
**Agriculture & Natural
Resources Committee**

ESB 5073

Brief Description: Adopting provisions for cooperative watershed management plans.

Sponsors: Senators Fraser, Honeyford, Hale and Kohl-Welles.

Brief Summary of Engrossed Bill

- Authorizes local governments and certain special purpose districts to establish interlocal agreements for watershed management plan implementation.
- Includes provisions for operation and financing of watershed management partnerships.
- Allows use of up to 10 percent of water supply revenues for watershed management plan projects and activities.

Hearing Date: 3/28/03

Staff: Caroleen Dineen (786-7156).

Background:

Watershed Planning.

State law establishes a mechanism for conducting watershed planning through a locally initiated process. The state law process requires watershed planning to include an assessment of water supply and use in the planning area and development of strategies for future water use. Watershed planning may include water quality, habitat, and instream flow elements.

Watershed planning may be conducted for one watershed or water resource inventory area (WRIA) or it may be conducted for multiple WRIs. Local governments initiating watershed planning create a planning unit and designate a lead agency to provide staff support. The Department of Ecology (DOE) provides grants for organizing a planning unit and establishing work schedules, conducting assessments, studying storage opportunities, setting instream flows, developing a watershed plan, and making recommendations.

When a watershed plan is approved by the planning unit, it is submitted for approval by the

legislative authorities of all counties with territory in the WRIA or WRIs for which planning was conducted. If approved by the counties after notice, public hearings, and a joint session to consider the plan, the watershed plan is an approved watershed plan.

Interlocal Cooperation Act.

The Interlocal Cooperation Act allows any public agency to enter into agreements with one another for joint or cooperative action. Any powers, privileges, or authority held by a public agency may be exercised jointly with any other public agency having the power, privilege, or authority. Issues to be addressed in interlocal agreements, the process for creating such agreements, and costs and payments issues are specified by statute.

A "public agency" includes any agency, political subdivision, or unit of local government. The term includes municipal corporations, special purpose districts, local service districts, state agencies, federal agencies, recognized Indian tribes, and political subdivisions of other states.

Summary of Bill:

Provisions are added to the Interlocal Cooperation Act regarding agreements to implement watershed management plans. Public agencies may enter into agreements to form a watershed management partnership to implement all or parts of a watershed management plan, including coordination and oversight of plan implementation. Watershed plans, salmon recovery plans, watershed management elements of comprehensive plans and shoreline master programs, and other types of plans are considered "watershed management plans" for these purposes. Provisions are specified for filing a watershed management partnership agreement with the county auditor(s) and designating a treasurer.

The public agencies forming a watershed management partnership may develop and implement a financing plan for elements of the watershed management plan. The financing proposal must attempt to achieve equitable distribution of the total burden. A revenue proposal must be submitted for election on the same day in all jurisdictions and cannot be implemented unless it receives a majority vote within each participating city, county, and special purpose district. Any separate legal entity formed by the watershed management partnership may issue and sell general obligation bonds in the same manner as general county bonds and may issue revenue bonds.

Cities, counties, and certain special purpose districts may authorize up to 10 percent of their water-related revenues to be expended for implementation of watershed management plan projects or activities. Water-related revenues include rates, charges, and fees for providing water supply, treatment, distribution, and management services as well as general revenues expended for water management. Special districts authorized to use revenues for watershed management implementation include water districts, sewer districts, water-sewer districts, public utility districts, irrigation and reclamation districts, conservation districts, port districts, diking and drainage districts, flood control districts, lake management districts, aquifer protection areas, and shellfish protection districts. The 10 percent limitation does not apply to additional revenues for watershed plan implementation authorized by voter approval.

Provisions are added to local government and certain special purpose district statutes to authorize participation in and use of revenue for watershed management partnerships and other interlocal agreements. Definitions are added to the Interlocal Cooperation Act to implement these provisions.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.