

# FINAL BILL REPORT

## 2SHB 2031

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C 285 L 96

Synopsis as Enacted

**Brief Description:** Eliminating the authority to impose storm water facility charges for highway rights of way.

**Sponsors:** By House Committee on Transportation (originally sponsored by Representative K. Schmidt).

### House Committee on Transportation Senate Committee on Transportation

**Background:** Local government storm water utilities may charge the Department of Transportation (DOT) for the construction, operation, and maintenance of storm water control facilities. The rate local utilities may charge the DOT is limited to 30 percent of the rate for comparable real property. The rate charged may not, however, exceed the rate charged for comparable city street or county road right-of-way within the same jurisdiction.

For all new construction the DOT provides for the conveyance and treatment of storm water. For existing construction the department is undertaking a storm water retrofit program to address those facilities and associated rights of way that have storm water-related problems.

**Summary:** Beginning January 1, 1997, local storm water utilities may use assessment charges collected from the Department of Transportation (DOT) only for capital projects that address state highway storm water impacts or for implementation of best management practices that reduce the need for such facilities. Each jurisdiction must develop an annual plan for expenditure of the fees in coordination with the DOT. The plan must be consistent with the objectives of the storm water management funding and implementation program created in the bill. Starting with the 1998 plan, a progress report on the prior year's plan must be submitted. The DOT may not pay any fees until the plan and progress report have been received.

The storm water management funding and implementation program provides for statewide coordination in the implementation of storm water facility projects and authorizes the DOT to provide grants, on a matching basis, to fund selected storm water projects. The DOT shall develop the program in cooperation with the Department of Ecology, cities, counties, ports, business and environmental organizations, and Indian tribes. Cities, towns, counties, port districts, Indian tribes and the DOT are eligible for grants. A committee to oversee the grant process,

comprised of two members each from the DOT, the Department of Ecology, and cities and counties, and one member each from an environmental organization and a business organization, is created. Other members may be added at the discretion of the committee. A report on implementation of the program shall be submitted to the Legislative Transportation Committee and the Office of Financial Management by December 1, 1996. The program sunsets on July 1, 2003.

In developing highway improvement projects, the DOT shall coordinate with adjacent jurisdictions and organizations to determine opportunities for cost-effective joint storm water treatment facilities.

**Votes on Final Passage:**

House	96	1	
Senate	48	0	(Senate amended)
House	98	0	(House concurred)

**Effective:** June 6, 1996