

**RCW 35.110.010 When authorized—Investment plan.** (1) Any city having a boundary located on Puget Sound or Lake Washington may establish, finance, and provide passenger-only ferry service, including associated services to support and augment passenger-only ferry service operation, within its boundaries. For the purposes of this chapter, Puget Sound has the same meaning as described in RCW 36.57A.200.

(2) Before a city may provide passenger-only ferry service, it must develop a passenger-only ferry investment plan, which must include elements regarding operating or contracting for the operation of passenger-only ferry services; the purchase, lease, or rental of ferry vessels and dock facilities for the provision of transit service; consultation with potentially affected federally recognized Indian treaty fishing tribes and other federally recognized treaty tribes with potentially affected interests to ensure impacts to tribal fishing are minimized; and identifying other activities necessary to implement the plan. The passenger-only ferry investment plan must also set forth terminal locations to be served, consistency with any study developed through the Puget Sound regional council for regional service, projected costs of providing services, and revenues to be generated from tolls, locally collected tax revenues, and other revenue sources. The passenger-only ferry investment plan may recommend additional revenue authority that has not yet been authorized under state law.

(3) The passenger-only ferry investment plan must ensure that services provided under the plan are for the benefit of the residents of the city. The city may use any of its powers to carry out this purpose, unless otherwise prohibited by law. In addition, the city may enter into contracts and agreements to operate passenger-only ferry service, as well as appropriate public-private partnerships including, but not limited to, design-build, general contractor/construction management, or other alternative procurement processes substantially consistent with chapter 39.10 RCW.

(4) The passenger-only ferry investment plan must show design and funding considerations for propulsion types and technologies that meet low, ultra-low, and zero emission targets in relation to any operations and business plan to ensure a viable route. Considerations should include vessel design, electrification, as well as shoreside infrastructure. The investment plan must also show best management practices and technologies available and considered to reduce impacts to water quality, prevention of strikes, and underwater noise that impact the southern resident killer whale population, other marine mammals, and aquatic life. [2020 c 181 § 1.]