

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1426

Chapter 103, Laws of 2019

66th Legislature
2019 Regular Session

CONSERVATION DISTRICTS--JOINT ENGINEERING ACTIVITIES

EFFECTIVE DATE: July 28, 2019

Passed by the House March 7, 2019
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 10, 2019
Yeas 46 Nays 0

KAREN KEISER

President of the Senate

Approved April 23, 2019 3:53 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1426** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 24, 2019

**Secretary of State
State of Washington**

HOUSE BILL 1426

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Ramos, Orcutt, Mead, Walsh, Slatter, Lovick, and Leavitt

Read first time 01/22/19. Referred to Committee on Local Government.

1 AN ACT Relating to cooperation between conservation districts;
2 and amending RCW 89.08.220.

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

4 **Sec. 1.** RCW 89.08.220 and 1999 c 305 s 8 are each amended to
5 read as follows:

6 A conservation district organized under the provisions of chapter
7 184, Laws of 1973 1st ex. sess. shall constitute a governmental
8 subdivision of this state, and a public body corporate and politic
9 exercising public powers, but shall not levy taxes or issue bonds and
10 such district, and the supervisors thereof, shall have the following
11 powers, in addition to others granted in other sections of chapter
12 184, Laws of 1973 1st ex. sess.:

13 (1) To conduct surveys, investigations, and research relating to
14 the conservation of renewable natural resources and the preventive
15 and control measures and works of improvement needed, to publish the
16 results of such surveys, investigations, or research, and to
17 disseminate information concerning such preventive and control
18 measures and works of improvement: PROVIDED, That in order to avoid
19 duplication of research activities, no district shall initiate any
20 research program except in cooperation with the government of this

1 state or any of its agencies, or with the United States or any of its
2 agencies;

3 (2) To conduct educational and demonstrational projects on any
4 lands within the district upon obtaining the consent of the occupier
5 of such lands and such necessary rights or interests in such lands as
6 may be required in order to demonstrate by example the means,
7 methods, measures, and works of improvement by which the conservation
8 of renewable natural resources may be carried out;

9 (3) To carry out preventative and control measures and works of
10 improvement for the conservation of renewable natural resources,
11 within the district including, but not limited to, engineering
12 operations, methods of cultivation, the growing of vegetation,
13 changes in use of lands, and the measures listed in RCW 89.08.010, on
14 any lands within the district upon obtaining the consent of the
15 occupier of such lands and such necessary rights or interests in such
16 lands as may be required;

17 (4) To cooperate or enter into agreements with, and within the
18 limits of appropriations duly made available to it by law, to furnish
19 financial or other aid to any agency, governmental or otherwise, or
20 any occupier of lands within the district in the carrying on of
21 preventive and control measures and works of improvement for the
22 conservation of renewable natural resources within the district,
23 subject to such conditions as the supervisors may deem necessary to
24 advance the purposes of chapter 184, Laws of 1973 1st ex. sess. For
25 purposes of this subsection only, land occupiers who are also
26 district supervisors are not subject to the provisions of RCW
27 42.23.030;

28 (5) To obtain options upon and to acquire in any manner, except
29 by condemnation, by purchase, exchange, lease, gift, bequest, devise,
30 or otherwise, any property, real or personal, or rights or interests
31 therein; to maintain, administer, and improve any properties
32 acquired, to receive income from such properties and to expend such
33 income in carrying out the purposes and provisions of chapter 184,
34 Laws of 1973 1st ex. sess.; and to sell, lease, or otherwise dispose
35 of any of its property or interests therein in furtherance of the
36 purposes and the provisions of chapter 184, Laws of 1973 1st ex.
37 sess.;

38 (6) To make available, on such terms, as it shall prescribe, to
39 land occupiers within the district, agricultural and engineering
40 machinery and equipment, fertilizer, seeds, seedlings, and such other

1 equipment and material as will assist them to carry on operations
2 upon their lands for the conservation of renewable natural resources;

3 (7) (a) To prepare and keep current a comprehensive long-range
4 program recommending the conservation of all the renewable natural
5 resources of the district. Such programs shall be directed toward the
6 best use of renewable natural resources and in a manner that will
7 best meet the needs of the district and the state, taking into
8 consideration, where appropriate, such uses as farming, grazing,
9 timber supply, forest, parks, outdoor recreation, potable water
10 supplies for urban and rural areas, water for agriculture, minimal
11 flow, and industrial uses, watershed stabilization, control of soil
12 erosion, retardation of water runoff, flood prevention and control,
13 reservoirs and other water storage, restriction of developments of
14 floodplains, protection of open space and scenery, preservation of
15 natural beauty, protection of fish and wildlife, preservation of
16 wilderness areas and wild rivers, the prevention or reduction of
17 sedimentation and other pollution in rivers and other waters, and
18 such location of highways, schools, housing developments, industries,
19 airports and other facilities and structures as will fit the needs of
20 the state and be consistent with the best uses of the renewable
21 natural resources of the state. The program shall include an
22 inventory of all renewable natural resources in the district, a
23 compilation of current resource needs, projections of future resource
24 requirements, priorities for various resource activities, projected
25 timetables, descriptions of available alternatives, and provisions
26 for coordination with other resource programs.

