
HOUSE BILL 2239

State of Washington

56th Legislature

1999 Regular Session

By Representatives Buck and Wood

Read first time 02/23/1999. Referred to Committee on Transportation.

1 AN ACT Relating to storm water control grant programs; amending RCW
2 90.78.005, 90.78.010, and 90.78.020; and providing an expiration date.

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

4 **Sec. 1.** RCW 90.78.005 and 1996 c 285 s 2 are each amended to read
5 as follows:

6 The legislature finds that the increasing population and continued
7 development throughout the state have increased the need for storm
8 water control. Storm water impacts have resulted in increased public
9 health risks related to drinking water and agricultural and seafood
10 products; increased disruption of economic activity, transportation
11 facilities, and other public and private land and facilities due to the
12 lack of adequate flood control measures; adverse affects on state fish
13 populations and watershed hydrology; and contamination of sediments.

14 In addition, current storm water control and management efforts
15 related to transportation projects lack necessary coordination on a
16 watershed, regional, and state-wide basis; have inadequate funding; and
17 fail to maximize use of available resources.

18 More stringent regulatory requirements have increased the costs
19 that state and local governments must incur to deal with significant

1 sources of pollution such as storm water. The costs estimated to
2 properly maintain and construct storm water facilities far exceed
3 available revenues.

4 Therefore, it is the intent of the legislature to establish a
5 program to develop a state-wide coordination mechanism for the funding
6 of state, county, and city highway and roadway-related storm water
7 management and control projects that will facilitate the completion of
8 the state's most urgently needed storm water projects in the most cost-
9 effective manner. Unexpended annual utility fee payments that are not
10 collected by virtue of defaulting in preparing a plan must be used in
11 the storm water grant program as defined in RCW 90.78.010 and
12 90.78.020.

13 **Sec. 2.** RCW 90.78.010 and 1996 c 285 s 3 are each amended to read
14 as follows:

15 The department of transportation, in cooperation with the
16 transportation improvement board, the department of ecology, cities,
17 towns, counties, environmental organizations, business organizations,
18 Indian tribes, and port districts, shall develop a storm water
19 management funding and implementation program to address state, county,
20 and city highway and roadway-related storm water control problems. As
21 part of the program, the department may provide grants and may rate and
22 rank local transportation improvement projects to facilitate the
23 construction of the highest priority state and local storm water
24 management projects based on cost-effectiveness and contribution toward
25 improved water quality, mitigating the impacts of altered stream
26 hydrology, improved salmonid habitat, and reduced flooding in a
27 watershed.

28 The program shall address, but is not limited to, the following
29 objectives: (1) Greater state-wide coordination of the construction of
30 storm water treatment facilities; (2) encouraging multijurisdictional
31 projects; (3) developing priorities and approaches for implementing
32 activities within watersheds; (4) methods to enhance, preserve, and
33 restore salmonid habitat; (5) identification and prioritization of
34 storm water retrofit programs; ~~((+5))~~ (6) evaluating methods to
35 determine cost benefits of proposed projects; ~~((+6))~~ (7) identifying
36 ways to facilitate the sharing of technical resources; ~~((+7))~~ (8)
37 developing methods for monitoring and evaluating activities carried out

1 under the program; and ~~((+8))~~ (9) identifying potential funding
2 sources for continuation of the program.

3 **Sec. 3.** RCW 90.78.020 and 1996 c 285 s 4 are each amended to read
4 as follows:

5 The department of transportation may provide grants and may rate
6 and rank local transportation improvement projects to implement state,
7 county, and city highway and roadway-related storm water control
8 measures. Cities, towns, counties, port districts, Indian tribes, and
9 the department of transportation are eligible to receive grants, on a
10 matching basis. A committee consisting of two representatives each
11 from the department of transportation, with one as chair, the
12 department of ecology, cities, and counties, and one representative
13 each from the department of ecology, the department of fish and
14 wildlife, an environmental organization, and a business organization,
15 shall oversee the grant program. The committee may add representatives
16 of other agencies, organizations, or interest groups to serve as
17 members of the committee or in an advisory capacity. In developing
18 project criteria, the committee shall identify the most urgent state,
19 county, and city highway and roadway-related storm water management and
20 control problems; develop methods for applying priorities across
21 watersheds; give added weight to projects based on local contribution,
22 multijurisdictional involvement, and whether the project is a priority
23 for a local storm water utility; and determine the benefits of, and, if
24 appropriate, provide incentives for off-site placement of storm water
25 facilities and out-of-kind mitigation for storm water impacts.

26 NEW SECTION. **Sec. 4.** This act expires July 1, 2003.

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