



## Statement of Policy and Core Principles

The Washington State Association of Counties (WSAC) represents elected county commissioners, council members, and executives from all of Washington's 39 counties. WSAC works with statewide elected officials, federal and state agencies, and members of the Washington State Legislature and Congress to promote positions that help counties serve their citizens. This Policy Statement guides WSAC's actions as it advocates for the common good of counties.

### Core Principles

The following core principles form the foundation for WSAC positions:

#### 1) Agents of the State

As provided in the Washington State Constitution, counties are legal subdivisions of the state. Counties serve as the agents of the state on the local level and provide many services on behalf of the state, including felony prosecution, public defense, criminal and civil court, elections, property tax assessment and collection, public health, human services, and transportation. Counties provide these services to all state residents, whether in cities and towns or unincorporated areas. Counties must be equal partners with the state to determine the services offered and method of delivery to ensure that we are seamless, cost-effective, and responsive to our joint constituents. Without a strong and effective county government, the state will not succeed in achieving its policy objectives.

#### 2) Local Control

County government is the government closest to the people. To be responsive to the people and appropriately reflect the diversity of our communities, counties support the principle of local control. In general, counties will strongly resist policies that ignore the reality of statewide diversity or policies that erode local determination. Each county is unique, and this diversity requires a flexible approach to statewide policy-making. Counties need flexibility to determine acceptable taxing and spending levels for their communities. Local control recognizes that individual counties should be free to adopt various operating and policy alternatives that may not be acceptable to other counties. Local control also embodies the principle that the people should determine its forms of government. Therefore, counties believe that any change in a citizen's form of government must be adopted by public vote. Additionally, policy, taxing, and regulatory authority should not be given to persons who are not directly accountable to the people through an election. WSAC will oppose attempts to preempt local control.

#### 3) Unfunded Mandates

In adopting Initiative 601, Washington voters required the Legislature to provide adequate funding to local governments when it mandates new or expanded local responsibilities. The state must keep local responsibilities within existing revenue sources or to provide additional funding or funding authority when it imposes new mandates.

Counties will seek appropriate and stable funding for all legislative and agency mandates on local governments to avoid systemic and significant funding deficiencies. Counties will oppose new or expanded local responsibilities that are not fully funded and do not include ongoing funding for increases in costs or caseloads. State funding must ensure equal access to essential county services such as public safety, law and justice, public health, human services, transportation, property tax assessment and collection, elections, and treasury services without regard to size, location, or local taxing capacity.

#### **4) Provide Sufficient State-Shared Revenue**

Revenue distributions from the state and federal governments are counties' third largest revenue source. State-shared revenues include items such as municipal criminal justice assistance, flexible funding for public health, streamlined sales tax mitigation, distressed city-county assistance funding, liquor profit, and tax revenue, rural economic development funding, motor vehicle fuel tax, local solid waste financial assistance, and others. These revenues are incredibly crucial to counties because the only other legislatively provided revenue sources are property taxes and sales taxes.

The loss of county revenue from prior state cuts means that state-shared revenues are more critical to counties than ever before. Just as the state must provide new funding for new requirements it imposes on counties, it must also restore funding cut from vital programs and continue to provide existing funding. Likewise, the state must live up to the promises it made by providing the revenue as planned because counties must be able to rely on the state's commitments.

#### **5) Presenting a Unified Front**

To be effective with the Legislature and state agencies, counties must speak with a clear and consistent voice. WSAC will engage in policy issues with the potential to impact or set a precedent for a wide range of counties or when the Legislative Steering Committee approves our collective involvement. On issues not affecting a wide range of counties, WSAC will defer to the individually effected counties.

#### **6) Cooperation with Other Locally Elected Officials and WSAC Affiliates**

WSAC and the Association of Washington Cities (AWC) represent elected officials in county and city legislative and executive branches, respectively. Separately elected county officials, i.e., assessor, auditor, clerk, prosecutor, sheriff, and treasurer are represented by the Washington Association of County Officials (WACO). WSAC also represents several affiliate organizations comprised of professional county staff who manage and operate county departments under the supervision of county elected legislative officials and County Executives. Although the three associations and various affiliates must represent their members on individual issues, those members ultimately report to a joint constituency, the public. The public interest must come first, and whenever possible, WSAC will seek to cooperate with organizations representing locally elected officials, including AWC and WACO.

