be down significantly through at least the 2021-23 Biennium. As part of meeting the reduction target, Ecology would hold a 1.0 FTE vacancy within its Water Resources Program for the 2021-23 Biennium. Ecology's Water Resources Program is responsible for water resource management activities statewide, which includes making decisions on applications for water rights, establishing instream flows, and enforcing the water code. This reduction would reduce administrative and secretarial support within Ecology's Eastern Regional Office next biennium. (General Fund State)

Reduce and Prepare for Climate Impacts

12. Implementing GHG Limits Program. \$243,000, 0.9 FTE. In 2020, the Legislature passed Engrossed Second Substitute House Bill 2311, updating greenhouse gas (GHG) limits and amending Ecology's reporting requirements. This legislation also created new technical support work for Ecology by changing reporting requirements for all state agencies. This bill was not funded by the Legislature in the 2020 Supplemental Operating Budget because there were only minimal costs identified for Fiscal Year 2021, but Ecology does not have current funding capacity to complete the required work beginning in 2021-23 without additional resources. This legislation amends GHG emission limits for consistency with the most recent assessment of climate change science and includes specific actions required of Ecology to meet the new directives. Ecology is requesting funding, consistent with our final fiscal note, to complete the work required under this new law. (Model Toxics Control Operating Account)

Prevent and Reduce Toxic Threats and Pollution

13. Safer Products for Washington. \$1,554,000, 3.6 FTE. In 2019, the Legislature passed Substitute Senate Bill 5135 to protect people and the environment from harmful toxic chemicals in consumer products. The law requires Ecology to identify consumer products that are

significant sources or uses of hazardous chemicals, determine whether there are safer alternatives, and implement restrictions and reporting requirements as necessary. The long-term human health, environmental, and economic impacts of toxic chemicals are substantial, and in Washington, millions of dollars have been spent cleaning up toxic contamination in the environment.

Removing toxics from products is significantly more efficient than cleanup after use. Ecology implements SSB 5135, one of the nation's strongest state laws for regulating toxic chemicals in products, through its Safer Products for Washington Program. Ecology is requesting funding to implement the next phases of the law's five-year regulatory cycle, which includes the evaluations of safer alternatives to priority toxic chemicals in products, and if needed, developing regulations to restrict their use. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)

14. Preventing Federal Nonattainment. \$2,062,000, 1.7 FTE. When national air quality standards are violated, both public health and the economy suffer. Under federal law, costly and demanding regulatory interventions are needed to return communities to clean air status. Currently, 17 communities in Washington are at risk of violating federal air quality standards, especially for fine particle pollution. It is far cheaper to prevent such violations than to deal with their consequences. Ecology conducts community level air quality assessments and works closely with local governments and communities in the state's highest risk areas to help them design and implement preventive air pollution solutions. This request will provide increased grant funding and technical assistance to those communities for projects that reduce air pollution in areas at risk of nonattainment. Related to Puget Sound Action Agenda implementation. (Model Toxics Control Operating Account)

15. Expand Product Testing. \$2,305,000, 7.5 FTE. Washington State is a national leader in consumer protection. Ecology's Product Testing Team uses cutting edge science to test for toxics in consumer products available for retail or online sale. This science helps support regulatory actions against products and manufacturers not in compliance with state laws. However, there are tens of thousands of toxic chemicals in everyday products, such as heavy metals in children's products, and chemicals in packaging, and Ecology's Product Testing Team can currently address only a fraction of the projects needing to be completed. Ecology is requesting funding for additional staff and lab resources needed to increase testing capacity for toxics in children's products and other general consumer goods. (Model Toxics Control Operating Account)

16. Sustainable Recycling. \$620,000, 0.6 FTE. The Sustainable Recycling Act, passed in 2019, created a Recycling Development Center to research, develop, expand, and incentivize markets for recycled commodities. Partial funding was provided in the 2019-21 Operating Budget to implement this Act, but consistent with Ecology's final fiscal note for this bill, additional funding is needed, beginning in 2021-23, to continue implementation. Ecology is requesting the funding needed to conduct research and development, marketing, and policy analysis in order to further the development of revitalized markets for recycled products in Washington as required by law. (Waste Reduction/Recycling/Litter Control Account)

17. Antifouling Paint Technical Review. \$377,000, 1.5 FTE. In 2020, the Legislature passed Substitute Senate Bill 6210, postponing the implementation of a ban on copper used in boat paints. To protect boats left in the water, antifouling paints or coatings are applied to vessel hulls. These paints contain toxic chemicals that are released into the water, and while the long-term environmental effects of these chemicals are still unclear, some can have negative effects on critical aquatic species, including salmon. SSB 6210 postponed the ban on copper restrictions for

five years, and required Ecology to conduct a technical review of antifouling products starting in Fiscal Year 2022. It also requires the agency to determine if new regulatory restrictions on paint ingredients are needed, and identify any safer alternatives. Ecology is requesting funding, consistent with our final fiscal note for this bill, to complete the work required under this new law. Related to Puget Sound Action Agenda Implementation. (Hazardous Waste Assistance Account)

