

Federal requirements alone can't protect Washington's natural resources

In these tough economic times, some are asking whether we need state environmental protections that go beyond the minimums required by federal laws. The following information is presented to help answer that question.

Because federal laws apply to every state in the union, they are not designed to address a state's unique ecosystems, habitat or topography. Washington's laws, citizen initiatives and rules are designed to better protect our state's valuable natural resources and quality of life. Below are some examples of how state-specific regulations benefit Washington.

Prevent oil spills

There is no detailed federal plan to prevent oil spills on the Puget Sound or Columbia River. Instead, federal law requires Washington to develop a plan tailored to our state. Given the toll a major oil spill would cause (see side panel), we have strong laws in place to prevent pollution and prepare a rapid, aggressive and well coordinated response to oil spill emergencies.

Ensure that the polluter, not the public, pays for cleanup.

Washington residents want polluters to pay for the damages they cause to our environment. That's why, in 1988, citizens sponsored and voted for Washington's cleanup law. Under our law, cleanup work is funded by a tax on hazardous substances, including petroleum products, which contaminate water, land and air. Federal regulations do not even recognize petroleum as a hazardous substance, so federal funds cannot be used to clean up many of the contaminated sites in our state. That means having our own law is vital for our communities and the health of our people and environment.

WHY IT MATTERS

One-third of the state's economy is tied to natural resources through agriculture, forestry, fishing, outdoor recreation, waterborne trade and other activities. **If the quality of Washington's air, land and water declines, the state loses an important economic driver.** See <http://www.ecy.wa.gov/economy.html>

Quality of Life, including clean air and water and healthy people, is a key factor the state's Economic and Revenue Forecast Council uses to gauge the state's economic competitiveness. <http://www.erfc.wa.gov/publications/climateStudy.shtml>.

Our environmental laws – **some the result of citizen initiatives** -- reflect the value the people of our state place on clean air and soil. http://www.ecy.wa.gov/about/quality_laws.html

A major oil spill in Puget Sound could cost Washington's economy \$10.8 billion and adversely affect 165,000 jobs due to disruptions in maritime shipping and public port activities, recreation and tourism, and damage to state fish, shellfish and wildlife.

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Under federal law, claims for damages to natural resources are limited to three years after the damage was first discovered: if restoration costs were incurred after that time, the general public would be obligated to pay. Washington's state law has **no** time limits on natural resource claims.

The state also holds pesticide manufacturers liable for cleanup when farmers use pesticides according to the instructions and still cause contamination – protecting farmers from cleanup costs when they aren't at fault.

Protect Washington's valuable natural resources

Federal law only protects wetlands that are connected to a navigable waterway or interstate waters. State regulations protect wetlands that are not covered by federal law. These areas moderate flooding, recharge groundwater, provide wildlife habitat, and support recreational opportunities like hunting, fishing and bird watching. They also are important to Washington's cranberry industry.

Better protect human health, water quality from toxic and hazardous wastes

Washington requires manufacturers of children's products to disclose the presence of certain toxic chemicals in their products; no federal requirements do the same.

Washington's limits on how much dangerous waste can accumulate on a site are more protective than federal requirements. In our state, waste containers must be clearly labeled to inform workers of the contents and reduce risk of exposure. Some wastes must meet certain criteria before being sent to a landfill, to ensure dangerous materials don't end up at a facility not designed to handle them. Our siting criteria protect human health and water on the surface and underground.

Support quality of life through good planning

Washington State's Growth Management Act doesn't exist at the federal level. It requires affected cities and counties to designate and protect critical areas and address pollution from sources like sewage, stormwater, open burning and commercial activities. This protects the state's quality of life, which includes clean air, clean water and the availability of water.

Our approach supports the economy and the environment

By law, before we establish a state regulation we have to identify the least burdensome alternative – the easiest and most cost-effective approach that achieves the intent of the relevant statute.

Ecology enforces regulations under the law, but we also work with businesses to help them avoid penalties and cleanup costs. For example, our experts provide companies with technical assistance that can help them save money, reduce wastes and protect the environment. [Preventing pollution](#) is easier, quicker and more cost effective than cleaning up contamination after the fact. Read our [success stories](#) at <http://www.ecy.wa.gov/pubs/1104023.pdf>

