



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 26, 2000

Motion 11040

Proposed No. 2000-0357.2

Sponsors Miller

1 A MOTION relating to the King County surface water
2 management program; accepting the recommendations of
3 the Regional Water Quality Committee.
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6 WHEREAS, the King County council adopted Ordinance 7590 in April 1986,
7 establishing a surface water management (SWM) program with a service area
8 coterminous with the urban and urbanizing areas identified in the 1985 King County
9 Comprehensive Plan; and

10 WHEREAS, the King County council adopted Ordinance 10187 in December
11 1991, adopting a strategic plan for SWM services, expanding the service area to include
12 the Middle Cedar River Basin; setting a fee of \$85.02 per year for residential parcels and
13 a fee for commercial properties based on the amount of impervious surface; and

14 WHEREAS, the King County council adopted Motion 8901 in February 1993,
15 recognizing the need for SWM services in eastern basins of the county but directing that
16 the service area not be expanded further east due to the rural lifestyle of the area and
17 limited revenue raising ability; and

18 WHEREAS, Seattle, suburban cities and King County agreed in 1995 that
19 watershed problems including flooding, water quality and fish habitat are so large that
20 they can only be solved in a regional way with regional funding; agreed to develop a
21 Regional Needs Assessment (RNA) process to develop a regional plan to protect and
22 improve watersheds; and recommended that the Regional Water Quality Committee
23 (RWQC) should have lead oversight responsibility; and

24 WHEREAS, the metropolitan King County council adopted Motion 9681 in
25 October 1995, providing overall support for RNA, calling for the establishment of
26 watershed forums as the mechanism for the collaborative approach to watershed
27 management and assigning RNA oversight to RWQC; and

28 WHEREAS, this process resulted in the creation of the Lake Washington/Cedar
29 River, Green/Duwamish, Sammamish, Snoqualmie and Central Puget Sound Watershed
30 Forums; and

31 WHEREAS, the RWQC established a process in July 1996, for identifying and
32 prioritizing regional surface water needs and funding; and

33 WHEREAS this process resulted in the appointment of a regional task force made
34 up of elected officials from Seattle, suburban cities and King County whose charge was
35 to develop regional funding principles; and

36 WHEREAS, the RWQC recommended that the metropolitan King County council
37 adopt the regional funding principles and requested that the council enact a King
38 Conservation District (KCD) assessment of \$5.00 per parcel per month; and

39 WHEREAS, the metropolitan King County council adopted Motion 10353 in
40 November 1997 adopting the regional funding principles and recommendations of the
41 RWQC; and

42 WHEREAS, the metropolitan King County council adopted Ordinance 12959 in
43 December 1997, authorizing the KCD assessment of \$5.00 from 1998 through 2000 --
44 \$1.00 to support the work of the KCD, \$1.00 to support local jurisdictions' SWM
45 programs, and \$3.00 to be distributed equally to the five watershed forums to be
46 prioritized for regionally significant projects identified through the RNA process; and

47 WHEREAS, the regional funding principles included the principle that
48 jurisdictions have local SWM programs and funding mechanisms in place before being
49 eligible for any regional funding assistance; that cities that do not have local SWM
50 programs develop such programs; and that the county expand its surface water
51 management fee boundaries to include the portion of unincorporated county which paid
52 no fee; and

53 WHEREAS, Chinook Salmon was listed under the Endangered Species Act
54 (ESA) by National Marine Fisheries Service (NMFS) in February 1998 as a threatened
55 species throughout the Puget Sound region including the rivers and streams of King
56 County; and

57 WHEREAS, ESA requires NMFS to promulgate rules and regulations to protect
58 Chinook Salmon, and King County is negotiating with NMFS for greater flexibility under
59 a 4(d) rule based on the comprehensive proactive watershed based approach developed
60 through the RNA process; and

61 WHEREAS, King County's Clean Water Act NPDES permit must be renewed in
62 2000; such renewal requires a countywide program that demonstrates inspections,
63 enforcement and water quality actions, and evidence of adequate funding and
64 implementation; and