- 18. Local Solid Waste Financial Assistance. \$15,000,000.** The Local Solid Waste Financial Assistance Program supports essential activities that implement required local solid and hazardous waste management plans and resource conservation through waste reduction, recycling, and reuse programs. It also provides enforcement grants for permitting and compliance at solid waste facilities to help ensure protection of human health and the environment. Ecology requests funding to provide one-time financial assistance grants to local governments to help clean up solid, hazardous, and infectious waste generated by homeless encampments; implement local recycling Contamination Reduction and Outreach Plans; and support other solid waste management and enforcement activities directed by law. (Model Toxics Control Operating Account)
- 19. Biosolids Permitting Efficiencies. \$268,000, 1.2 FTE.** The Biosolids Program provides oversight, permitting, and technical assistance for 375 sewage treatment plants, septage management facilities, and beneficial use (land application) facilities that generate, treat, and sell or give biosolids away, or apply them directly to land. Biosolids are a product of wastewater treatment and septic tanks comprised primarily of organic material that may be beneficially used to condition soil and enhance plant growth. This request will continue to protect public and environmental health through efficient biosolids permitting and increased technical assistance, outreach, and education to permittees and other stakeholders. Related to Puget Sound Action Agenda Implementation. (Biosolids Permit Account)
- 20. Hanford SEPA Evaluation Support. \$268,000, 1.2 FTE.** The State Environmental Policy Act (SEPA) process identifies and analyzes environmental impacts associated with regulatory actions and permit decisions. SEPA evaluations are required for both dangerous waste and air quality regulatory and permitting actions taken by Ecology's Nuclear Waste Program at Hanford. Numerous modifications are required each year to Hanford's Dangerous Waste Permit, and the program does not currently have the staffing resources or expertise needed to handle the volume of technically complex SEPA evaluations it must complete. This request will provide a dedicated position to support the completion of complex, high-quality SEPA determinations, which will support timely, responsible permit decisions. (Radioactive Mixed Waste Account)
- 21. Hanford Unauthorized Unit Closures. \$338,000, 1.2 FTE.** Ecology's Nuclear Waste Program is working with the U.S. Department of Energy to develop and issue closure plans for 13 closing units at the Hanford site. The majority of closing units are container storage areas, but also include some tank systems. Nine of those units were storing waste without a permit, and as a result, are unauthorized. The remaining four units in the Solid Waste Operations Complex project were authorized, but have not received waste in more than one year, and the permittees wish to close them because they have no future need for them. Closing the unauthorized units will resolve an outstanding Environmental Protection Agency enforcement action, and an Ecology agreed order. Ecology is requesting to add a project Environmental Specialist 4 position for the 2021-23 Biennium to provide sufficient staffing resources for the closure unit project that will close all 13 units. (Radioactive Mixed Waste Account)

- 22. Meeting Air Operating Permit Needs. \$218,000, 0.7 FTE.** Federal and state laws define the scope and content of the Air Operating Permit Program. Under these laws, industrial facilities that emit large amounts of air pollution are required to comply with and pay the full costs of the program. State law requires Ecology to use a workload analysis model to determine the budget necessary to administer the program each biennium. In June 2020, Ecology published its final workload analysis, projecting an increased workload for the 2021-23 Biennium, based on current costs and workload projections. Ecology is requesting additional spending authority to match the revenue levels already set by the 2021-23 workload analysis. (Air Operating Permit Account).
- 23. Shift to Voluntary Cleanup Account. \$344,000 Voluntary Cleanup Account / (\$344,000) MTCA-Operating.** Washington's cleanup law, the Model Toxics Control Act, allows owners of contaminated properties to perform cleanups and achieve regulatory closure, either independently or under Ecology's supervision. Through its Voluntary Cleanup Program (VCP), Ecology provides owners of contaminated sites with technical assistance and opinions on the sufficiency of independent cleanups. Over the last several years, VCP funding has not kept pace with the demand for services, which has delayed or discouraged many voluntary cleanups. In 2019, Substitute House Bill 1290 passed, authorizing an expedited VCP program, and creating a new dedicated fee and account to support it. Ecology is now requesting a fund shift of the dollars needed to implement the expedited VCP from the Model Toxics Control Operating Account to the new Voluntary Cleanup Account. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account, Voluntary Cleanup Account)

Protect and Manage Our State's Waters

- 24. Aquaculture Section 401 Permitting. \$1,432,000, 5.8 FTE.** A June 2020 ruling by the U.S. District Court for Western Washington vacated the U.S. Army Corps of Engineers' Nationwide Permit 48 for the Washington shellfish industry. This ruling significantly affects shellfish farmers' regulatory certainty, while increasing the workload for Ecology staff. Over the next two to four years, Ecology anticipates receiving approximately 900 new requests for Section 401 Water Quality certifications and Coastal Zone Management federal consistency determinations for Washington's shellfish operations. Ecology is requesting funding for additional staff to support this new workload, and ensure we are responsive to the needs of this important state industry. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)
- 25. Federal Waters of the U.S. Rollback. \$1,482,000, 6.9 FTE.** Effective June 22, 2020, the federal government revised the federal Clean Water Act, narrowing the definition of "Waters of the United States" (WOTUS) to exclude many Washington wetlands, and other waters, from federal protection. However, the state Water Pollution Control Act still provides protection for all Washington wetlands and waters. Prior to the change in the WOTUS definition, the U.S. Army Corps of Engineers issued permits for projects that could impact these waters. Now that federal permits are no longer available for certain waters, the state will have to provide a state permit or authorization before such projects can proceed. This will result in substantial new workload for the state, and Ecology is requesting funding for additional staff to address the increase in state authorizations that will be needed. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)

