

2 SHB 1747 - S AMD TO ARED COMM AMD (S-2575.1/99) - 478
3 By Senators Rasmussen and Morton

4 ADOPTED 4/23/99

5 On page 5, after line 33 of the amendment, insert the following:

6 "Sec. 8. RCW 89.08.220 and 1973 1st ex.s. c 184 s 23 are each
7 amended to read as follows:

8 A conservation district organized under the provisions of this 1973
9 amendatory act shall constitute a governmental subdivision of this
10 state, and a public body corporate and politic exercising public
11 powers, but shall not levy taxes or issue bonds and such district, and
12 the supervisors thereof, shall have the following powers, in addition
13 to others granted in other sections of this 1973 amendatory act:

14 (1) To conduct surveys, investigations, and research relating to
15 the conservation of renewable natural resources and the preventive and
16 control measures and works of improvement needed, to publish the
17 results of such surveys, investigations, or research, and to
18 disseminate information concerning such preventive and control measures
19 and works of improvement: PROVIDED, That in order to avoid duplication
20 of research activities, no district shall initiate any research program
21 except in cooperation with the government of this state or any of its
22 agencies, or with the United States or any of its agencies;

23 (2) To conduct educational and demonstrational projects on any
24 lands within the district upon obtaining the consent of the occupier of
25 such lands and such necessary rights or interests in such lands as may
26 be required in order to demonstrate by example the means, methods,
27 measures, and works of improvement by which the conservation of
28 renewable natural resources may be carried out;

29 (3) To carry out preventative and control measures and works of
30 improvement for the conservation of renewable natural resources, within
31 the district including, but not limited to, engineering operations,
32 methods of cultivation, the growing of vegetation, changes in use of
33 lands, and the measures listed in RCW 89.08.010, on any lands within
34 the district upon obtaining the consent of the occupier of such lands
35 and such necessary rights or interests in such lands as may be
36 required;

1 (4) To cooperate or enter into agreements with, and within the
2 limits of appropriations duly made available to it by law, to furnish
3 financial or other aid to any agency, governmental or otherwise, or any
4 occupier of lands within the district in the carrying on of preventive
5 and control measures and works of improvement for the conservation of
6 renewable natural resources within the district, subject to such
7 conditions as the supervisors may deem necessary to advance the
8 purposes of this 1973 amendatory act. For purposes of this subsection
9 only, land occupiers who are also district supervisors are not subject
10 to the provisions of RCW 42.23.030;

11 (5) To obtain options upon and to acquire in any manner, except by
12 condemnation, by purchase, exchange, lease, gift, bequest, devise, or
13 otherwise, any property, real or personal, or rights or interests
14 therein; to maintain, administer, and improve any properties acquired,
15 to receive income from such properties and to expend such income in
16 carrying out the purposes and provisions of this 1973 amendatory act;
17 and to sell, lease, or otherwise dispose of any of its property or
18 interests therein in furtherance of the purposes and the provisions of
19 this act;

20 (6) To make available, on such terms, as it shall prescribe, to
21 land occupiers within the district, agricultural and engineering
22 machinery and equipment, fertilizer, seeds, seedlings, and such other
23 equipment and material as will assist them to carry on operations upon
24 their lands for the conservation of renewable natural resources;

25 (7) To prepare and keep current a comprehensive long-range program
26 recommending the conservation of all the renewable natural resources of
27 the district. Such programs shall be directed toward the best use of
28 renewable natural resources and in a manner that will best meet the
29 needs of the district and the state, taking into consideration, where
30 appropriate, such uses as farming, grazing, timber supply, forest,
31 parks, outdoor recreation, potable water supplies for urban and rural
32 areas, water for agriculture, minimal flow, and industrial uses,
33 watershed stabilization, control of soil erosion, retardation of water
34 run-off, flood prevention and control, reservoirs and other water
35 storage, restriction of developments of flood plains, protection of
36 open space and scenery, preservation of natural beauty, protection of
37 fish and wildlife, preservation of wilderness areas and wild rivers,
38 the prevention or reduction of sedimentation and other pollution in
39 rivers and other waters, and such location of highways, schools,

1 housing developments, industries, airports and other facilities and
2 structures as will fit the needs of the state and be consistent with
3 the best uses of the renewable natural resources of the state. The
4 program shall include an inventory of all renewable natural resources
5 in the district, a compilation of current resource needs, projections
6 of future resource requirements, priorities for various resource
7 activities, projected timetables, descriptions of available
8 alternatives, and provisions for coordination with other resource
9 programs.

