
SENATE BILL 5409

State of Washington

57th Legislature

2001 Regular Session

By Senators T. Sheldon, Swecker, Haugen, Roach, Jacobsen and Rasmussen

Read first time 01/22/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to water-sewer district general comprehensive
2 plans; and amending RCW 57.16.010.

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

4 **Sec. 1.** RCW 57.16.010 and 1997 c 447 s 18 are each amended to read
5 as follows:

6 Before ordering any improvements or submitting to vote any
7 proposition for incurring any indebtedness, the district commissioners
8 shall adopt a general comprehensive plan for the type or types of
9 facilities the district proposes to provide. A district may prepare a
10 separate general comprehensive plan for each of these services and
11 other services that districts are permitted to provide, or the district
12 may combine any or all of its comprehensive plans into a single general
13 comprehensive plan.

14 (1) For a general comprehensive plan of a water supply system, the
15 commissioners shall investigate the several portions and sections of
16 the district for the purpose of determining the present and reasonably
17 foreseeable future needs thereof; shall examine and investigate,
18 determine, and select a water supply or water supplies for such
19 district suitable and adequate for present and reasonably foreseeable

1 future needs thereof; and shall consider and determine a general system
2 or plan for acquiring such water supply or water supplies, and the
3 lands, waters, and water rights and easements necessary therefor, and
4 for retaining and storing any such waters, and erecting dams,
5 reservoirs, aqueducts, and pipe lines to convey the same throughout
6 such district. There may be included as part of the system the
7 installation of fire hydrants at suitable places throughout the
8 district. The commissioners shall determine a general comprehensive
9 plan for distributing such water throughout such portion of the
10 district as may then reasonably be served by means of subsidiary
11 aqueducts and pipe lines, and a long-term plan for financing the
12 planned projects and the method of distributing the cost and expense
13 thereof, including the creation of local improvement districts or
14 utility local improvement districts, and shall determine whether the
15 whole or part of the cost and expenses shall be paid from revenue or
16 general obligation bonds.

17 (2) For a general comprehensive plan for a sewer system, the
18 commissioners shall investigate all portions and sections of the
19 district and select a general comprehensive plan for a sewer system for
20 the district suitable and adequate for present and reasonably
21 foreseeable future needs thereof. The general comprehensive plan shall
22 provide for treatment plants and other methods and services, if any,
23 for the prevention, control, and reduction of water pollution and for
24 the treatment and disposal of sewage and industrial and other liquid
25 wastes now produced or which may reasonably be expected to be produced
26 within the district and shall, for such portions of the district as may
27 then reasonably be served, provide for the acquisition or construction
28 and installation of laterals, trunk sewers, intercepting sewers,
29 syphons, pumping stations or other sewage collection facilities, septic
30 tanks, septic tank systems or drainfields, and systems for the
31 transmission and treatment of wastewater. The general comprehensive
32 plan shall provide a long-term plan for financing the planned projects
33 and the method of distributing the cost and expense of the sewer system
34 and services, including the creation of local improvement districts or
35 utility local improvement districts; and provide whether the whole or
36 some part of the cost and expenses shall be paid from revenue or
37 general obligation bonds.

38 (3) For a general comprehensive plan for a drainage system, the
39 commissioners shall investigate all portions and sections of the

1 district and adopt a general comprehensive plan for a drainage system
2 for the district suitable and adequate for present and future needs
3 thereof. The general comprehensive plan shall provide for a system to
4 collect, treat, and dispose of storm water or surface waters, including
5 use of natural systems and the construction or provision of culverts,
6 storm water pipes, ponds, and other systems. The general comprehensive
7 plan shall provide for a long-term plan for financing the planned
8 projects and provide for a method of distributing the cost and expense
9 of the drainage system, including local improvement districts or
10 utility local improvement districts, and provide whether the whole or
11 some part of the cost and expenses shall be paid from revenue or
12 general obligation bonds.

13 (4) For a general comprehensive plan for street lighting, the
14 commissioners shall investigate all portions and sections of the
15 district and adopt a general comprehensive plan for street lighting for
16 the district suitable and adequate for present and future needs
17 thereof. The general comprehensive plan shall provide for a system or
18 systems of street lighting, provide for a long-term plan for financing
19 the planned projects, and provide for a method of distributing the cost
20 and expense of the street lighting system, including local improvement
21 districts or utility local improvement districts, and provide whether
22 the whole or some part of the cost and expenses shall be paid from
23 revenue or general obligation bonds.