- 26. Water Rights Adjudication. \$1,000,000, 2.3 FTE.** The Department of Ecology is proposing an adjudication of water rights in the Nooksack (Water Resource Inventory Area 1) and Lake Roosevelt and Middle Tributaries (Water Resource Inventory Area 58) watersheds. A general adjudication of surface and groundwater rights will determine who has a legal right to use water and the volume of each right. Water is critical for both fish and wildlife and economies in these basins, but uncertainties about tribal senior water rights, unquantified claims, and the validity of water uses pose ongoing impediments to effective water management to support the state's environment and economy. Adjudication of these basins will provide urgently-needed resolution of water rights disputes. (General Fund-State)
- 27. Increase Water Cleanup Plans. \$3,897,000, 9.8 FTE.** Washington State has a growing list of polluted waterbodies and is required under federal law to restore water quality to our rivers and lakes. The major barrier to progress in this area is a lack of resources for the technical work needed to identify sources of pollution. Being able to identify these sources will allow Ecology to reduce water quality discharge permit limits, where needed, to improve water quality for humans, fish, and wildlife. This request will provide technical staff and resources to create scientifically and legally defensible Water Cleanup Plans that set limits to clean up toxic pollution sources across the state and meet regulatory obligations. Currently, Washington is making limited progress on this front; and this request would increase resources and allow us to resolve today's known water pollution issues over the next 50 years. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)
- 28. Floodplain Management Grants. \$3,200,000.** State law (Chapter 86.26 RCW) established the Flood Control Assistance Account Program, and created the Flood Control Assistance Account (FCAA). The statute requires that \$4 million be transferred from the state general fund to the FCAA each biennium to pay for flood-risk reduction activities, including grants to local government to prepare comprehensive flood control management plans. The FCAA appropriation was reduced by half at carry-forward level for the 2019-21 Biennium. This request would restore the FCAA Program appropriation so that Ecology and our local partners can use the existing FCAA capacity as intended by state law. Related to Puget Sound Action Agenda Implementation. (Flood Control Assistance Account)
- 29. Equipment Cache Grant Delay. \$242,000.** The Equipment Cache Grant Program supports a statewide local response network by providing equipment to respond to oil and hazardous materials spills and fires. To help cover exceptional costs related to the Olympia Brewery Transformer Spill in 2019, Ecology had to redirect \$1 million of its biennial equipment cache grant funding, and hold on its issuance of grants this biennium, pending the outcome of Ecology's 2020 supplemental budget request related to the brewery spill. The 2020 Supplemental Operating Budget provided the requested replacement grant funding, and Ecology began awarding grants this past spring. However, due to the delayed issuance of grants this biennium, the possibility exists that a grant issued to the Jamestown S'klallam Tribe for a new response vessel may not be able to be spent by the end of 2019-21. This request provides one-time contingency funding in the 2021-23 Biennium in case the vessel purchase cannot be completed by the end of this biennium. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Operating Account)
- 30. OpCert Program Fund Shift. \$552,000 Fund 21H / (\$552,000) Fund 176.** Wastewater treatment plants are critical infrastructure in cities and towns across the state, and they require trained operators to manage them so that public health and the environment are protected. This

request will provide sustainable funding for Ecology's role of certifying plant operators, consistent with recent legislative direction, by moving the fund source for the Wastewater Treatment Plant Operator Certification Program from the Water Quality Permit Account to the newly established Wastewater Treatment Plant Operator Certification Account. This request is sustained by existing revenue and fund balance, and helps ensure we continue to protect water quality into the future. (Water Quality Permit Account / Wastewater Treatment Plant Operator Certification Account)

- 31. Move Aquatic Grants to Capital. (\$2,034,000), (2.4) FTE.** This request is a technical adjustment to move funding for the Freshwater Algae and Freshwater Aquatic Invasive Plants Grant programs from the operating budget to the capital budget, similar to many other pass-through funding programs. Doing so will allow communities more predictable and durable funding for their local projects. A more efficient and effective program will mean fewer toxic algae blooms and aquatic weeds affecting the lakes and streams in our communities. (Aquatic Algae Control Account, Freshwater Aquatic Weeds Account)

Other

- 32. Advancing EJ and Title VI Compliance. \$328,000, 1.2 FTE.** Ecology is unable to meet growing federal compliance obligations under Title VI of the Civil Rights Act. Lack of compliance exposes Ecology to legal liability, financial risk, and project delays. Gaps in compliance can also create barriers to public access, fair treatment, and meaningful involvement in Ecology's programs. This is particularly true for communities of color and limited English speaking populations. Additional staff resources are required to address requirements for disability access, language coordination, grievance procedures, and sub-recipient accountability. This work is critical to advancing nondiscrimination, equity, and environmental justice. Ecology is requesting funding for additional staff resources to advance environmental justice and Title VI compliance. (Model Toxics Control Operating Account)

