

1 AN ACT Relating to watershed management actions by watershed
2 improvement districts; amending RCW 39.34.190 and 87.03.019; adding a
3 new section to chapter 36.70A RCW; adding a new section to chapter
4 43.21C RCW; and adding a new section to chapter 90.58 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
7 RCW to read as follows:

8 Any county or city planning under this chapter shall allow a
9 watershed improvement district organized under Title 87 RCW to
10 perform watershed management actions as defined in RCW 87.03.019.

11 **Sec. 2.** RCW 39.34.190 and 2008 c 301 s 26 are each amended to
12 read as follows:

13 (1) The legislative authority of a city or county and the
14 governing body of any special purpose district enumerated in
15 subsection (2) of this section may authorize up to ten percent of its
16 water-related revenues to be expended in the implementation of
17 watershed management plan projects or activities that are in addition
18 to the county's, city's, or district's existing water-related
19 services or activities. Such limitation on expenditures shall not
20 apply to water-related revenues of a public utility district

1 organized according to Title 54 RCW or a watershed improvement
2 district organized according to Title 87 RCW. Water-related revenues
3 include rates, charges, and fees for the provision of services
4 relating to water supply, treatment, distribution, and management
5 generally, and those general revenues of the local government that
6 are expended for water management purposes. A local government may
7 not expend for this purpose any revenues that were authorized by
8 voter approval for other specified purposes or that are specifically
9 dedicated to the repayment of municipal bonds or other debt
10 instruments.

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

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

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

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

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

19 (e) Diking, drainage, and similar districts organized under Title
20 85 RCW;

21 (f) Flood control and similar districts organized under Title 86
22 RCW;

23 (g) Lake or beach management districts organized under chapter
24 36.61 RCW;

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

27 (i) Shellfish protection districts organized under chapter 90.72
28 RCW.

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

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

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

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

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

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

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

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

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

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

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

16 (b) Technical support, monitoring, and data collection and
17 analysis;

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

20 (d) Conducting activities and programs included as elements in
21 the plan.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21C
23 RCW to read as follows:

24 Decisions pertaining to watershed management actions, as defined
25 in RCW 87.03.019, by a watershed improvement district organized under
26 Title 87 RCW are not subject to the requirements of RCW
27 43.21C.030(2)(c).

28 **Sec. 4.** RCW 87.03.019 and 2003 c 327 s 15 are each amended to
29 read as follows:

30 (1) In addition to the authority provided throughout this title,
31 an irrigation district, reclamation district, and similar districts
32 organized pursuant to the authority of this title may participate in
33 and expend revenue on cooperative watershed management actions,
34 including watershed management partnerships under RCW 39.34.210 and
35 other intergovernmental agreements, for purposes of water supply,
36 water quality, and water resource and habitat protection and
37 management. For the purposes of this section, "watershed management
38 actions" include, but are not limited to, ditch maintenance and

1 sediment management, without regard to whether these actions are
2 performed cooperatively or through a watershed management partnership
3 under RCW 39.34.210 or other intergovernmental agreement.

4 (2) A watershed improvement district organized under this title
5 is authorized to receive funds for watershed management actions from
6 any federal or state grant or loan program for which a watershed
7 improvement district organized under this title is eligible to apply.

8 (3) A watershed improvement district organized under this title
9 is authorized to receive funds for watershed management actions from
10 any county lands assessment fund established pursuant to chapter
11 36.33 RCW. A watershed improvement district may request funds from a
12 county lands assessment fund for the purpose of performing watershed
13 management actions. The county in which the watershed management
14 actions will be performed shall transfer the requested funds from the
15 county lands assessment fund to the watershed improvement district
16 upon request by the district. A county may not increase the levy
17 authorized under RCW 36.33.120 for the purpose of providing funds to
18 a watershed improvement district under this subsection. This
19 subsection does not authorize any county to exceed the maximum levy
20 under RCW 36.33.140.

21 NEW SECTION. Sec. 5. A new section is added to chapter 90.58
22 RCW to read as follows:

23 Every master program must allow a watershed improvement district
24 organized under Title 87 RCW to perform watershed management actions
25 as defined in RCW 87.03.019.

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