10 The district shall also prepare an annual work plan, which shall
11 describe the action programs, services, facilities, materials, working
12 arrangements and estimated funds needed to carry out the parts of the
13 long-range programs that are of the highest priorities.

14 The districts shall hold public hearings at appropriate times in
15 connection with the preparation of programs and plans, shall give
16 careful consideration to the views expressed and problems revealed in
17 hearings, and shall keep the public informed concerning their programs,
18 plans, and activities. Occupiers of land shall be invited to submit
19 proposals for consideration to such hearings. The districts may
20 supplement such hearings with meetings, referenda and other suitable
21 means to determine the wishes of interested parties and the general
22 public in regard to current and proposed plans and programs of a
23 district. They shall confer with public and private agencies,
24 individually and in groups, to give and obtain information and
25 understanding of the impact of district operations upon agriculture,
26 forestry, water supply and quality, flood control, particular
27 industries, commercial concerns and other public and private interests,
28 both rural and urban.

29 Each district shall submit to the commission its proposed long-
30 range program and annual work plans for review and comment.

31 The long-range renewable natural resource program, together with
32 the supplemental annual work plans, developed by each district under
33 the foregoing procedures shall have official status as the authorized
34 program of the district, and it shall be published by the districts as
35 its "renewable resources program". Copies shall be made available by
36 the districts to the appropriate counties, municipalities, special
37 purpose districts and state agencies, and shall be made available in
38 convenient places for examination by public land occupier or private
39 interest concerned. Summaries of the program and selected material

1 therefrom shall be distributed as widely as feasible for public
2 information;

3 (8) To administer any project or program concerned with the
4 conservation of renewable natural resources located within its
5 boundaries undertaken by any federal, state, or other public agency by
6 entering into a contract or other appropriate administrative
7 arrangement with any agency administering such project or program;

8 (9) Cooperate with other districts organized under this 1973
9 amendatory act in the exercise of any of its powers;

10 (10) To accept donations, gifts, and contributions in money,
11 services, materials, or otherwise, from the United States or any of its
12 agencies, from this state or any of its agencies, or from any other
13 source, and to use or expend such moneys, services, materials, or any
14 contributions in carrying out the purposes of this act;

15 (11) To sue and be sued in the name of the district; to have a seal
16 which shall be judicially noticed; have perpetual succession unless
17 terminated as hereinafter provided; to make and execute contracts and
18 other instruments, necessary or convenient to the exercise of its
19 powers; to borrow money and to pledge, mortgage and assign the income
20 of the district and its real or personal property therefor; and to
21 make, amend rules and regulations not inconsistent with this 1973
22 amendatory act and to carry into effect its purposes;

23 (12) Any two or more districts may engage in joint activities by
24 agreement between or among them in planning, financing, constructing,
25 operating, maintaining, and administering any program or project
26 concerned with the conservation of renewable natural resources. The
27 districts concerned may make available for purposes of the agreement
28 any funds, property, personnel, equipment, or services available to
29 them under this 1973 amendatory act;

30 Any district may enter into such agreements with a district or
31 districts in adjoining states to carry out such purposes if the law in
32 such other states permits the districts in such states to enter into
33 such agreements.

34 The commission shall have authority to propose, guide, and
35 facilitate the establishment and carrying out of any such agreement;

36 (13) Every district shall, through public hearings, annual
37 meetings, publications, or other means, keep the general public,
38 agencies and occupiers of land within the district, informed of the
39 works and activities planned and administered by the district, of the

1 purposes these will serve, of the income and expenditures of the
2 district, of the funds borrowed by the district and the purposes for
3 which such funds are expended, and of the results achieved annually by
4 the district; and

5 (14) The supervisors of conservation districts may designate an
6 area, state, and national association of conservation districts as a
7 coordinating agency in the execution of the duties imposed by this
8 chapter, and to make gifts in the form of dues, quotas, or otherwise to
9 such associations for costs of services rendered, and may support and
10 attend such meetings as may be required to promote and perfect the
11 organization and to effect its purposes."

12 Renumber the remaining sections consecutively and correct any
13 internal references accordingly.

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16 ADOPTED 4/23/99

17 On page 7, line 9 of the title amendment, after "89.08.180," insert
18 "89.08.220,"

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