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**SUBSTITUTE SENATE BILL 6507**

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**State of Washington**

**59th Legislature**

**2006 Regular Session**

**By** Senate Committee on Water, Energy & Environment (originally sponsored by Senators Honeyford, Poulsen, Morton and Fraser)

READ FIRST TIME 02/02/06.

1       AN ACT Relating to watershed management partnerships; amending RCW  
2 39.34.190; adding a new section to chapter 39.34 RCW; and creating a  
3 new section.

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

5       NEW SECTION. **Sec. 1.** The legislature finds that local  
6 governments, special districts, and utilities that cooperate in  
7 watershed management partnerships are acting in the public interest and  
8 in a manner that is intended to maintain healthy watershed function  
9 while sustaining growing populations and maximum beneficial use of  
10 water in the watershed over time. Therefore, it is the intent of this  
11 act to provide additional funding authority to assist watershed  
12 management partnerships with the implementation of local watershed  
13 plans.

14       NEW SECTION. **Sec. 2.** A new section is added to chapter 39.34 RCW  
15 to read as follows:

16       (1) In addition to any other revenues used to carry out a watershed  
17 management plan, a watershed management partnership may, for the  
18 purpose of implementing any portion or all elements of that plan,

1 including the coordination and oversight of plan implementation,  
2 recommend imposition of some or all of the following revenue sources,  
3 as provided in this section, which each of the members of the watershed  
4 management partnership shall impose, collect, and transfer to the  
5 watershed management partnership upon approval of the voters:

6 (a) A watershed management fee, imposed by the watershed management  
7 partnership as a surcharge on rates, charges, or assessments for the  
8 delivery of water imposed by cities, counties, and special purpose  
9 districts within the boundaries of the members of the watershed  
10 management partnership; and

11 (b) Ad valorem property tax levies, in excess of the one percent  
12 limitation, for the retirement of voter-approved general obligation  
13 bonds issued by a watershed management partnership or by some or all of  
14 its members, and payable from such taxes, whenever authorized by the  
15 voters in all members' jurisdictions as provided in this section, and  
16 subject to Article VII, section 2(b) of the state Constitution and RCW  
17 84.52.056.

18 (2) The taxes and fees authorized under subsection (1)(b) of this  
19 section may not be imposed within a member's boundaries without an  
20 affirmative vote of the majority of the voters within the boundaries of  
21 that jurisdiction voting on a ballot proposition to approve imposition  
22 of the tax. A revenue proposal shall be submitted at a special or  
23 general election on the same day in all members' jurisdictions.  
24 Revenues from these taxes and fees may be used only to implement the  
25 watershed management plan as set forth in this chapter. No tax or fee  
26 authorized under this section may be imposed by more than one member  
27 within any geographic area, and the rate of any such tax or fee shall  
28 be uniform throughout the geographic areas of the members of the  
29 watershed management partnership. If the geographic areas of members  
30 overlap, those members shall by written agreement provide for which  
31 entity will impose and collect the tax or fee within that area. A  
32 watershed management partnership and its members may contract with the  
33 state department of revenue or other appropriate entities for  
34 administration and collection of any of the taxes or fees authorized in  
35 this section.

36 (3) Nothing in this section shall be deemed to limit any member of  
37 a watershed management partnership from imposing or collecting, and

1 allocating to the purposes of a watershed management partnership, other  
2 taxes, rates, fees, and charges as may be separately authorized by law.

3 **Sec. 3.** RCW 39.34.190 and 2003 c 327 s 2 are each amended to read  
4 as follows:

5 (1) The legislative authority of a city or county and the governing  
6 body of any special purpose district enumerated in subsection (2) of  
7 this section may authorize up to ten percent of its water-related  
8 revenues to be expended in the implementation of watershed management  
9 plan projects or activities that are in addition to the county's,  
10 city's, or district's existing water-related services or activities.  
11 Such limitation on expenditures shall not apply to additional revenues  
12 for watershed plan implementation that are authorized by voter approval  
13 under section ((5)) 2 of this act or to water-related revenues of a  
14 public utility district organized according to Title 54 RCW. Water-  
15 related revenues include rates, charges, and fees for the provision of  
16 services relating to water supply, treatment, distribution, and  
17 management generally, and those general revenues of the local  
18 government that are expended for water management purposes. A local  
19 government may not expend for this purpose any revenues that were  
20 authorized by voter approval for other specified purposes or that are  
21 specifically dedicated to the repayment of municipal bonds or other  
22 debt instruments.

23 (2) The following special purpose districts may exercise the  
24 authority provided by this section:

25 (a) Water districts, sewer districts, and water-sewer districts  
26 organized under Title 57 RCW;

27 (b) Public utility districts organized under Title 54 RCW;

28 (c) Irrigation, reclamation, conservation, and similar districts  
29 organized under Titles 87 and 89 RCW;

30 (d) Port districts organized under Title 53 RCW;

31 (e) Diking, drainage, and similar districts organized under Title  
32 85 RCW;

33 (f) Flood control and similar districts organized under Title 86  
34 RCW;

35 (g) Lake management districts organized under chapter 36.61 RCW;

36 (h) Aquifer protection areas organized under chapter 36.36 RCW; and

1 (i) Shellfish protection districts organized under chapter 90.72  
2 RCW.

3 (3) The authority for expenditure of local government revenues  
4 provided by this section shall be applicable broadly to the  
5 implementation of watershed management plans addressing water supply,  
6 water transmission, water quality treatment or protection, or any other  
7 water-related purposes. Such plans include but are not limited to  
8 plans developed under the following authorities:

9 (a) Watershed plans developed under chapter 90.82 RCW;

10 (b) Salmon recovery plans developed under chapter 77.85 RCW;

11 (c) Watershed management elements of comprehensive land use plans  
12 developed under the growth management act, chapter 36.70A RCW;

13 (d) Watershed management elements of shoreline master programs  
14 developed under the shoreline management act, chapter 90.58 RCW;

15 (e) Nonpoint pollution action plans developed under the Puget Sound  
16 water quality management planning authorities of chapter 90.71 RCW and  
17 chapter 400-12 WAC;

18 (f) Other comprehensive management plans addressing watershed  
19 health at a WRIA level or sub-WRIA basin drainage level;

20 (g) Coordinated water system plans under chapter 70.116 RCW and  
21 similar regional plans for water supply; and

22 (h) Any combination of the foregoing plans in an integrated  
23 watershed management plan.

24 (4) The authority provided by this section to expend revenues for  
25 watershed management plan implementation shall be construed broadly to  
26 include, but not be limited to:

27 (a) The coordination and oversight of plan implementation,  
28 including funding a watershed management partnership for this purpose;

29 (b) Technical support, monitoring, and data collection and  
30 analysis;

31 (c) The design, development, construction, and operation of  
32 projects included in the plan; and

33 (d) Conducting activities and programs included as elements in the  
34 plan.

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