
HOUSE BILL 2743

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Tharinger, Short, Upthegrove, Blake, Dunshee, and Takko

Read first time 01/30/12. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to WRIA planning units; and amending RCW 90.82.040.

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

3 **Sec. 1.** RCW 90.82.040 and 2003 1st sp.s. c 4 s 2 are each amended
4 to read as follows:

5 (1) Once a WRIA planning unit has been initiated under RCW
6 90.82.060 and a lead agency has been designated, it shall notify the
7 department and may apply to the department for funding assistance for
8 conducting the planning and implementation. Funds shall be provided
9 from and to the extent of appropriations made by the legislature to the
10 department expressly for this purpose.

11 (2)(a) Each planning unit that has complied with subsection (1) of
12 this section is eligible to receive watershed planning grants in the
13 following amounts for the first three phases of watershed planning and
14 phase four watershed plan implementation:

15 (i) Initiating governments may apply for an initial organizing
16 grant of up to fifty thousand dollars for a single WRIA or up to
17 seventy-five thousand dollars for a multi-WRIA management area in
18 accordance with RCW 90.82.060(4);

1 (ii)(A) A planning unit may apply for up to two hundred thousand
2 dollars for each WRIA in the management area for conducting watershed
3 assessments in accordance with RCW 90.82.070, except that a planning
4 unit that chooses to conduct a detailed assessment or studies under
5 (a)(ii)(B) of this subsection or whose initiating governments choose or
6 have chosen to include an instream flow or water quality component in
7 accordance with RCW 90.82.080 or 90.82.090 may apply for up to one
8 hundred thousand additional dollars for each instream flow and up to
9 one hundred thousand additional dollars for each water quality
10 component included for each WRIA to conduct an assessment on that
11 optional component and for each WRIA in which the assessments or
12 studies under (a)(ii)(B) of this subsection are conducted.

13 (B) A planning unit may elect to apply for up to one hundred
14 thousand additional dollars to conduct a detailed assessment of
15 multipurpose water storage opportunities or for studies of specific
16 multipurpose storage projects which opportunities or projects are
17 consistent with and support the other elements of the planning unit's
18 watershed plan developed under this chapter; and

19 (iii) A planning unit may apply for up to two hundred fifty
20 thousand dollars for each WRIA in the management area for developing a
21 watershed plan and making recommendations for actions by local, state,
22 and federal agencies, tribes, private property owners, private
23 organizations, and individual citizens, including a recommended list of
24 strategies and projects that would further the purpose of the plan in
25 accordance with RCW 90.82.060 through 90.82.100.

26 (b) A planning unit may request a different amount for phase two or
27 phase three of watershed planning than is specified in (a) of this
28 subsection, provided that the total amount of funds awarded do not
29 exceed the maximum amount the planning unit is eligible for under (a)
30 of this subsection. The department shall approve such an alternative
31 allocation of funds if the planning unit identifies how the proposed
32 alternative will meet the goals of this chapter and provides a proposed
33 timeline for the completion of planning. However, the up to one
34 hundred thousand additional dollars in funding for instream flow and
35 water quality components and for water storage assessments or studies
36 that a planning unit may apply for under (a)(ii)(A) of this subsection
37 may be used only for those instream flow, water quality, and water
38 storage purposes.

1 (c) By December 1, 2001, or within one year of initiating phase one
2 of watershed planning, whichever occurs later, the initiating
3 governments for each planning unit must inform the department whether
4 they intend to have the planning unit establish or amend instream flows
5 as part of its planning process. If they elect to have the planning
6 unit establish or amend instream flows, the planning unit is eligible
7 to receive one hundred thousand dollars for that purpose in accordance
8 with (a)(ii) of this subsection. If the initiating governments for a
9 planning unit elect not to establish or amend instream flows as part of
10 the unit's planning process, the department shall retain one hundred
11 thousand dollars to carry out an assessment to support establishment of
12 instream flows and to establish such flows in accordance with RCW
13 90.54.020(3)(a) and chapter 90.22 RCW. The department shall not use
14 these funds to amend an existing instream flow unless requested to do
15 so by the initiating governments for a planning unit.

16 (d) In administering funds appropriated for supplemental funding
17 for optional plan components under (a)(ii) of this subsection, the
18 department shall give priority in granting the available funds to
19 proposals for setting or amending instream flows.

20 (e) A planning unit may apply for a matching grant for phase four
21 watershed plan implementation following approval under the provisions
22 of RCW 90.82.130. A match of ten percent is required and may include
23 financial contributions or in-kind goods and services directly related
24 to coordination and oversight functions. The match can be provided by
25 the planning unit or by the combined commitments from federal agencies,
26 tribal governments, local governments, special districts, or other
27 local organizations. The phase four grant may be up to one hundred
28 thousand dollars for each planning unit for each of the first three
29 years of implementation. At the end of the three-year period, (~~a two-~~
30 ~~year~~) extensions may be available for up to fifty thousand dollars
31 each year, subject to legislative appropriation. For planning units
32 that cover more than one WRIA, additional matching funds of up to
33 twenty-five thousand dollars may be available for each additional WRIA
34 per year for the first three years of implementation, and up to twelve
35 thousand five hundred dollars per WRIA per year (~~for each of the~~
36 ~~fourth and fifth years~~) thereafter.

37 (3)(a) The department shall use the eligibility criteria in this

1 subsection (3) instead of rules, policies, or guidelines when
2 evaluating grant applications at each stage of the grants program.

3 (b) In reviewing grant applications under this subsection (3), the
4 department shall evaluate whether:

5 (i) The planning unit meets all of the requirements of this
6 chapter;

7 (ii) The application demonstrates a need for state planning funds
8 to accomplish the objectives of the planning process; and

9 (iii) The application and supporting information evidences a
10 readiness to proceed.

11 (c) In ranking grant applications submitted at each stage of the
12 grants program, the department shall give preference to applications in
13 the following order of priority:

14 (i) Applications from existing planning groups that have been in
15 existence for at least one year;

16 (ii) Applications that, if not funded, would result in the
17 dissolution of a planning unit that has been meeting regularly and
18 pursuing the goals of subsection (2) of this section;

19 (iii) Applications that address protection and enhancement of fish
20 habitat in watersheds that have aquatic fish species listed or proposed
21 to be listed as endangered or threatened under the federal endangered
22 species act, 16 U.S.C. Sec. 1531 et seq. and for which there is
23 evidence of an inability to supply adequate water for population and
24 economic growth from:

25 (A) First, multi-WRIA planning; and

26 (B) Second, single WRIA planning;

27 (~~(iii)~~) (iv) Applications that address protection and enhancement
28 of fish habitat in watersheds or for which there is evidence of an
29 inability to supply adequate water for population and economic growth
30 from:

31 (A) First, multi-WRIA planning; and

32 (B) Second, single WRIA planning.

33 (d) Except for phase four watershed plan implementation, the
34 department may not impose any local matching fund requirement as a
35 condition for grant eligibility or as a preference for receiving a
36 grant.

37 (4) The department may retain up to one percent of funds allocated
38 under this section to defray administrative costs.

1 (5) Planning under this chapter should be completed as
2 expeditiously as possible, with the focus being on local stakeholders
3 cooperating to meet local needs.

4 (6) Funding provided under this section shall be considered a
5 contractual obligation against the moneys appropriated for this
6 purpose.

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