Capital		2021-23 Biennium Budget Request			
		SBCA	MTCA ¹	Other	Total
9/14/2020 \$ in thousands					
Prevent and Reduce Toxic Threats and Pollution					
1	Protect Investments in Cleanup Remedies		11,093		11,093
2	Remedial Action Grant Program		61,800		61,800
3	Healthy Housing Remediation Program	10,161			10,161
4	Eastern Washington Clean Sites Initiative		20,520		20,520
5	PFAS Contaminated Drinking Water	15,276			15,276
6	Reducing Diesel GHG and Toxic Emissions		15,000		15,000
7	Reducing Toxic Woodstove Emissions		4,000		4,000
8	ASARCO Everett Smelter Plume Cleanup		10,814		10,814
9	ASARCO Tacoma Smelter Plume Cleanup			3,000	3,000
10	Product Replacement Program		6,500		6,500
11	Swift Creek Natural Asbestos Flood Control and Cleanup	4,081			4,081
12	Waste Tire Pile Cleanup and Prevention			1,000	1,000
Protect and Manage Our State's Waters					
13	Water Pollution Control Revolving Program			300,000	300,000
14	Centennial Clean Water Program	80,000			80,000
15	Floodplains by Design	70,000			70,000
16	Stormwater Financial Assistance Program		52,700		52,700
17	Columbia River Water Supply Development Program	38,500		1,500	40,000
18	Streamflow Restoration Program			40,000	40,000
19	Yakima River Basin Water Supply	42,000			42,000
20	Chehalis Basin Strategy	70,000			70,000
21	Sunnyside Valley Irrigation District Water Conservation	4,281			4,281
22	State Match - Water Pollution Control Revolving Program			15,000	15,000
23	Coastal Wetlands Federal Funds			8,000	8,000
24	Freshwater Aquatic Invasive Plants Grant Program			1,700	1,700
25	Freshwater Algae Grant Program			730	730
Protect and Restore Puget Sound					
26	Puget Sound Nutrient Reduction Grant Program	9,000			9,000
27	Clean Up Toxics Sites - Puget Sound		5,808		5,808
Facility Related					
28	Lacey HQ Parking Garage Preservation	2,500			2,500
29	Lacey HQ Elevator Restoration	1,596			1,596
Total Proposed Capital Budget Request		347,395	188,235	370,930	906,560

Notes

¹Model Toxics Control Capital (23N-1) and Stormwater (23R-1) Accounts.

Protecting the Environment | Ensuring Public Health | Supporting Economic Growth & Jobs

Ecology's 2021-23 Biennial Capital Budget request totals \$906.5 million. These requests are supported primarily by dedicated environmental funds, federal funds, or state bonds for capital projects that:

- Promote local economic development through the cleanup of contaminated sites for redevelopment.
- Improve water quality.
- Deliver water for fish, farms, and people.
- Address local environmental and public health priorities.
- Protect and restore state owned facilities.
- Create jobs.

Addressing Nutrient Reduction in Puget Sound

The health of Puget Sound is significantly degraded by human sources of excess nutrients, which cause low dissolved oxygen, disrupt the food chain, and imperil our orca and salmon populations. In January 2019, a [modeling analysis](#) from the Puget Sound Nutrient Source Reduction Project confirmed municipal wastewater facilities are significantly contributing to dissolved oxygen impairments. The analysis found that, under existing conditions, approximately 20 percent of the area in the greater Puget Sound does not meet the dissolved oxygen standards.

To help address this situation and to meet our legal obligations under the federal Clean Water Act, Ecology is currently developing a [nutrient general permit](#) for [wastewater treatment facilities](#) discharging to Puget Sound that will establish nutrient discharge limits, optimize operations of the facilities that contribute to nutrient pollution, and plan for future improvements. To help support permit implementation and the changes needed at these facilities, Ecology is proposing a new capital grant program to provide financial assistance to:

- Implement operational efficiency modifications to reduce nutrients.
- Plan for future design/construction projects to implement facility improvements that reduce nutrients.

The Governor's Southern Resident Orca Task Force included five new recommendations that address the threat of contaminants, including three recommendations that specifically address human sources of nutrients, in its [Final Report and Recommendations](#) from November 2019.

Continuing to Create Affordable Housing

Washington is in dire need of affordable housing across the state. A key factor is land availability. Whether in an urban or rural setting, contamination or suspicion of contamination drives up the costs of housing development. Responding to a 2018 Supplemental Capital Budget proviso, Ecology, in collaboration with the Department of Commerce, is proposing to continue a competitive grant program, which began this biennium, for public, nonprofit, or private affordable housing entities intending to remediate contaminated property to develop affordable housing in support of the Governor's priorities on housing and homelessness.

Continuing to Help Local Businesses Remove Toxic Chemicals

Removing toxic chemicals from consumer products before they cause environmental harm is one of the least expensive and most effective ways to help protect Washington's environment, the state's economy, and public health. Ecology's Product Replacement Program is a cutting edge collaboration with local government partners to provide financial incentives to Washington businesses to remove or replace the worst of these chemicals through technology and infrastructure upgrades, best management practices, disposal programs, and the use of safer chemicals. Ecology is proposing to continue and expand this program, which began in 2019-21, so that we can continue helping businesses throughout the state implement changes that remove toxic chemicals from their facilities and processes, create safer and healthier workplaces for their employees and customers, and protect the environment.

