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**SENATE BILL 5585**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senator Takko

1 AN ACT Relating to cooperation between conservation districts;  
2 and amending RCW 89.08.220.

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

4 **Sec. 1.** RCW 89.08.220 and 1999 c 305 s 8 are each amended to  
5 read as follows:

6 A conservation district organized under the provisions of chapter  
7 184, Laws of 1973 1st ex. sess. shall constitute a governmental  
8 subdivision of this state, and a public body corporate and politic  
9 exercising public powers, but shall not levy taxes or issue bonds and  
10 such district, and the supervisors thereof, shall have the following  
11 powers, in addition to others granted in other sections of chapter  
12 184, Laws of 1973 1st ex. sess.:

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

1 state or any of its agencies, or with the United States or any of its  
2 agencies;

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

9 (3) To carry out preventative and control measures and works of  
10 improvement for the conservation of renewable natural resources,  
11 within the district including, but not limited to, engineering  
12 operations, methods of cultivation, the growing of vegetation,  
13 changes in use of lands, and the measures listed in RCW 89.08.010, on  
14 any lands within the district upon obtaining the consent of the  
15 occupier of such lands and such necessary rights or interests in such  
16 lands as may be required;

17 (4) To cooperate or enter into agreements with, and within the  
18 limits of appropriations duly made available to it by law, to furnish  
19 financial or other aid to any agency, governmental or otherwise, or  
20 any occupier of lands within the district in the carrying on of  
21 preventive and control measures and works of improvement for the  
22 conservation of renewable natural resources within the district,  
23 subject to such conditions as the supervisors may deem necessary to  
24 advance the purposes of chapter 184, Laws of 1973 1st ex. sess. For  
25 purposes of this subsection only, land occupiers who are also  
26 district supervisors are not subject to the provisions of RCW  
27 42.23.030;

28 (5) To obtain options upon and to acquire in any manner, except  
29 by condemnation, by purchase, exchange, lease, gift, bequest, devise,  
30 or otherwise, any property, real or personal, or rights or interests  
31 therein; to maintain, administer, and improve any properties  
32 acquired, to receive income from such properties and to expend such  
33 income in carrying out the purposes and provisions of chapter 184,  
34 Laws of 1973 1st ex. sess.; and to sell, lease, or otherwise dispose  
35 of any of its property or interests therein in furtherance of the  
36 purposes and the provisions of chapter 184, Laws of 1973 1st ex.  
37 sess.;

38 (6) To make available, on such terms, as it shall prescribe, to  
39 land occupiers within the district, agricultural and engineering  
40 machinery and equipment, fertilizer, seeds, seedlings, and such other

1 equipment and material as will assist them to carry on operations  
2 upon their lands for the conservation of renewable natural resources;

3 (7) (a) To prepare and keep current a comprehensive long-range  
4 program recommending the conservation of all the renewable natural  
5 resources of the district. Such programs shall be directed toward the  
6 best use of renewable natural resources and in a manner that will  
7 best meet the needs of the district and the state, taking into  
8 consideration, where appropriate, such uses as farming, grazing,  
9 timber supply, forest, parks, outdoor recreation, potable water  
10 supplies for urban and rural areas, water for agriculture, minimal  
11 flow, and industrial uses, watershed stabilization, control of soil  
12 erosion, retardation of water runoff, flood prevention and control,  
13 reservoirs and other water storage, restriction of developments of  
14 floodplains, protection of open space and scenery, preservation of  
15 natural beauty, protection of fish and wildlife, preservation of  
16 wilderness areas and wild rivers, the prevention or reduction of  
17 sedimentation and other pollution in rivers and other waters, and  
18 such location of highways, schools, housing developments, industries,  
19 airports and other facilities and structures as will fit the needs of  
20 the state and be consistent with the best uses of the renewable  
21 natural resources of the state. The program shall include an  
22 inventory of all renewable natural resources in the district, a  
23 compilation of current resource needs, projections of future resource  
24 requirements, priorities for various resource activities, projected  
25 timetables, descriptions of available alternatives, and provisions  
26 for coordination with other resource programs.

27 (b) The district shall also prepare an annual work plan, which  
28 shall describe the action programs, services, facilities, materials,  
29 working arrangements and estimated funds needed to carry out the  
30 parts of the long-range programs that are of the highest priorities.

