

1336-S2

Sponsor(s): House Committee on Appropriations (originally sponsored by Representatives Linville, Kirby, Grant, Rockefeller, Quall, Hunt, Shabro, Jarrett, Delvin, Morris and Conway; by request of Governor Locke)

Brief Description: Concerning watershed planning grants and implementation lead agencies. Revised for 1st Substitute: Concerning watershed planning.

HB 1336-S2.2E - DIGEST

(DIGEST AS ENACTED)

Declares and reaffirms that a core principle embodied in chapter 90.82 RCW is that state agencies must work cooperatively with local citizens in a process of planning for future uses of water by giving local citizens and the governments closest to them the ability to determine the management of water in the WRIA or WRIAs being planned.

Provides that a planning unit may apply for a matching grant for phase four watershed plan implementation following approval under the provisions of RCW 90.82.130. A match of ten percent is required and may include financial contributions or in-kind goods and services directly related to coordination and oversight functions.

Provides that, within one year of accepting funding under RCW 90.82.040(2)(e), the planning unit must complete a detailed implementation plan. Submittal of a detailed implementation plan to the department is a condition of receiving grants for the second and all subsequent years of the phase four grant.

Provides that each implementation plan must contain strategies to provide sufficient water for: (1) Production agriculture; (2) Commercial, industrial, and residential use; and (3) Instream flows. Each implementation plan must contain timelines to achieve these strategies and interim milestones to measure progress.

Provides that, by December 1, 2003, and by December 1st of each subsequent year, the director of the department shall report to the appropriate legislative standing committees regarding statutory changes necessary to enable state agency approval or permit decision making needed to implement a plan approved under this chapter.

Requires the department to report annually to the appropriate legislative standing committees on the progress of instream flows being set under chapter 90.82 RCW, as well as progress toward setting instream flows in those watersheds not being planned under this chapter. The report shall be made by December 1, 2003, and by December 1st of each subsequent year.

Provides that a county legislative authority may choose to opt out of watershed planning under chapter 90.82 RCW and the public hearing processes under this act if the county's affected territory within a particular management area is: (1) Less than five percent of the total territory within the management area; or

(2) Five percent or more of the total territory within the management area and all other initiating governments within the management area consent.

Provides that, after a plan is adopted in accordance with this act, and if the department participated in the planning process, the plan shall be deemed to satisfy the watershed planning authority of the department with respect to the components included under the provisions of RCW 90.82.070 through 90.82.100 for the watershed or watersheds included in the plan.

Provides that, once a WRIA plan has been approved under this act for a watershed, the department may develop and adopt modifications to the plan or obligations imposed by the plan only through a form of negotiated rule making that uses the same processes that applied in that watershed for developing the plan.