The following summarizes each request for Ecology. The numbers for each item correspond with the numbers in the spreadsheet at the beginning of this section.

New Capital Projects

Prevent and Reduce Toxic Threats and Pollution

- 1. Protect Investments in Cleanup Remedies. \$11,093,000.** At Superfund-financed sites, or when Washington assumes liability for a cleanup, the state has financial responsibility for cleanup costs. When the U.S. Environmental Protection Agency cleans up a site in Washington, the state enters a State Superfund Contract. It binds Washington to pay for ten percent of the cleanup construction costs and 100 percent of the long-term operation and maintenance costs of the cleanup remedy. When Washington assumes responsibility for a cleanup site – like after a bankruptcy, or when a site is orphaned or abandoned – protecting the remedy requires ongoing investment. This request will provide funding to meet legal requirements, protect public investments in cleanup, and protect human health and the environment from remedy failure. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)
- 2. Remedial Action Grant Program. \$61,800,000.** Ecology manages the Remedial Action Grant (RAG) program to help local governments clean up contaminated sites in Washington. This request will fund pass-through grants for ready-to-proceed projects and actual spending requirements for the 2021-23 Biennium. RAGs support cleanup at contaminated industrial sites that impact the air, land, and water resources of the state, and the continued cleanup of Puget Sound. This grant funding will protect public and environmental health, create jobs, promote economic redevelopment by allowing contaminated properties to be redeveloped, and leverage local match funding for this work. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)
- 3. Healthy Housing Remediation Program. \$10,161,000.** Washington is in dire need of affordable housing across the state. The 2019 Annual Report of the Affordable Housing Advisory Board (<https://www.commerce.wa.gov/wp-content/uploads/2020/03/2019-AHAB-Annual-Report.pdf>) notes that housing supply and affordability affect all Washington communities, and rents are growing faster than low and middle incomes. A key factor is land availability. Whether in an urban or rural setting, contamination or suspicion of contamination drives up the costs of housing development. This request will continue efforts to fund public, nonprofit, or private affordable housing developers' cleanup costs. Funding the program will invest in a social good (housing) beyond the traditional economic good of redeveloping contaminated properties for commercial

and industrial purposes. Related to Puget Sound Action Agenda Implementation. (State Building Construction Account)

- 4. Eastern Washington Clean Sites Initiative. \$20,520,000.** There are properties in Eastern Washington contaminated with hazardous wastes that have been abandoned or have owners unwilling or unable to pay for site investigation and cleanup. Without cleanup, these sites pose threats to public health, the environment, groundwater, and fish and wildlife resources. Cleaning up these sites protects public and environmental health, creates jobs, and promotes economic growth as the sites are redeveloped. This funding will continue the initiative to have a statewide cleanup program by making investments outside of the Puget Sound Basin and Western Washington. (Model Toxics Control Capital Account)
- 5. PFAS Contaminated Drinking Water. \$15,276,000.** Per- and polyfluorinated alkyl substances (PFAS) are a group of over 4,700 synthetic organic chemicals used in consumer and industrial applications, including cookware, carpets, and food packaging. One common PFAS use is in certain types of firefighting foam—used by the U.S. military, local fire departments, airports and others. They have become a serious public health concern, and they are known to remain in the environment for a long time. The extent of the impact of PFAS compounds in Washington’s environment is an emerging issue. This request will provide funding for projects in Issaquah, Lakewood, and Spokane, where community water supplies are contaminated with PFAS. (State Building Construction Account)
- 6. Reducing Diesel GHG and Toxic Emissions. \$15,000,000.** Transportation is the largest source of climate pollution in Washington, accounting for nearly half of all greenhouse gas emissions in the state. An Ecology air pollution cancer risk study shows that diesel exhaust is responsible for 70 percent of Washington’s airborne cancer risk ([Concerns about Adverse Health Effects of Diesel Engine Emissions, Publication 0802032](#)). Diesel exhaust puts healthy people at greater risk for respiratory disease and worsens the health of people with asthma, heart, and lung disease. Tens of thousands of older, high-polluting diesel vehicles and equipment operate in Washington each year. For the 2021-23 Biennium, the primary focus for this pass-through grant program will be the electrification of school buses, but it will also continue to support the installation of idle reduction technology, diesel engine replacement, and the electrification of other diesel vehicles, especially in disproportionately impacted communities. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)
- 7. Reducing Toxic Woodstove Emissions. \$4,000,000.** Smoke from wood burning stoves causes asthma, lung disease, heart disease, stroke, and premature death. This program reduces emissions from old, high-polluting wood stoves in communities facing significant public health threats from wood smoke. Funds will be used to replace uncertified wood-burning home heating devices with cleaner home heating options and deploy cleaner burning emission control solutions. Priority will be given to communities at high risk of violating national ambient air quality standards to prevent violations and avoid significant economic, environmental, and public health consequences. Related to Puget Sound Action Agenda implementation. (Model Toxics Control Capital Account)
- 8. ASARCO Everett Smelter Plume Cleanup. \$10,814,000.** This request accelerates cleanup work related to the ASARCO smelter site in the City of Everett which operated from 1894 to 1912. The smelter released arsenic, lead, and other contamination into the air that subsequently contaminated the City’s residential soil and groundwater, and industrial areas adjacent to the Snohomish River. Without cleanup, these sites pose threats to public health, the environment,

groundwater, and fish and wildlife resources. Cleaning up these sites will protect public and environmental health, create jobs, and promote economic growth as the sites are redeveloped. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)