31 (c) The districts shall hold public hearings at appropriate times  
32 in connection with the preparation of programs and plans, shall give  
33 careful consideration to the views expressed and problems revealed in  
34 hearings, and shall keep the public informed concerning their  
35 programs, plans, and activities. Occupiers of land shall be invited  
36 to submit proposals for consideration to such hearings. The districts  
37 may supplement such hearings with meetings, referenda and other  
38 suitable means to determine the wishes of interested parties and the  
39 general public in regard to current and proposed plans and programs  
40 of a district. They shall confer with public and private agencies,

1 individually and in groups, to give and obtain information and  
2 understanding of the impact of district operations upon agriculture,  
3 forestry, water supply and quality, flood control, particular  
4 industries, commercial concerns and other public and private  
5 interests, both rural and urban.

6 (d) Each district shall submit to the commission its proposed  
7 long-range program and annual work plans for review and comment.

8 (e) The long-range renewable natural resource program, together  
9 with the supplemental annual work plans, developed by each district  
10 under the foregoing procedures shall have official status as the  
11 authorized program of the district, and it shall be published by the  
12 districts as its "renewable resources program". Copies shall be made  
13 available by the districts to the appropriate counties,  
14 municipalities, special purpose districts and state agencies, and  
15 shall be made available in convenient places for examination by  
16 public land occupier or private interest concerned. Summaries of the  
17 program and selected material therefrom shall be distributed as  
18 widely as feasible for public information;

19 (8) To administer any project or program concerned with the  
20 conservation of renewable natural resources located within its  
21 boundaries undertaken by any federal, state, or other public agency  
22 by entering into a contract or other appropriate administrative  
23 arrangement with any agency administering such project or program;

24 (9) Cooperate with other districts organized under chapter 184,  
25 Laws of 1973 1st ex. sess. in the exercise of any of its powers;

26 (10) To accept donations, gifts, and contributions in money,  
27 services, materials, or otherwise, from the United States or any of  
28 its agencies, from this state or any of its agencies, or from any  
29 other source, and to use or expend such moneys, services, materials,  
30 or any contributions in carrying out the purposes of chapter 184,  
31 Laws 1973 1st ex. sess.;

32 (11) To sue and be sued in the name of the district; to have a  
33 seal which shall be judicially noticed; have perpetual succession  
34 unless terminated as hereinafter provided; to make and execute  
35 contracts and other instruments, necessary or convenient to the  
36 exercise of its powers; to borrow money and to pledge, mortgage and  
37 assign the income of the district and its real or personal property  
38 therefor; and to make, amend rules and regulations not inconsistent  
39 with chapter 184, Laws of 1973 1st ex. sess. and to carry into effect  
40 its purposes;

1       (12)(a) Any two or more districts may engage in joint activities  
2 by agreement between or among them (~~(in)~~) including, but not limited  
3 to, planning, financing, engineering, constructing, operating,  
4 maintaining, and administering any program or project concerned with  
5 the conservation of renewable natural resources. The districts  
6 concerned may make available for purposes of the agreement any funds,  
7 property, personnel, professional engineering, equipment, or services  
8 available to them under chapter 184, Laws of 1973 1st ex. sess. (~~(†)~~)

9       (b) Any district may enter into such agreements with a district  
10 or districts in adjoining states to carry out such purposes if the  
11 law in such other states permits the districts in such states to  
12 enter into such agreements.

13       (c) The commission shall have authority to propose, guide, and  
14 facilitate the establishment and carrying out of any such agreement;

15       (13) Every district shall, through public hearings, annual  
16 meetings, publications, or other means, keep the general public,  
17 agencies and occupiers of land within the district, informed of the  
18 works and activities planned and administered by the district, of the  
19 purposes these will serve, of the income and expenditures of the  
20 district, of the funds borrowed by the district and the purposes for  
21 which such funds are expended, and of the results achieved annually  
22 by the district; and

23       (14) The supervisors of conservation districts may designate an  
24 area, state, and national association of conservation districts as a  
25 coordinating agency in the execution of the duties imposed by this  
26 chapter, and to make gifts in the form of dues, quotas, or otherwise  
27 to such associations for costs of services rendered, and may support  
28 and attend such meetings as may be required to promote and perfect  
29 the organization and to effect its purposes.

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