
SUBSTITUTE HOUSE BILL 2616

State of Washington

64th Legislature

2016 Regular Session

By House Environment (originally sponsored by Representatives Buys, Blake, Van Werven, Chandler, and Wilcox)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to watershed management actions by watershed
2 improvement districts; and amending RCW 39.34.190, 87.03.019, and
3 36.33.130.

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

5 **Sec. 1.** RCW 39.34.190 and 2008 c 301 s 26 are each amended to
6 read as follows:

7 (1)(a) The legislative authority of a city or county and the
8 governing body of any special purpose district enumerated in
9 subsection (2) of this section may authorize up to ten percent of its
10 water-related revenues to be expended in the implementation of
11 watershed management plan projects or activities that are in addition
12 to the county's, city's, or district's existing water-related
13 services or activities. Such limitation on expenditures shall not
14 apply to water-related revenues of a public utility district
15 organized according to Title 54 RCW or a special purpose district
16 organized according to Title 87 RCW to perform watershed management
17 actions.

18 (b) Water-related revenues include rates, charges, and fees for
19 the provision of services relating to water supply, treatment,
20 distribution, and management generally, and those general revenues of
21 the local government that are expended for water management purposes.

1 A local government may not expend for this purpose any revenues that
2 were authorized by voter approval for other specified purposes or
3 that are specifically dedicated to the repayment of municipal bonds
4 or other debt instruments.

5 (2) The following special purpose districts may exercise the
6 authority provided by this section:

7 (a) Water districts, sewer districts, and water-sewer districts
8 organized under Title 57 RCW;

9 (b) Public utility districts organized under Title 54 RCW;

10 (c) Irrigation, reclamation, conservation, and similar districts
11 organized under Titles 87 and 89 RCW;

12 (d) Port districts organized under Title 53 RCW;

13 (e) Diking, drainage, and similar districts organized under Title
14 85 RCW;

15 (f) Flood control and similar districts organized under Title 86
16 RCW;

17 (g) Lake or beach management districts organized under chapter
18 36.61 RCW;

19 (h) Aquifer protection areas organized under chapter 36.36 RCW;
20 and

21 (i) Shellfish protection districts organized under chapter 90.72
22 RCW.

23 (3) The authority for expenditure of local government revenues
24 provided by this section shall be applicable broadly to the
25 implementation of watershed management plans addressing water supply,
26 water transmission, water quality treatment or protection, or any
27 other water-related purposes. Such plans include but are not limited
28 to plans developed under the following authorities:

29 (a) Watershed plans developed under chapter 90.82 RCW;

30 (b) Salmon recovery plans developed under chapter 77.85 RCW;

31 (c) Watershed management elements of comprehensive land use plans
32 developed under the growth management act, chapter 36.70A RCW;

33 (d) Watershed management elements of shoreline master programs
34 developed under the shoreline management act, chapter 90.58 RCW;

35 (e) Nonpoint pollution action plans developed under the Puget
36 Sound water quality management planning authorities of chapter 90.71
37 RCW and chapter 400-12 WAC;

38 (f) Other comprehensive management plans addressing watershed
39 health at a WRIA level or sub-WRIA basin drainage level;

1 (g) Coordinated water system plans under chapter 70.116 RCW and
2 similar regional plans for water supply; and

3 (h) Any combination of the foregoing plans in an integrated
4 watershed management plan.

5 (4) The authority provided by this section to expend revenues for
6 watershed management plan implementation shall be construed broadly
7 to include, but not be limited to:

8 (a) The coordination and oversight of plan implementation,
9 including funding a watershed management partnership for this
10 purpose;

11 (b) Technical support, monitoring, and data collection and
12 analysis;

13 (c) The design, development, construction, and operation of
14 projects included in the plan; and

15 (d) Conducting activities and programs included as elements in
16 the plan.

17 **Sec. 2.** RCW 87.03.019 and 2003 c 327 s 15 are each amended to
18 read as follows:

19 (1)(a) In addition to the authority provided (~~((throughout))~~) in
20 this title, an irrigation district, reclamation district, ((and)) or
21 similar district((s)) organized pursuant to ((the authority of)) this
22 title may participate in and expend revenue on cooperative watershed
23 management actions, including actions undertaken through watershed
24 management partnerships under RCW 39.34.210 ((and)) or other
25 intergovernmental agreements((, for purposes of water supply, water
26 quality, and water resource and habitat protection and management)).

27 (b) For the purposes of this section, "watershed management
28 actions" means actions that address water supply, water quality,
29 water resources, or habitat protection and management including, but
30 not limited to, ditch maintenance and sediment management that is
31 undertaken without regard to whether the ditch maintenance and
32 sediment management actions are performed cooperatively or through a
33 watershed management partnership under RCW 39.34.210 or other
34 intergovernmental agreement.

35 (2) A district organized under this title is authorized to
36 receive funds for watershed management actions from any federal or
37 state grant or loan program for which the district is eligible to
38 apply.

1 (3)(a) A district organized under this title is authorized to
2 receive funds for watershed management actions from any county lands
3 assessment fund established pursuant to chapter 36.33 RCW in a county
4 where the district operates.

5 (b) A district organized under this title may request funds from
6 a county lands assessment fund for the purpose of performing
7 watershed management actions and the county may transfer the
8 requested funds from the county lands assessment fund to the
9 district.

10 (c) Nothing in this subsection authorizes any county to exceed
11 the maximum levy under RCW 36.33.140.

12 **Sec. 3.** RCW 36.33.130 and 1963 c 4 s 36.33.130 are each amended
13 to read as follows:

14 (1) The county lands assessment fund may be expended by the
15 county commissioners to pay, in full or in part, any assessment or
16 installment of assessments of drainage improvement districts, diking
17 improvement districts, or districts formed for the foregoing
18 purposes, or assessments for road improvements, falling due against
19 lands in the year when such lands are acquired by the county or while
20 they are owned by the county, including lands acquired by the county
21 for general purposes(~~(+also)~~) and lands which have been acquired by
22 the county by foreclosure of general taxes.

23 (2) Assessment payments may be made (~~(of such assessments,)~~) in
24 full or in installments (~~(thereof)~~), against such lands or classes of
25 lands, and in such districts or classes of districts as the county
26 commissioners deem advisable. No payment shall be made of any
27 assessments or installments of assessments falling due prior to the
28 year in which the lands were acquired by the county, nor shall any
29 assessments be paid in advance of the time when they fall due.

30 (3) Assessments for maintenance and operation of dikes, drains,
31 or other improvements of districts falling due upon such lands while
32 owned by the county, may be paid without the payment of assessments
33 or installments (~~(thereof)~~) for construction of the improvements, if
34 the county commissioners elect so to do.

35 (4) The county commissioners may elect, pursuant to RCW
36 87.03.019, to use moneys available in a county lands assessment fund
37 to provide funding to a special purpose district organized under
38 chapter 87.03 RCW for watershed management actions. A county may not
39 increase the levy authorized under RCW 36.33.120 for the sole purpose

1 of providing funds to a special purpose district for watershed
2 management actions.

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