#### **7) Commitment to Justice, Equity, Diversity, and Inclusion**

The American ideals that include equity, opportunity, and justice were enshrined by our nation's founders in the Constitution and Bill of Rights. Yet they also protected slavery, failed to respect Native American culture and independence, and denied equal rights to women. The American story continues the struggle to right these shortcomings, including civil war, military actions, peaceful protests, riots, and significant legislative reforms. Unfortunately, too often, these reforms have remained aspirational. Throughout history and continuing to the present day, there exists a penchant toward discrimination based on color, gender, socioeconomic status, religion, sexual orientation, national origin, or disability status.

Collectively, Washington's counties derive strength from their diversity. But not all of the state's residents have enjoyed equal access to the services state and county governments provide. As the level of government closest to the people, counties are particularly susceptible to local prejudices and biases. Inequities exist in county employment demographics, land use and housing, elections and districting, public safety, public health, environmental justice, and tribal relations. They are found across all levels of government, and county governments are no different.

Counties need to explore where those inequities exist within their communities and determine what role they should play in addressing them, including ways to provide opportunities to marginalized residents. Counties welcome reform tools and support from the state to help us continue the struggle for more equity, equality, justice, and inclusion.

## Budget, Finance & Taxes

Counties face three primary challenges with the revenue sources available to fund essential state services at the local level:

- lack of revenue diversity,
- lack of flexibility in how locally-generated revenues and state funds can be utilized, and
- the fact that revenue streams do not keep up with expanding population and inflation.

City and state governments have a more diverse range of revenue sources that include property taxes, sales and use taxes, business taxes and fees, utility taxes, and shared revenues. Counties' revenue streams are primarily limited to property taxes, sales and use taxes, and state and federal shared revenues. Counties do not have the authority to impose utility taxes nor any business taxes and fees.

Since 2001, property tax revenue has been limited by statute to 1% per year growth, plus new construction associated with growth. Because most services delivered by county government are unrelated or inversely related to economic growth (e.g. additional demands on the criminal justice system); and with inflation growing at more than 1% per year, county budgets must rely on other revenue sources for growth.

Counties also receive sales tax revenue, but most significant sales tax revenue generators – big box retailers, home improvement stores, and auto dealerships – are located inside city incorporated areas, resulting in counties receiving a much smaller percentage of sales tax revenue than the state and cities. Under the Growth Management Act, it is difficult for counties to create new commercial and retail areas that generate sales tax revenue, and significant sales tax generators often become targets for cities to annex, further reducing revenue streams to counties.

Updated statutes like the Streamlined Sales and Use Tax Agreement of 2007 and, currently, the 2018 US Supreme Court decision in *South Dakota v. Wayfair* and the resulting Marketplace Fairness Act of 2019 will likely result in increased sales tax receipts to the counties by basing the locus of the sales tax receipts on the purchaser for remote sellers. As compared to the city and state governments, however, counties remain the lesser of the collectors.

The Legislature has historically provided counties with the authority to impose local option sales taxes. However, the challenge with these revenues is that they are often extremely limited in how they can be used, and they eliminate local decision-making authority. At times, voter approval requirements may also pose a substantial challenge in many of the state's counties, especially counties that are primarily rural. Additionally, most of the local option sales taxes are for specific uses (e.g., emergency communication systems, mental health, juvenile justice, etc.). They cannot be used generally for programs mandated under the state constitution or by statute.

Furthermore, many of the statutorily authorized revenues also lack local discretion in their application. For example, the local portion of the real estate excise tax (REET) is divided into "REET 1" and "REET 2" with different definitions on how the money can be used. A common definition, along with local discretion to harmonize uses, is desirable.

State-shared revenues are an increasingly important source of county funding. State-shared revenues include items such as

- municipal criminal justice assistance;
- flexible funding for public health;
- streamlined sales tax mitigation; distressed city-county assistance funding;
- liquor profit and tax revenue;
- marijuana revenue;
- payment in lieu of taxes (PILT);
- local solid waste financial assistance;
- rural economic development funding;
- an array of human service funds for mental health, chemical dependency, and developmental disabilities;

and others.