65 WHEREAS, the metropolitan King County council adopted Ordinance 13695 on
66 December 13, 1999 expanding the service area of the surface water management program
67 to include those portions of unincorporated King County that were outside the service
68 area adopted in 1991 (extended service area) with the same fee structure as the rest of the
69 SWM service area, that is \$85.02 per year for residential parcels and a fee for commercial
70 properties based on the amount of impervious surface; and

71 WHEREAS, the metropolitan King County council adopted Ordinance 13702 on
72 January 21, 2000, providing supplemental appropriation authority for \$3.047 million
73 from fees collected in the extended service area to support rural drainage and habitat
74 projects, complaint investigation and code enforcement, stormwater facility management,
75 agricultural drainage and water quality, watershed assessment, groundwater management,
76 stewards and stewardship programs, data management, administrative and GIS support;
77 and

78 WHEREAS, Proposed Ordinance 2000-0163 relating to the repeal of the SWM
79 fee in the extended service area was introduced on February 17, 2000; and

80 WHEREAS, the metropolitan King County council considered Proposed
81 Ordinance 2000-0163 on April 3, 2000 and requested that RWQC review and comment
82 on the proposed ordinance because of their expertise and role in the RNA, regional

83 funding principles, KCD assessment, watershed forums, and countywide ESA response;
84 and

85 WHEREAS, RWQC carefully reviewed the proposed ordinance at its meetings of
86 April 13, May 11, and June 8, 2000 and found that:

87 1. Through the RNA process, Seattle, suburban cities and King County agreed
88 that problems such as flooding, water quality and fish habitat are so large they can only
89 be solved in a regional way with regional funding; and

90 2. By Ordinance 10353 the council adopted the regional funding principles to
91 guide funding for up to \$250 million in regionally significant projects. The regional
92 funding principles identified that the responsibility of local governments is to take care of
93 local needs and to participate in seeking funding for regional needs; and

94 3. By Ordinance 12959, the council adopted a KCD assessment of \$5.00 per
95 parcel – \$3.00 to fund regionally significant projects, \$1.00 for jurisdictions to fund local
96 programs, and \$1.00 to fund the KCD; and

97 4. Since the adoption of the regional funding principles, all local jurisdictions in
98 King County, except Skykomish, either have a SWM program and funding in place or are
99 developing a local SWM program; and

100 5. The extension of the county' SWM program to the rural area is consistent with
101 programs adopted by cities and implements the regional agreement that local jurisdictions
102 fund local SWM needs; and

103 6. The activities funded by King County's rural SWM fee appear to be uniquely
104 tailored to meet rural needs. These activities include basic services, agricultural drainage

105 ditch program, technical assistance and cost sharing for farms and forest lands, 24 hour
106 response for code enforcement, and monitoring of surface and ground waters.

107 NOW THEREFORE, BE IT MOVED by the Council of King County:

108 A. To accept recommendations of the Regional Water Quality Committee that:

109 1. The county retain the expanded service area for the SWM program that
110 was adopted by Ordinance 13695 on December 13, 1999; and

111 2. The county modify expenditures funded by rural SWM fees by
112 increasing the ratio of capital projects to operating expenditures;

113 B. Request that the King County executive evaluate the opportunity for
114 additional discounts to the SWM fee associated with maintenance of rural lifestyles based
115 on best management practices developed through pilot projects and report preliminary
116 results by September 8, 2000 and final results by June 30, 2001 to the utilities and
117 technology committee.

118 C. Request that the King County executive evaluate the rate structure for

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119 assessing SWM fees based on equity concerns and report the results to the utility and
120 technology committee by September 8, 2000.

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Motion 11040 was introduced on 6/12/00 and passed as amended by the Metropolitan King County Council on 9/25/00, by the following vote:

Yes: 7 - Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz, Ms. Sullivan, Mr. Gossett and Mr. Irons

No: 3 - Mr. von Reichbauer, Mr. Pullen and Mr. Vance

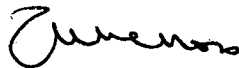
Excused: 3 - Mr. McKenna, Mr. Nickels and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments None