

HB 2151 - DIGEST

Provides that within six months after the effective date of this act, the city shall prepare a draft long-term creek restoration plan. The city shall involve the public and interested organizations in creating the draft plan and shall consider public comments and any existing watershed plans. The city shall hold public meetings and solicit comments from the public and interested organizations on the draft plan and shall adopt a final plan within twelve months after the effective date of this act.

Declares that developers are required to assist in creek restoration when building a major creekside development.

Provides that, for the purposes of this act, restoration required during major creekside development includes: (1) Planting native vegetation and removing invasive species;

(2) Within the creek buffers, establishing wetland areas, floodable wetland benches, or other means to slow the rate of water, unless topography or other existing structures make such restoration impractical;

(3) Removal of fish passage barriers, if such barriers exist on or adjacent to the development site; and

(4) Daylighting the creek on the development site, if the creek presently flows through a pipe or culvert section fifty feet or longer, exclusive of a right-of-way crossing.

Declares that the intent of this act is to accelerate the restoration of creeks within a city. This accelerated restoration effort shall supplement existing creek restoration programs of the city, which shall be maintained at least at their current levels.

Requires the city to create a creek restoration account to fund the costs of this act. Within six months after the effective date of this act, the city shall complete a study of new revenue sources available to fund the creek restoration account. Within three months after the study's completion, the city shall adopt the funding mechanisms it finds most appropriate.

Provides that the additional cost to be incurred by the public shall not be greater than five dollars per household per year within a city required to comply with this act. Property owners, businesses, and institutions are also required to assist in funding the creek restoration account, and such a contribution shall also be reasonably limited. This new revenue source and the funds in the account may be used to finance bonds for creek restoration projects to the extent deemed appropriate and allowed by law.

Requires that, within six months after the effective date of this act, a city required to comply with this act must prepare a supplemental environmental impact statement for its comprehensive plan that specifically addresses the impact of ongoing development and city activities on creeks. It shall evaluate the impact of increased impervious surfaces, lighting, noise, trampling, pollutants, storm water runoff, and shading, and shall serve as a basis for requiring mitigation of creek impacts.