- 9. ASARCO Tacoma Smelter Plume Cleanup. \$3,000,000.** This request continues cleanup work related to the ASARCO smelter site in Tacoma. ASARCO operated a smelter in Tacoma that released arsenic, lead, and other contamination into the air. The pollution settled down to earth in the Tacoma Smelter Plume. The smelter operated from 1890 to 1986 and contaminated over 1,000 square miles in the lower Puget Sound. This request will protect public and environmental health, create jobs, and promote economic development by allowing contaminated properties to be redeveloped. Related to Puget Sound Action Agenda Implementation. (Cleanup Settlement Account)
- 10. Product Replacement Program. \$6,500,000.** Removing toxic chemicals from consumer products before they cause environmental harm is one of the least expensive and most effective ways to help protect Washington's environment, the state's economy, and public health. Ecology's Product Replacement Program is a cutting edge collaboration with local government partners to provide financial incentives to Washington businesses to remove or replace the worst of these chemicals through technology and infrastructure upgrades, best management practices, disposal programs, and the use of safer chemicals. Requested funding will replace machinery and/or make building improvements, which will produce long-term benefits for both the businesses and the public. This assistance avoids costly cleanups, improves the viability of the affected businesses, protects the environment, and reduces human and wildlife exposure to toxins. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)
- 11. Swift Creek Natural Asbestos Flood Control and Cleanup. \$4,081,000.** For 80 years, a large, slow-moving landslide on the slopes of Sumas Mountain has carried large volumes of natural debris into Swift Creek and its floodplain east of Everson. The material, contaminated with naturally occurring asbestos and heavy metals, fills the stream channel, causing serious flooding and sediment deposits in surrounding settled and agricultural areas. Ecology received \$6.4 million in previous funding to support a state commitment to Whatcom County to resolve this chronic threat to public safety, property, human health, and the environment. The requested funding would continue the design, construction, and maintenance of a series of flood control and sediment management measures to reduce these threats. Ecology is requesting \$4.1 million for the 2021-23 Biennium work plan. (State Building Construction Account)
- 12. Waste Tire Pile Cleanup and Prevention. \$1,000,000.** Illegally dumped tires in Washington continue to pose public health and environmental threats. Tire piles pose risks for highly toxic fires, pollutant leaching and run off, and provide habitat for mosquitoes and other disease carriers. Ecology is requesting \$1 million to continue funding to prevent and remove waste tire piles, and the enforcement and education on tire storage and hauling regulations. (Waste Tire Removal Account)

Protect and Manage Our State's Waters

- 13. Water Pollution Control Revolving Program. \$300,000,000.** Congress established the Clean Water State Revolving Fund (CWSRF) under Title VI of the federal Clean Water Act to capitalize state-run, low-interest loan programs to finance water quality facilities and activities. The Washington State Water Pollution Control Revolving Account or CWSRF, established under

Chapter 90.50A RCW, implemented the loan program to provide low-interest loans to local governments, special purpose districts, and recognized tribes for high-priority water quality projects statewide. Ecology uses these funds to finance planning, designing, acquiring, constructing, and improving water pollution control facilities, and for related nonpoint source activities that help meet state and federal water pollution control requirements. Ecology is requesting \$300 million in appropriation to continue essential work through this loan program. Related to Puget Sound Action Agenda implementation. (Water Pollution Control Revolving Account)

14. Centennial Clean Water Program. \$80,000,000. This request for Ecology's Centennial Clean Water Program will provide grants to public entities to finance the construction of water pollution control facilities and to plan and implement nonpoint pollution control activities. Ecology distributes the funds through a statewide competitive rating and ranking process. Grant recipients are public entities that use the funds to address high priority statewide water quality needs. The work done by public entities using these funds is an integral and essential part of the state's strategy to reduce pollution and protect our marine waters, estuaries, lakes, rivers, and groundwater resources. The Centennial Clean Water Program is a critical program for meeting the clean water needs for small disadvantaged communities. Related to Puget Sound Action Agenda Implementation. (State Building Construction Account)

15. Floodplains by Design. \$70,000,000. In Washington, the costs of flooding exceed all other natural hazards. Since 1980, flooding has caused more than \$2 billion in damages to the state, with highly populated areas in Western Washington most at risk. In the past, solutions to flooding problems were often out of sync with other ecosystem protection or restoration activities. Floodplains by Design is a floodplain management program that uses an integrated approach to managing our state's flood-prone areas. Floodplains by Design combines flood-hazard reduction actions with salmon recovery, habitat restoration, and other community benefits. The program is a public-private partnership between Ecology, The Nature Conservancy, and the Puget Sound Partnership. Related to Puget Sound Action Agenda Implementation. (State Building Construction Account)

16. Stormwater Financial Assistance Program. \$52,700,000. Ecology's Stormwater Financial Assistance Program provides grants to public entities to finance stormwater retrofit projects that treat polluted stormwater in priority areas throughout the state. Funding will be awarded through an integrated competitive rating and ranking process to ensure projects provide good water quality value and address problems from existing urban development. This request will fund work accomplished by local governments to help reduce toxics and other pollution from entering our waterways and protect our marine waters, estuaries, lakes, rivers, and groundwater resources. Related to the Puget Sound Action Agenda implementation. (Model Toxics Control Stormwater Account)

17. Columbia River Water Supply Development Program. \$40,000,000. Ecology is requesting \$40 million in new appropriation authority to continue implementing the Columbia River Basin Water Supply Development Program (Chapter 90.90 RCW). This request will fund projects that are in various stages of completion and provide the Office of Columbia River with the resources needed to make substantial progress in the 2021-23 Biennium. Specifically, these funds will provide an alternative to groundwater for agricultural users in the Odessa Subarea aquifer; deliver new sources of water supply for pending water right applications; develop a new, uninterrupted water supply for those presently subject to interruption during times of drought or low flows;

develop new municipal, domestic, industrial, and irrigation water throughout the Columbia River Basin; and place one-third of these new water supplies in-stream to meet the flow needs of fish, wildlife and recreational users. With this investment, Ecology will help meet priority needs of the water users in the Columbia River Basin. (State Building Construction Account, Columbia River Basin Water Supply Revenue Recovery Account)

18. Streamflow Restoration Program. \$40,000,000. Ecology is requesting new appropriation authority to continue implementing Chapter 90.94 RCW Streamflow Restoration Program that was passed in the 2018 legislative session. This request will fund projects that implement the Chapter 90.94 RCW local watershed planning process that improves instream flows statewide. This legislation provided \$300 million in bond authorization over 15 years for this work. With this request, Ecology will deliver additional water supplies to improve stream flow conditions for fish and wildlife. (Watershed Restoration and Enhancement Bond Account, Watershed Restoration and Enhancement Taxable Bond Account)

19. Yakima River Basin Water Supply. \$42,000,000. Current water resources infrastructure, programs, and policies in the Yakima River Basin have not been able to consistently meet the environmental and economic demands that support basin aquatic resources, fish and wildlife habitat, dry-year irrigation, and municipal water supplies. A diverse set of local stakeholders developed the Yakima River Basin Integrated Water Resources Management Plan to provide a comprehensive, long-term water resources and habitat improvement program to address this situation. Ecology is requesting funding in the 2021-23 Biennium to continue implementing this program in cooperation with the U.S. Bureau of Reclamation and local stakeholders. This program will support the regional economy and protect the environment. (State Building Construction Account)

20. Chehalis Basin Strategy. \$70,000,000. In the Chehalis River basin, five of the largest recorded floods have occurred during the last 30 years. Habitat for salmon and other aquatic species has been severely degraded. Climate change is making both flood and fish problems worse. Without aggressive action, the best available science predicts that by late 21st century, thousands of homes in the Basin will be at risk, increased flooding will close U.S. Interstate 5 more often, communities will experience up to \$3.5 billion in flood-related damages, and the survival of the basin's spring-run Chinook populations will be imperiled. At the direction of the Washington State Legislature, a diverse set of stakeholders overseen by the Chehalis Basin Board, and supported by Ecology's Office of Chehalis Basin, are developing a comprehensive, long-term Chehalis Basin Strategy to reduce flood-related damage, restore aquatic habitat for salmon and other native species, and provide other public benefits. Ecology is requesting \$70 million to continue implementing the Strategy in cooperation with local, tribal, and state partners. (State Building Construction Account)

21. Sunnyside Valley Irrigation District Water Conservation. \$4,281,000. The United States Bureau of Reclamation manages conservation improvements required by the Sunnyside Division Water Rights Settlement Agreement in the Yakima Basin Water Rights Adjudication (*State of Washington, Department of Ecology vs. James J. Acquavella, et al.*). These are multi-year projects, and Ecology is requesting additional funding to cover the required state match of 17.5 percent of total project costs for the next four or five biennia. The Sunnyside Valley Irrigation District Phase 2 project cost is estimated at \$80 million, and Ecology's cost share is \$14 million over a 13 to 15 year construction period. This request includes \$4.281 million to continue the

construction schedule for the state's share of the Yakima River Basin Water Enhancement Project in the 2021-23 Biennium. (State Building Construction Account)