27 (b) The district shall also prepare an annual work plan, which
28 shall describe the action programs, services, facilities, materials,
29 working arrangements and estimated funds needed to carry out the
30 parts of the long-range programs that are of the highest priorities.

31 (c) The districts shall hold public hearings at appropriate times
32 in connection with the preparation of programs and plans, shall give
33 careful consideration to the views expressed and problems revealed in
34 hearings, and shall keep the public informed concerning their
35 programs, plans, and activities. Occupiers of land shall be invited
36 to submit proposals for consideration to such hearings. The districts
37 may supplement such hearings with meetings, referenda and other
38 suitable means to determine the wishes of interested parties and the
39 general public in regard to current and proposed plans and programs
40 of a district. They shall confer with public and private agencies,

1 individually and in groups, to give and obtain information and
2 understanding of the impact of district operations upon agriculture,
3 forestry, water supply and quality, flood control, particular
4 industries, commercial concerns and other public and private
5 interests, both rural and urban.

6 (d) Each district shall submit to the commission its proposed
7 long-range program and annual work plans for review and comment.

8 (e) The long-range renewable natural resource program, together
9 with the supplemental annual work plans, developed by each district
10 under the foregoing procedures shall have official status as the
11 authorized program of the district, and it shall be published by the
12 districts as its "renewable resources program". Copies shall be made
13 available by the districts to the appropriate counties,
14 municipalities, special purpose districts and state agencies, and
15 shall be made available in convenient places for examination by
16 public land occupier or private interest concerned. Summaries of the
17 program and selected material therefrom shall be distributed as
18 widely as feasible for public information;

19 (8) To administer any project or program concerned with the
20 conservation of renewable natural resources located within its
21 boundaries undertaken by any federal, state, or other public agency
22 by entering into a contract or other appropriate administrative
23 arrangement with any agency administering such project or program;

24 (9) Cooperate with other districts organized under chapter 184,
25 Laws of 1973 1st ex. sess. in the exercise of any of its powers;

26 (10) To accept donations, gifts, and contributions in money,
27 services, materials, or otherwise, from the United States or any of
28 its agencies, from this state or any of its agencies, or from any
29 other source, and to use or expend such moneys, services, materials,
30 or any contributions in carrying out the purposes of chapter 184,
31 Laws 1973 1st ex. sess.;

32 (11) To sue and be sued in the name of the district; to have a
33 seal which shall be judicially noticed; have perpetual succession
34 unless terminated as hereinafter provided; to make and execute
35 contracts and other instruments, necessary or convenient to the
36 exercise of its powers; to borrow money and to pledge, mortgage and
37 assign the income of the district and its real or personal property
38 therefor; and to make, amend rules and regulations not inconsistent
39 with chapter 184, Laws of 1973 1st ex. sess. and to carry into effect
40 its purposes;

1 (12)(a) Any two or more districts may engage in joint activities
2 by agreement between or among them (~~(in)~~) including, but not limited
3 to, planning, financing, engineering, constructing, operating,
4 maintaining, and administering any program or project concerned with
5 the conservation of renewable natural resources. The districts
6 concerned may make available for purposes of the agreement any funds,
7 property, personnel, professional engineering, equipment, or services
8 available to them under chapter 184, Laws of 1973 1st ex. sess. (~~(†)~~)

9 (b) Any district may enter into such agreements with a district
10 or districts in adjoining states to carry out such purposes if the
11 law in such other states permits the districts in such states to
12 enter into such agreements.

13 (c) The commission shall have authority to propose, guide, and
14 facilitate the establishment and carrying out of any such agreement;

15 (13) Every district shall, through public hearings, annual
16 meetings, publications, or other means, keep the general public,
17 agencies and occupiers of land within the district, informed of the
18 works and activities planned and administered by the district, of the
19 purposes these will serve, of the income and expenditures of the
20 district, of the funds borrowed by the district and the purposes for
21 which such funds are expended, and of the results achieved annually
22 by the district; and

23 (14) The supervisors of conservation districts may designate an
24 area, state, and national association of conservation districts as a
25 coordinating agency in the execution of the duties imposed by this
26 chapter, and to make gifts in the form of dues, quotas, or otherwise
27 to such associations for costs of services rendered, and may support
28 and attend such meetings as may be required to promote and perfect
29 the organization and to effect its purposes.

Passed by the House March 7, 2019.

Passed by the Senate April 10, 2019.

Approved by the Governor April 23, 2019.

Filed in Office of Secretary of State April 24, 2019.

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