

FINAL BILL REPORT

ESB 5073

PARTIAL VETO

C 327 L 03

Synopsis as Enacted

Brief Description: Adopting provisions for cooperative watershed management plans.

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

Senate Committee on Natural Resources, Energy & Water

House Committee on Agriculture & Natural Resources

Background: Chapter 90.82 RCW establishes procedures and policies for initiating voluntary watershed planning at the local level. Planning is conducted according to the Water Resource Inventory Area (WRIA), with each WRIA corresponding to a watershed or river basin. Planning is conducted in three phases: (1) organization of a planning unit and determination of the scope of planning. Appointed planning units must address water quantity issues in the WRIA or multi-WRIA area. Planning units may, but are not required to, address other issues such as water quality, instream flows, or habitat protection; (2) water quantity assessment, development of strategies for future use, and recommendations for each issue area the unit chooses to address; and (3) development of a watershed plan and recommendations for action.

Upon application, the Department of Ecology (DOE) is authorized to provide up to \$50,000 for phase one in single WRIA planning units, and up to \$75,000 in multi-WRIA units; up to \$200,000 for phase two; and up to \$250,000 for phase three.

Summary: Statutory and fiscal authority is provided so that numerous local government entities with water-related services and functions can more fully cooperate and coordinate efforts as watershed plans are adopted and implemented. In addition to cities and counties, the following special district entities are expressly authorized to expend water-related revenues, raise water-related funds, and participate in cooperative watershed management activities: water and sewer, public utility, port, diking, drainage, flood control, aquifer, shellfish, lake management, irrigation, reclamation, conservation, and other similar special purpose districts.

Eligible implementation activities are broadly defined to include oversight of plan implementation, technical support, monitoring, and projects in the areas of water supply, water quality, and habitat protection. The range of management plans entities may work toward implementing can include plans for watersheds, salmon recovery, growth management, shoreline management, and Puget Sound Water Quality, as well as other comprehensive WRIA-based management plans. Public agencies are expressly allowed to form separate legal entities, to be called watershed management partnerships, under the Interlocal Cooperation Act (ICA) (chapter 39.34 RCW). These partnerships, acting as separate legal entities, may coordinate plan implementation. They are also authorized to submit revenue proposals at general or special elections, to contract indebtedness, and to issue and sell general obligation and revenue bonds. Watershed partnerships must designate a

treasurer for handling the partnership's funds, and the treasurer must be a county treasurer or a city treasurer.

These local government entities are authorized to expend up to 10 percent of their existing water-related revenues and water-related funds on the implementation of watershed plan projects or activities. This 10 percent limit applies only to the new activities coming out of the plan, not existing, ongoing and traditional water service activities. This limit does not apply to public utility district water-related revenues or to new revenues that may be authorized by voter approval. Revenues dedicated to repayment of debt instruments are not to be used. Revenue proposals for a watershed management partnership must ensure that persons or property are not taxed or assessed by more than one agency for a specific watershed management plan project, program, or activity.

Votes on Final Passage:

Senate	49	0	
House	62	34	(House amended)
Senate			(Senate concurred in part; refused to concur in part)
House	67	30	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 27, 2003

Partial Veto Summary: The Governor vetoed Section 5 of ESB 5073. Section 5 provided for the submission of watershed management partnership revenue proposals by special or general election.