In response to state budget problems, the Legislature has recently reduced these funds or capped their growth. It has taken the full energy of the counties to minimize these impacts.

County revenue is structurally unable to meet current and future service demands. The overdependence on property tax, coupled with a smaller share of sales and use tax and the lack of flexibility in the use of other revenues, mean that economic growth does not help counties as much as it helps the state and cities. County revenue sources simply cannot keep pace with the increasing demands placed on county government.

In 2007, a study requested by the Washington State Legislature found that “county revenue authority has been eroded from 2001 to 2007 to such an extent that in many counties, funding is not adequate to sustain equal access to basic services.” (County Financial Health and Governance Alternatives; Department of Community, Trade, and Economic Development (now Department of Commerce)). This situation was further exacerbated by the Great Recession. Without a change, counties will fail at delivering the services that are constitutionally and statutorily mandated by the state.

More than a decade later, the Legislature still has not seriously addressed the ongoing erosion of county finances.

**WSAC Policy:**

Over the long term, the county financial structure must meet the needs of modern county governments. The Legislature must assist counties by giving them the authority to control their cost drivers and provide them with revenue sources that keep pace with costs.

The fiscal structure for counties must reflect actual needs rather than forcing counties to manipulate the needs of their residents in order to address them within the existing revenue amounts. Sound fiscal policy for counties also needs to take into consideration the demand for county-provided services by city residents. City residents use county roads, justice systems and courthouses, public health, and so on. Yet, in some counties, the bulk of the funding for these services falls disproportionately on the unincorporated parts of the county.

New local option sales tax authority should include a councilmanic option. WSAC will continue to pursue county fiscal sustainability proposals. Likewise, counties support a diverse array of local taxing authority to ensure they have the necessary fiscal sustainability to provide the statutory and constitutional programs and services they are required to deliver.

At the same time, however, they urge caution regarding legislation that grants counties taxing authority - particularly sales and use tax - to fund programs and services that should be uniform statewide, such as

- public health,
- homelessness,
- affordable housing,
- behavioral health services,
- the trial court system,
- elections,
- and so on.

Data shows that collection of sales and use taxes varies widely on a county by county basis. In fact, on an annual basis, a 1/10 of one percent sales and use tax collection varies by 400% per capita from county to county. It is not fair for Washington’s residents to have inequitable service levels for core programs because of the inequity in a jurisdiction’s ability to generate sales and use taxes.

Counties support statewide revenue solutions for statewide issues and that revenue be appropriately distributed equitably across the state based on program and service needs, not on the ability to raise funds locally. Further, the

state should distribute funds in a manner that provides flexibility to allow local governments to use the funds to tailor solutions specific to the needs of their communities.

### Tax Exemptions

Both the Legislature and counties have legitimate policy reasons for providing tax exemptions, and economic development often relies on targeted exemptions. However, because the existing county revenue sources are both limited and inelastic, counties must maintain their current sources of revenue. These countervailing considerations are often in competition.

#### **WSAC Policy:**

WSAC will advocate that tax exemptions be limited to the state's portion of revenue. The Legislative Steering Committee may examine individual tax exemptions, but absent a decision on a specific tax exemption, WSAC will oppose tax exemptions affecting the county portion of revenue.

### Local Fiscal Data

Providing legislators and state agencies with reliable, trustworthy fiscal data on county costs is critical in the legislative and policy-making process.

#### **WSAC Policy:**

Counties will strive to be accurate and reliable sources of data. County officials will actively assist in the development of reliable data for the Legislature and state agencies, whether it is on an individual basis, through WSAC, or in the local fiscal note process. The Legislature needs to take a more robust role in requesting local government fiscal notes and ensuring a well-supported, efficient, and accurate local government fiscal note development process.

### Pension and Labor

Unemployment insurance, workers compensation, minimum wage, prevailing wage, pension plans, and labor relations are all policies adopted by the state but have a direct impact on county personnel costs, which can comprise up to eighty percent of county budgets. Many times, these same policies are not imposed upon the state because the state has neither the time nor the resources to meet them. All public employees are required to belong to one of the state pension plans. The state sets the rate of contributions and level of benefits.