24 (5) The commissioners may employ such engineering and legal service
25 as in their discretion is necessary in carrying out their duties.

26 (6) Any general comprehensive plan or plans shall be adopted by
27 resolution and submitted to an engineer designated by the legislative
28 authority of the county in which fifty-one percent or more of the area
29 of the district is located, and to the director of health of the county
30 in which the district or any portion thereof is located, and must be
31 approved in writing by the engineer and director of health, except that
32 a comprehensive plan relating to street lighting shall not be submitted
33 to or approved by the director of health. The general comprehensive
34 plan shall be approved, conditionally approved, or rejected by the
35 director of health and by the designated engineer within sixty days of
36 their respective receipt of the plan. However, this sixty-day time
37 limitation may be extended by the director of health or engineer for up
38 to an additional sixty days if sufficient time is not available to
39 review adequately the general comprehensive plans.

1 Before becoming effective, the general comprehensive plan shall
2 also be submitted to, and approved by resolution of, the legislative
3 authority of every county within whose boundaries all or a portion of
4 the district lies. The general comprehensive plan shall be approved,
5 conditionally approved, or rejected by each of the county legislative
6 authorities pursuant to the criteria in RCW 57.02.040 for approving the
7 formation, reorganization, annexation, consolidation, or merger of
8 districts. The resolution, ordinance, or motion of the legislative
9 body that rejects the comprehensive plan or a part thereof shall
10 specifically state in what particular the comprehensive plan or part
11 thereof rejected fails to meet these criteria. The general
12 comprehensive plan shall not provide for the extension or location of
13 facilities that are inconsistent with the requirements of RCW
14 36.70A.110. Nothing in this chapter shall preclude a county from
15 rejecting a proposed plan because it is in conflict with the criteria
16 in RCW 57.02.040. Each general comprehensive plan shall be deemed
17 approved if the county legislative authority fails to reject or
18 conditionally approve the plan within ninety days of the plan's
19 submission to the county legislative authority or within thirty days of
20 a hearing on the plan when the hearing is held within ninety days of
21 submission to the county legislative authority. However, a county
22 legislative authority may extend this ninety-day time limitation by up
23 to an additional ninety days where a finding is made that ninety days
24 is insufficient to review adequately the general comprehensive plan.
25 In addition, the commissioners and the county legislative authority may
26 mutually agree to an extension of the deadlines in this section.

27 If the district includes portions or all of one or more cities or
28 towns, the general comprehensive plan shall be submitted also to, and
29 approved by resolution of, the legislative authorities of the cities
30 and towns before becoming effective. The general comprehensive plan
31 shall be deemed approved by the city or town legislative authority if
32 the city or town legislative authority fails to reject or conditionally
33 approve the plan within ninety days of the plan's submission to the
34 city or town or within thirty days of a hearing on the plan when the
35 hearing is held within ninety days of submission to the county
36 legislative authority. However, a city or town legislative authority
37 may extend this time limitation by up to an additional ninety days
38 where a finding is made that insufficient time exists to adequately
39 review the general comprehensive plan within these time limitations.

1 In addition, the commissioners and the city or town legislative
2 authority may mutually agree to an extension of the deadlines in this
3 section.

4 Before becoming effective, the general comprehensive plan shall be
5 approved by any state agency whose approval may be required by
6 applicable law. The general comprehensive plan shall be deemed
7 approved by any such state agency if such state agency fails to reject
8 or conditionally approve the plan within sixty days of the plan's
9 submission to the state agency. However, a state agency may extend
10 this time limitation by up to an additional sixty days if insufficient
11 time exists to adequately review the general comprehensive plan within
12 these time limitations.

13 Before becoming effective, any amendment to, alteration of, or
14 addition to, a general comprehensive plan shall also be subject to such
15 approval as if it were a new general comprehensive plan. However, only
16 if the amendment, alteration, or addition (~~affects~~) materially
17 impacts a particular city or town, shall the amendment, alteration, or
18 addition be subject to approval by such particular city or town
19 governing body.

20 The district shall provide a copy of the general comprehensive
21 plan, or any amendment, alteration, or addition thereto, to every state
22 agency, county, city, and town from which approval was required by
23 applicable law, within thirty days after such plan, amendment,
24 alteration, or addition becomes effective.

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