
SENATE BILL 6520

State of Washington

55th Legislature

1998 Regular Session

By Senators Fraser, Fairley and McAuliffe

Read first time 01/20/98. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to local funding of watershed plans; and adding a
2 new chapter to Title 36 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** FINDINGS--PURPOSE. (1) The legislature
5 finds:

6 (a) Federal agencies, state agencies, counties, cities, Indian
7 tribes, and special districts are all engaged in a multitude of
8 planning and management efforts designed to protect and enhance the
9 quality and quantity of water within the state;

10 (b) The growth management act, chapter 36.70A RCW, sets broad goals
11 for counties and cities to develop comprehensive plans for sustainable
12 economic development, environmental protection, and provision of
13 adequate capital facilities but fails to provide direction for
14 integrating water resources planning and policy with growth planning
15 efforts;

16 (c) Implementation of the growth management act, ongoing water
17 resources planning and management efforts, and salmonid recovery
18 actions should support each other and be logically consistent;

1 (d) New federal and state regulatory requirements for recovery of
2 salmon, steelhead, and other fish species, managing storm water,
3 protecting drinking water supply, and managing other aspects of water
4 resources increase the need for counties to integrate planning and
5 management activities involving both land use and water resources; and

6 (e) Efforts should be made to combine financial resources for
7 planning, capital expenditures, facility operations and maintenance,
8 water quality monitoring, and public education related to water
9 resource protection and management at the state and local level and to
10 eliminate waste and duplication in planning and management of water
11 resources.

12 (2) The purpose of this chapter is to authorize counties, cities,
13 and special districts to provide funding from existing water-related
14 sources to assist in comprehensive planning and management activities
15 on a watershed basis. The coordinated program established in this
16 chapter is intended to emphasize local accountability, consistency with
17 growth planning activities, and protection of the public health and the
18 environment in a cost-efficient manner.

19 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly
20 requires otherwise, the definitions in this section apply throughout
21 this chapter.

22 (1) "Program" means a coordinated water resources program
23 authorized under section 3 of this act.

24 (2) "Water resources" shall be broadly construed to include surface
25 water, ground water, marine waters, and the general aquatic ecosystem,
26 and includes activities involving water quality, wetlands, and the
27 riparian zone.

28 NEW SECTION. **Sec. 3.** COORDINATED WATER RESOURCES PROGRAM--
29 ESTABLISHMENT. (1)(a) The legislative authority of any county that is
30 participating in the development of a comprehensive watershed plan or
31 fish recovery plan under chapter 90.82 RCW may create a coordinated
32 water resources program. The purpose of a coordinated water resources
33 program is to allocate funding from county sources within the watershed
34 to assist in developing and implementing a comprehensive watershed plan
35 or fish recovery plan under chapter 90.82 RCW.

36 (b) A county legislative authority proposing to establish a
37 coordinated water resources program shall consult with affected cities,

1 tribes, and special districts in developing its proposal before
2 scheduling the proposal for a public hearing. Following such
3 consultation the county shall propose the boundaries for operation of
4 the program and the funding sources to be committed to the program. If
5 a portion of the watershed area lies within a city or a town, the
6 county shall provide for the participation of the legislative authority
7 of the city or town in developing the program. The county, in
8 cooperation with the affected cities, tribes, and special districts,
9 shall conduct at least one public hearing on the proposal. Notice of
10 the hearing shall be published at least once, not less than ten days
11 before the hearing, in a newspaper of general circulation within the
12 area of the proposed coordinated water resources program. The public
13 hearing may be continued to other times, dates, and places announced at
14 the hearing, without publication of the continuance. At the public
15 hearing, the county legislative authority shall hear objections and
16 comments from persons interested in the proposal to establish the
17 program.

18 (c) After conducting the hearing and considering public comments,
19 the county legislative authority shall by resolution or ordinance
20 describe the boundaries of the coordinated water resources program and
21 the funding sources and amounts to be committed to the program.

22 (2) Establishment of a coordinated water resources program and the
23 exercise of any authority under this chapter shall not be construed as
24 requiring the transfer of duties or responsibilities from any
25 established state, local, city, or tribal program or from any district
26 that exists that addresses water resource management.

27 (3) A coordinated water resources program may not include territory
28 located within a city without the approval of the city legislative
29 authority, nor may it include territory located in the unincorporated
30 area of another county without the approval of the county legislative
31 authority of that county. In seeking approval of the city or other
32 county, the county shall propose procedures for the participation of
33 the city or other county in establishing and in carrying out the
34 coordinated water resources program within the city or county.

35 NEW SECTION. **Sec. 4.** FUNDING. (1) The legislative authority of
36 a county may authorize up to ten percent of existing fees, charges, or
37 special assessments levied and collected within the watershed by the
38 county in the implementation of a coordinated water resource program.

1 (2) The legislative authority of a city may authorize up to ten
2 percent of existing fees, charges, or special assessments levied and
3 collected by a city within the boundaries of a proposed or established
4 county-coordinated water resources program for purposes of cooperating
5 with the county in the implementation of the program.

6 (3) The governing body of a special district may authorize up to
7 ten percent of existing fees, charges, or special assessments levied
8 and collected within that portion of the district's boundaries located
9 inside a proposed or established county-coordinated water resources
10 program for purposes of cooperating with the county in the
11 implementation of the program.

12 (4) A city or special district may by intergovernmental agreement
13 transfer funds specified in subsections (2) and (3) of this section to
14 the county for administration.

15 (5) The county shall establish a special coordinated water
16 resources program account or fund for the purposes of receiving and
17 expending funds under this chapter.

18 NEW SECTION. **Sec. 5.** EXISTING AUTHORITY. This chapter shall not
19 be construed to reduce or eliminate any existing authority of any state
20 agency or any Indian tribe.

21 NEW SECTION. **Sec. 6.** CAPTIONS NOT LAW. Captions used in this
22 chapter do not constitute any part of the law.

23 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
24 a new chapter in Title 36 RCW.

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