#### **WSAC Policy:**

While the state sets most labor policy and all pension policy for counties, counties will continue to work toward legislation that will minimize fiscal impacts on limited local resources and provide maximum flexibility to direct the workforce. The state should not mandate any stricter labor standards for local government than they are for the state. Pension funding should not exceed the level needed to meet pension obligations and must also be provided at a level to ensure government pension obligations are met.

### Law and Justice

To guide the state as it reviews criminal justice reforms, WSAC adopted a set of Criminal Justice Reform Principles, incorporated in the Addendum. In addition to these principles, the following statements reflect WSAC's position on law and justice.

County governments provide staffing and facilities for the majority of the state's civil and criminal trial court system. Arrests by tribal, federal, state, and city governments impact county jails. As a result, counties are spending, on average, seventy-five percent of general fund dollars on public safety programs and services:

- Public safety within the unincorporated area;
- Superior, district, and juvenile courts, including facilities, personnel salaries and benefits, and a portion of judges' salaries;
- Providing cities with regional criminal justice services that are too expensive for each small city to duplicate;
- Prosecution, public defense, and ancillary services such as interpreters and investigators;
- Jails and juvenile detention facilities;

- Inmate health services, such as behavioral health, substance use dependency (including opioid addiction), medication assisted treatment (MAT), and smoking cessation services;
- Probation, diversion, and community services;
- E-911 and emergency management; and
- Medical examiner or coroner.

Counties believe the purpose of the criminal justice system is to minimize the cumulative personal, social, and economic impacts of crime on society. For that reason, counties take their criminal justice responsibilities very seriously. Over many years, as state funding has declined, counties have instituted numerous efficiencies and, where authorized by statute, developed innovative law and justice programs. However, despite efforts to be more efficient and accessible, counties lack the necessary funding for mandatory criminal justice services.

**WSAC Policy:**

Counties will work to gain an appropriate level of funding for all essential law and justice services and to remove unnecessary or overly burdensome state requirements on the law and justice system.

As subdivisions of the state, counties believe the state must take a greater role in funding state-mandated law and justice activities administered at the county level, including all costs associated with the arrest, prosecution, defense, and detention of persons charged with felony crimes. Counties believe the state also should assist in funding discretionary court services, such as drug and mental health courts that reduce impacts to state prisons and juvenile institutions, jail diversion services, and other costly state programs. State agencies should also be financially responsible for their portion of arrests, medical, and prosecution.

Additionally, counties support state “extraordinary fund” assistance for counties with disproportionately high costs. Counties further support state assistance in purchasing and distributing medications to inmates and preparing pre-release documentation to ensure inmates continue to receive needed medications and care following release from jail.

Counties support full state funding for administering the costs associated with mandated laws such as “Becca” and the Hope Act for serving at-risk youth, including providing necessary county-administered human services. Counties support the increase in flexibility of state and federal juvenile justice funds through the consolidation of funds and continued use of block grant approaches. Counties support the flexibility and blending of early intervention and prevention, supervision, and treatment services in the law and justice system to meet local needs.

Federal and State-provided health benefits for incarcerated individuals should remain in effect unless and until a person is found guilty.

**Human Services**

Counties are responsible for providing a variety of human services, including:

- Behavioral health services;
- Local programs for persons with developmental disabilities,
- Planning and management of substance use disorder treatment, prevention programs, and programs for individuals with co-occurring substance use disorder and behavioral health issues, and
- Other state-mandated or locally determined human services priorities.

Counties believe that human services are best provided at the local level. Many clients who use human services utilize more than one service. Too often, service delivery systems are highly specialized, and funding streams are too specific to be maximized for efficiency. Individual program rules and regulations present complex challenges for local delivery systems, at times inhibiting effectiveness. Court rulings, such as the Washington Supreme Court’s 2014 decision banning psychiatric boarding in emergency rooms when alternative treatment beds are unavailable also adds additional complexity and challenges.

**WSAC Policy:**

State government must break down barriers to providing services to multi-need individuals and families. The state must remove programmatic, administrative, and regulatory barriers to local government. Local service providers must be allowed to work collaboratively to design and implement comprehensive service packages that meet all the challenges of serving the multi-needs client. Counties also support sufficient funding to meet the complex needs of individuals and families with both multiple medical diagnoses and economic challenges. Counties support full state funding of all behavioral health services the state requires counties to provide, as well as for any additional state mandates and shifts in priority populations. In addition, counties advocate sound policy decisions regarding the provision of appropriate care to those with behavioral health issues based upon the best judgment of county mental health professionals and administrators.