- 22. State Match – Water Pollution Control Revolving Program. \$15,000,000.** Congress established the Clean Water State Revolving Fund (CWSRF) under Title VI of the federal Clean Water Act to capitalize state-run, low-interest loan programs to finance water quality facilities and activities. The Washington State Water Pollution Control Revolving Account, or CWSRF, established under Chapter 90.50A RCW, implemented the loan program to provide low-interest loans to local governments, special purpose districts, and recognized tribes for high-priority water quality projects statewide. Ecology uses these funds to finance planning, designing, acquiring, constructing, and improving water pollution control facilities and for related nonpoint source activities that help meet state and federal water pollution control requirements. An annual federal capitalization grant must be matched with 20 percent state funds. Ecology is requesting \$15 million from the State Taxable Building Construction Account for the 20 percent state match to the \$75 million anticipated federal capitalization grant. The match must be deposited directly into the Water Pollution Control Revolving Account based on federal and state accounting and audit requirements. This funding will support the CWSRF loan program capital requests for new and reappropriated projects. Related to Puget Sound Action Agenda implementation. (State Taxable Building Construction Account)
- 23. Coastal Wetlands Federal Funds. \$8,000,000.** Ecology is requesting appropriation authority for the National Coastal Wetland Conservation grant program, administered by the U.S. Fish & Wildlife Service. This grant program provides financing to protect important coastal and estuarine areas that have significant conservation, recreation, or ecological value. Coastal wetlands make up less than 10 percent of the nation's land area, but support a wealth of plant and animal resources. Washington's coastal areas support a high percentage of threatened and endangered species, fishery resources, migratory songbirds, and migrating and wintering waterfowl. Ecology administers the pass through of these federal grants to other state or local government entities. Ecology requests \$8 million in federal capital appropriation authority for the 2021-23 Biennium in case we are successful in receiving additional grants. Related to Puget Sound Action Agenda. (General Fund-Federal)
- 24. Freshwater Aquatic Invasive Plants Grant Program. \$1,700,000.** This request is a technical adjustment to move funding for the Freshwater Aquatic Invasive Plants Grant program from the operating budget to the capital budget, similar to many other pass-through funding programs. Doing so will allow communities more predictable and durable funding for their local projects. A more efficient and effective program will mean fewer aquatic invasive plants impacting the lakes and streams in our communities. (Freshwater Aquatic Weeds Account)
- 25. Freshwater Algae Grant Program. \$730,000.** This request is a technical adjustment to move funding for the Freshwater Algae Grant program from the operating budget to the capital budget, similar to many other pass-through funding programs. Doing so will allow communities more predictable and durable funding for their local projects. A more efficient and effective program will mean fewer toxic algae blooms affecting the lakes and streams in our communities. (Aquatic Algae Control Account)

Protect and Restore Puget Sound

- 26. Puget Sound Nutrient Reduction Grant Program. \$9,000,000.** The health of Puget Sound is significantly degraded by human sources of excess nutrients, which cause low dissolved oxygen, disrupt the food chain, and imperil our orca and salmon populations. To help address this situation, Ecology is developing a nutrient general permit for wastewater treatment facilities that will focus on establishing nutrient discharge limits, optimizing operations of the facilities as they exist, and planning for future improvements. This budget request provides funding for pass-through grants to Puget Sound municipalities for wastewater nutrient reduction planning and optimization projects. This funding is needed to support these local governments in implementing the new nutrient general permit, and projects will help address significant impairments to the health of Puget Sound. Related to Puget Sound Action Agenda Implementation. (State Building Construction Account)
- 27. Clean Up Toxics Sites – Puget Sound. \$5,808,000.** A significant source of pollution to Puget Sound is contaminated sites around the basin and its shorelines. Ecology has been identifying and cleaning up contaminated sites in the Puget Sound basin for many years. This emphasis on bay-wide cleanup in Puget Sound and surrounding areas has highlighted a valuable link between toxic site cleanup and habitat restoration. This request will support projects that integrate shoreline habitat restoration opportunities with cleanup projects to protect public and environmental health, create jobs, and promote economic development. Related to Puget Sound Action Agenda Implementation. (Model Toxics Control Capital Account)

Facility Related

- 28. Lacey HQ Parking Garage Preservation. \$2,500,000.** Ecology's Lacey headquarters building and the connected parking garage are over 27 years old and have a current value of nearly \$100 million. The parking garage is in serious need of extensive restoration. The garage has had water penetrating the upper decks for nearly a decade, and while some repair work has been accomplished, water continues to degrade the garage's superstructure and damage its integrity. If the City of Lacey deems the parking garage structure unsafe, it could be closed. Completing this project will preserve the condition of the Lacey HQ facility, ensure the health and safety of employees and visitors, and protect the building from needing more costly repairs down the road. (State Building Construction Account)
- 29. Lacey HQ Elevator Restoration. \$1,596,000.** The elevators at Ecology's Lacey headquarters facility were installed 27 years ago. The control systems for these elevators are obsolete, and increasingly expensive maintenance is required to keep these elevators operational. The primary set of three traction elevators, located on the east side of the facility, need to be restored. These elevators are the principal bank of passenger elevators used by staff and visitors to enter and exit the facility, and are critical to efficient agency operations. They are also the only elevators on emergency generator power, required by fire code, and necessary to ensure safe egress of people with disabilities in the event of a power outage or emergency. In addition, upgrades to the system will be more energy efficient and reduce liability to the agency by decreasing the risk of staff and visitors getting stuck in an elevator. (State Building Construction Account)

To request an ADA accommodation, contact Ecology by phone at 360-407-6985 or email at valerie.pearson@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.