

SENATE BILL REPORT

SB 6471

As Reported By Senate Committee On:
Land Use & Planning, February 5, 2004

Title: An act relating to flood control.

Brief Description: Providing for greater flood control management and maintenance.

Sponsors: Senators Haugen, Stevens, Doumit and Mulliken.

Brief History:

Committee Activity: Land Use & Planning: 2/5/04 [DP].

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: Do pass.

Signed by Senators Mulliken, Chair; Kline, Morton, Murray and T. Sheldon.

Staff: Andrea McNamara (786-7483)

Background: Current law authorizes a county to adopt a comprehensive flood control management plan for any drainage basin that is located wholly or partially within the county. The elements of a flood control management plan are specified.

Comprehensive flood control management plans that include areas within a city, town, or special purpose district must be developed by the county with the full participation of those cities, towns, or special districts, as well as appropriate state and federal agencies. Following adoption of the plan by the county, city or town, it is binding on each jurisdiction and special district located within the area covered by the plan. Cities and towns have 120 days to adopt the plan, and if it is not adopted, the city or county may request arbitration. Cities and towns undertaking activities consistent with the plan retain authority over those activities.

Under current law, the types of public works projects that must be included within a local government's capital facilities plan include streets and roads, bridges, water systems, storm and sanitary sewage systems, and solid waste facilities.

State grant funding is available for flood control maintenance, and must be managed by the Department of Ecology so that funding is reserved to meet emergency needs.

Summary of Bill: A flood control district or other diking or drainage districts located within a county may initiate and prepare a comprehensive flood control management plan with the concurrence of the county legislative authority. Such plans must be developed in accordance with existing participation requirements.

Plans adopted by special districts are binding on the counties, cities, and towns located in the area covered by the plan.

Special districts and towns are authorized to request arbitration within 120 days of the adoption of a county's flood control management plan.

The definition of "public works project" is expanded to include flood hazard reduction systems.

For fiscal years 2005 through 2009, the Department of Ecology must place a priority on funding flood control maintenance by special purpose districts that have experienced significant increases in maintenance costs from increased flood water runoff due to increasing urbanization and land use development in their drainage basins.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This puts special flood control districts at the table in the planning process and gives them a stronger voice to accomplish the goals they are charged with. It also provides clarity about their eligibility for funding from the public works trust fund. Prioritizing the grants from Department of Ecology is appropriate because these special purpose districts are facing huge run off issues.

Testimony Against: The bill would require Ecology to shift funds away from other counties and other areas of the state that are also in need of assistance. It would also require substantial rule-making.

Testified: Gordon White, Ecology (con); Genessee Adkins, 1000 Friends of WA (con).