Counties support state funding for the continuation and expansion of community programs for persons with developmental disabilities, including special services and employment programs, in a continued effort to reduce institutionalization and segregation.

Likewise, counties support sufficient funding for drug and alcohol treatment services for low-income persons, which will reduce costs to local communities and increase public safety.

Human services funding must be as flexible as possible. Counties oppose any reduction in funding for human services programs unless the reduction is achieved through administrative efficiencies that provide the same or a higher level of service.

Counties do not support the continued reduction of inpatient resources at the state level until the necessary resources are provided up-front to increase local residential capacity and provide programs to serve those persons appropriately. Counties support full funding for the replacement of civil commitment beds at state hospitals.

Resources must include funding not only for the siting and building of facilities but also for continued staffing and programmatic support over time. Wherever possible, ownership of facilities used for publicly funded programs will be held by state or local government entities to improve flexibility in the choice of providers.

## Housing

Counties support and provide housing needs in a variety of ways. Counties have a direct and indirect impact on housing availability, location, and cost because of our role in land-use and development regulations. Housing is also a required element of growth management plans.

In addition, some counties manage or assist in low-income housing programs. They may directly administer a residential program for those with special needs. They may run local housing authorities, which manage federally subsidized programs such as Section 8. Counties also have an increasing role in providing housing services for individuals undergoing treatment for behavioral health and/or substance use disorder issues. Additionally, counties have the responsibility to develop plans to end homelessness.

Dramatic increases in housing costs in Washington State are creating unmanageable pressure on existing private market affordable and workforce housing resources.

**WSAC Policy:**

Counties support the elimination of duplicative planning and regulatory burdens that impact housing affordability and support the reduction of other regulatory requirements that significantly impact housing affordability without a commensurate benefit for the environment or the general welfare of our communities.

Counties also support additional sources of revenue from both the state and federal levels to assist in funding housing for low-income, workforce, and other specific populations. Counties support the Legislature increasing the amount of

funding dedicated to the Housing Trust Fund for the needs of special populations, the elderly, those with low incomes, and workforce housing. They support increased administrative flexibility in developing housing programs and the reduction of any state organizational barriers such as multiple licensing requirements and overlapping directives. The state should enact additional protective measures to preserve housing options for low-income and workforce groups as the continued displacement of these groups directly threatens the housing of thousands of members of our communities. Increasing the state's supply of rental housing should be considered an equal strategy with homeownership for expanding the state's housing supply.

Counties also support innovative approaches to help with affordable housing. Those approaches should include the reuse of existing homes and residential materials, sweat-equity programs, green building, and energy efficiency investments.

## Public Health

County public health jurisdictions have protected the health of Washington State residents since before statehood. Public health professionals are on the front line in defending against threats to public health – communicable diseases, chronic illness, harmful environmental exposures, and human-made or natural disasters. Other public health responsibilities include assuring safe food and water, management of hazardous materials, solid waste, and safe sewage treatment.

The Public Health system has new demands imposed by emerging diseases and threats (bioterrorism, West Nile Virus, etc.), while at the same time maintaining ongoing response to the “old” diseases (tuberculosis, measles, etc.). Public health is also expected to increase its capacity to respond effectively to threats of bioterrorism and natural disasters because these events are local events first that can rapidly spread beyond jurisdictional boundaries.

The complexity and severity of today's public health threats require a robust public health system that is accountable, accessible, and appropriately funded. Without ample sustainable funding for local public health, our residents will be at risk of imminent harm. Local government has historically stepped up to the challenge of supporting local public health. While the state has contributed some support, the counties' ability to support public health has been dangerously eroded as a result of limited revenue and decreasing federal and state support.

