

March 24, 2005

S 981. DRINKING WATER RESERVOIR PROTECTION ACT. TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY WATER QUALITY IN THE STATE'S DRINKING WATER RESERVOIRS, TO DEVELOP AND IMPLEMENT A NUTRIENT MANAGEMENT STRATEGY FOR RESERVOIRS FOR WHICH WATER QUALITY MONITORING IS PLANNED, AND TO REPORT TO THE ENVIRONMENTAL REVIEW COMMISSION ON THE STATUS OF CURRENT RULE MAKING TO IMPLEMENT A NUTRIENT MANAGEMENT STRATEGY FOR ANY IMPAIRED RESERVOIRS. As title indicates. Report on study of water quality due by May 1, 2006, to Environmental Review Commission. Prohibits discharges by any point source that would result in new nutrient loading until Environmental Management Commission develops a nutrient management strategy. Requires Commission, by December 31, 2007, to have nutrient management plan based on an approved calibrated nutrient response model in place that will establish a schedule for mandatory reductions in nutrient loading that will prevent violations of water quality standards by December 31, 2012. If nutrient management strategy involves trading mechanism, it must prohibit credit transfers that have adverse local impacts, prohibit point source to nonpoint source trading, and provide for public comment before permits are modified based on trading mechanism. Specifies that nutrient management strategy applies to any reservoir that serves more than 300,000 people, is classified as nutrient sensitive water, and water quality fails to meet specified standards. Commission to report to Environmental Review Commission by May 1, 2006, on its progress.

Intro. by Cowell.

Ref. to Agriculture

STUDY

June 1, 2005

S 981. DRINKING WATER SUPPLY RESERVOIR PROTECTION (NEW). Intro. 3/24/05. Senate committee substitute makes the following changes to 1st edition. Substantially rewrites provisions of original as follows. Section 1 includes legislative findings. Section 2 requires the Environmental Management Comm'n to study water quality in State drinking water supply reservoirs to determine whether the reservoirs meet current water quality standards and report its findings and recommendations. Requires the Comm'n to identify nutrient control criteria. Directs Comm'n action when criteria are not achieved and requires reporting. Section 3 amends the criteria defining the reservoirs to which the section applies, provides for a temporary limitation on certain new or increased nutrient loading allocations, amends provision requiring the Comm'n to develop a nutrient management strategy, provides for Comm'n rulemaking, and requires reporting. Section 4 adds provisions pertaining to other drinking water supply reservoirs.

June 1, 2005

S 981. DRINKING WATER SUPPLY RESERVOIR PROTECTION. Intro. 3/24/05. Senate amendment makes the following changes to 2nd edition. Clarifies that temporary restriction on increased nutrient loading in water supply reservoirs deemed not likely to meet water quality standards does not prohibit a currently permitted wastewater discharger into that reservoir from purchasing nutrient loading allocations from other dischargers with permits for the same reservoir. Further clarifies that wastewater plants owned by state agencies may apply for subsidized wastewater funding if the operator is a local government unit that eventually plans to own the plant.

July 18, 2005

SL 2005-190 (S 981). DRINKING WATER SUPPLY RESERVOIR PROTECTION. AN ACT TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION: (1) TO STUDY WATER QUALITY IN DRINKING WATER SUPPLY RESERVOIRS IN THE STATE, (2) TO ADOPT NUTRIENT CONTROL CRITERIA FOR DRINKING WATER SUPPLY RESERVOIRS, (3) TO DEVELOP AND IMPLEMENT A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS THAT ARE IMPAIRED OR THAT MAY BECOME IMPAIRED WITHIN FIVE YEARS, (4) NOT TO MAKE ANY NEW OR INCREASED NUTRIENT

LOADING ALLOCATION TO ANY IMPAIRED DRINKING WATER SUPPLY RESERVOIR UNTIL RULES TO IMPLEMENT A NUTRIENT MANAGEMENT STRATEGY FOR THAT RESERVOIR BECOME EFFECTIVE, AND (5) TO REPORT TO THE ENVIRONMENTAL REVIEW COMMISSION ON PROGRESS IN DEVELOPING AND IMPLEMENTING NUTRIENT MANAGEMENT STRATEGIES FOR DRINKING WATER SUPPLY RESERVOIRS WITH IMPAIRED WATER QUALITY. Summarized in *Daily Bulletin* 3/24/05 and 6/1/05. Enacted July 15, 2005. Effective July 15, 2005.