### **WSAC Policy:**

WSAC supports the State's Foundational Public Health Services (FPHS) initiative and public health transformation, which aims to create a responsive and sustainable public health system to ensure healthy and economically vital communities across the state. FPHS efforts include defining a core set of public health programs and services, developing service delivery models that provide highly technical expertise to all communities, and increasing and stabilizing funding sources. WSAC supports FPHS work that maximizes the efficiency and effectiveness of public health services and empowers local revenue to be spent on locally prioritized services.

Additional resources are needed at every level to address public health issues, including the integration and coordination of multi-county efforts. WSAC supports maximizing the flexibility of existing sources of funding and enhancement of both efficiency and effectiveness in service delivery. WSAC supports local board of health authority to enforce state laws and establishing local rules and regulations, and the duties of local health officers in declaring public health emergencies and interpreting administrative rules. These powers and duties are essential components of maintaining local control, recognizing the nuances of local contexts in protecting the public from health hazards, the spread of disease, and public health threats.

## Land Use Planning

All thirty-nine counties in Washington State are required to comply with some aspect of the Growth Management Act (GMA), and twenty-eight are required or have elected to prepare and implement comprehensive plans and development regulations. Counties have spent significant local resources, not only on the preparation and implementation of comprehensive plans but also on the defense of their legislative decisions after appeals to the Growth Management Hearings Boards (Hearing Boards) and the

courts.

Conflicting state and federal regulatory and environmental programs have made the task of implementing the GMA more costly than expected.

The effects of GMA implementation are beginning to be analyzed and documented. When changes to the GMA are debated, complex issues, such as the Act's impact on county revenues, affordable housing, the provision of urban services and infrastructure concurrent with growth, the siting of essential public facilities, and the direction of new urban growth into designated urban growth areas need to be taken into consideration.

**WSAC Policy:**

Counties oppose state pre-emption of local land use policies and plans as determined by local planning processes and as adopted by county legislative authorities. The Washington State Supreme Court has recognized, and the Legislature and Hearing Boards must affirm, that deference is owed to counties as they adopt county comprehensive plans and implementing development regulations. That deference should be extended to determining when a plan and development regulations should be updated. Control and accountability for local Comprehensive Land Use Planning must remain with local legislative bodies.

Counties support sound, comprehensive land use planning as a primary responsibility of local government because, done well, it protects the environment while it promotes a strong economy. The state has as much interest in promoting this positive outcome, and therefore, must provide sufficient ongoing funding for planning, updates, implementation, compliance, and evaluation activities. State agencies should also assist and coordinate with local governments during the planning process by providing technical assistance and expertise. State agencies should respect and comply with local planning regulations when siting state facilities and when issuing permits for other land uses and facilities. Additionally, the Legislature must repeal or suspend specific GMA requirements when funding is eliminated. Counties will not support any additional GMA requirements without sufficient ongoing funding.

The state, with counties and other interested parties, must review the GMA and other environmental statutes to meet the underlying objectives of the different laws while eliminating duplication of planning and regulatory burdens on both county government and citizens. It also is essential to begin an ongoing process of monitoring the impacts of the GMA and related state statutes before the enactment of any additional planning, development, or environmental law or regulation.

An important and laudable goal of the GMA is the reduction of urban sprawl and the preservation of rural character. The GMA has been successful in directing new development, which requires urban levels of service to urban areas, mainly by the designation of urban growth areas (UGA's) and the limitations associated with providing services outside of those UGA's. WSAC support updates to the GMA that will incent continued development of UGA's, including infill encouragement. Further, WSAC supports GMA reforms that encourage and assist with appropriate infrastructure investment and development in existing UGA's.

Rural character and rural citizens should be protected as well as provided opportunities to maintain their communities, culture, and economies. Counties support measures that address the resource protection needs of rural communities while also addressing the restoration needs. Through resource protection strategies and requirements, rural communities and unincorporated lands provide ecosystem services that benefit all residents of Washington State. Those services are not monetized or officially recognized for their true value despite the cost to counties and rural citizens for providing them, including the loss of property tax, the undermining of the overall unincorporated tax base, and the loss of economic opportunity. Additionally, the ecosystem services provided by rural lands often result in revenue benefits to urban areas, which bear no responsibility for related costs. Ecosystem services provided by rural lands should be monetized, and counties and the citizens they represent should be reasonably compensated for the value provided.

The state must make every effort to resolve disputes through alternative dispute resolution and by providing incentives to reach its goals. Legal challenges to local action should be used only as a last resort. The Legislature should act to ensure that Hearing Boards and the courts defer to local county comprehensive plans and implementing regulations, as well as fund county costs in defending legal challenges.

Regarding annexations and incorporations, counties will work to support policies to ensure they do not continue to be burdened with the cost or debt of capital infrastructure, facilities, or other real property following the revenue loss brought about by the annexation or incorporation of an area.

## Columbia River

In 2006, the state Legislature established the Columbia River Basin Water Supply Development Program (Program). The Program has a bonding capacity of up to \$200 million to implement projects aimed at increasing water supply in the Columbia River basin. Eastern Washington counties have been participants in the Program, with four seats on Ecology's Policy Advisory Group (PAG) made up of various stakeholders.

While the Columbia River flows through Washington State and serves as a large portion of the state's southern boundary with Oregon, its origins flow from British Columbia, Canada. In 1961, the United States and Canada signed an international agreement known as the Columbia River Treaty. Its intent is to coordinate flood control and electrical energy production and development and operation of the Columbia River Basin. The US Department of State is currently leading the effort to negotiate with Canada to modernize the treaty regime.

### **WSAC Policy:**

Counties support the Program to increase water supply in eastern Washington that is critical to the area's effort to sustain salmon recovery efforts and provide water for human, industrial, and agricultural needs. Counties also support the Program because it provides a forum for diverse interests to discuss water supply development, regardless of differences in perspective. Counties believe the program is making incremental progress in an area of great need, particularly in making decisions and moving toward improving water supplies in Eastern Washington. They support ongoing efforts to continue funding and implementing the program.

Counties support the US Department of State's efforts to negotiate a modernized Columbia River Treaty. With that in mind, they also support maintaining flood control and the production of hydropower as the primary purposes of the treaty and oppose the inclusion of ecosystem management as a third purpose. Counties support keeping all issues related to the Endangered Species Act separate from the international treaty with Canada. Counties support a new treaty that ensures adequate water supplies are provided for current and future out-of-stream needs, including municipal, industrial, and irrigation. They support including provisions for water supplies adequate for irrigation projects that are dependent on the Columbia River and Grand Coulee sources. Domestic water issues should remain outside of the treaty. Counties also support the principle of maintaining enough flexibility within the treaty to allow other implementation agreements between the United States and Canada.

## Water

Counties have a unique perspective on water resources due to their broad authority and responsibilities in watershed planning, land use, health and sanitation, transportation, and parks and recreation. Counties are engaged in nearly every aspect of water resource management, with the key exception of water rights issuance. Even in the water rights arena, however, recent court decisions have created a greater, albeit undefined, responsibility for counties to make determinations of water availability. Some counties are taking an active role in developing water banks and other mitigation options to ensure water availability for residential water use.

### **WSAC Policy:**

Counties support changes in state law and budgeting to ensure efficient water rights administration, consistent with collaborative, locally-based watershed planning. Water law, financial resources, and administration must be flexible enough to recognize regional differences in water sources, water uses, and demands. A "one-size fits all" approach is not appropriate. Legislative solutions must address both urban and rural water needs by providing adequate resources, establishing priorities, and resolving conflicting roles and responsibilities. Rural areas need to continue to

have the right to use exempt wells for their water supply.

The Legislature must act to ensure that water supply decisions are made. Whether made through a regional planning process or by the state, these decisions must be timely, consistent, and supportive of growth management planning, sustainability, and economic development

Careful adjustments to water policy through fiscal incentives and policy directives are needed to increase water availability using conservation, storage, water reuse, and other water management tools to provide for population growth, economic growth, power generation, and adequate in-stream flows for fish, wildlife and recreation. Counties believe it is critical to maintain and enhance water storage for human, industrial and agricultural needs, and instream uses. Disincentives to conservation should be eliminated so that conserved water can be used in other ways.

New state funding is needed to support county responsibilities for safe drinking water supply, stormwater management, flood damage reduction plans, and watershed planning and implementation.

The Department of Ecology's interpretation and implementation of water rules must be consistent across the state. Ecology should partner with counties in local water decisions instead of pushing the risks and liabilities solely onto counties.

## Forest Resources

All counties have an interest in the management of our state's forestlands in terms of how management practices impact forest health, watershed health, public health and safety, recreation, the environment, listings of threatened and endangered species, and the economic health of forest communities. Resource-based communities, including timber communities, have a long and proud history of self-reliance and stewardship while deriving strength, health, wealth, and recreation benefits from the landscape. Policies developed by the federal and state governments regarding the multiple uses of these lands have an important effect on county land use and economic development policies.

Washington's forests may experience significant changes in the establishment, growth, and distribution of tree species because of increasing temperatures, declining snowpack, and changes in soil moisture. A rise in threat to forest health might be expected due to increasing wildfire, insect outbreaks and disease. The projected changes could affect both the spatial distribution and overall productivity of many ecologically and economically important Pacific Northwest tree species.

Many counties and their junior taxing districts rely on forest lands and commercial timber harvest as a source of revenue. Thirty-seven counties benefit financially from federally owned lands, including forestlands, through the payments in-lieu of taxes program (PILT). Thirty-five counties regularly receive timber harvest excise tax revenue from commercial timber harvest activity on private and public forestlands. Twenty-six counties receive federal secure rural schools (SRS) funding because of federal forest land ownership. Nineteen counties are direct beneficiaries of the State Forest Transfer trust lands and State Forest Purchase trust lands which provide revenue to county taxing districts from timber harvest. Counties also receive timber harvest excise tax revenue from timber harvest on public forest lands.

WSAC, along with other stakeholders, anticipated some negative financial impacts to counties and junior taxing districts would result from the development and implementation of the Department of Natural Resources (DNR) State Trust Lands Habitat Conservation Plan (HCP). However, it was believed that the adoption of the HCP would ultimately increase the stability of timber harvest which, in turn, would improve economic stability for beneficiaries. The HCP allows the DNR to legally proceed with activities that could otherwise result in the illegal take of a listed species under the Endangered Species Act as well as ensuring there is adequate minimizing and mitigating of the effects of the authorized incidental take. Unfortunately, the impact of the HCP and other policy decisions has resulted in a greater reduction in timber harvest levels than anticipated.

The Sustainable Harvest Calculation (SHC) is the Board of Natural Resources' (BNR) 10-year plan for harvest volume on forested state trust land in western Washington. Key decisions by the BNR directly impact the amount of available timber for harvest. Those policy decisions include, but are not limited to, changes to the HCP, harvest prescriptions in riparian zones, assumptions about forest inventory and growth rates, and accounting for prior years' harvest arrearages.

Private forest lands are also an important resource for counties. Thirty-five counties regularly receive timber harvest excise tax revenue from commercial timber harvest on private forestlands. Along with public forest lands, commercial timber harvest on private timberlands also provides jobs and other economic benefits for counties. Thirty-six percent of forest land in Washington State is privately owned. Unfortunately, increasing population and expanding urbanization is placing increased development pressures on private forestlands. As a result, privately-owned forests are converting into residential and commercial development. This results in a potential decline of available and sustainable timber supply and high-quality forest lands, undermining the timber products industry, county revenues and ecological benefits that forest lands provide.

#### **WSAC Policy:**

In many areas of Washington, working and living in the outdoors is a cultural keystone and way of life that should be cherished, protected, celebrated, and encouraged. Counties must continue to be given a voice in management decisions on federal and state lands, particularly when those decisions impact county land use and environmental policies, as well as county revenues and socio-economic conditions. Counties also will advocate for changes in state and federal law that provide for sustainable management of forest resources and forest resiliency while maximizing benefits to the state and local economy.

Counties believe that good forest stewardship includes active and responsible forest management. As stewards of the forested environment, we support balancing the harvest of forest products with the protection and restoration of natural systems, conserving habitat, improving air and water quality, promoting biodiversity, reducing greenhouse gas emissions and air pollutants and addressing potential climate change impacts. Counties support natural systems to reduce carbon in the atmosphere by establishing programs and policies that ensure the health and productivity of forest resources while providing continued economic and cultural benefits to residents. Counties also support alternative management models that encourage local participation such as community forestry and forest collaboratives.

Reliable and predictable revenues are key to the critical services that counties and their junior taxing districts provide, like law enforcement, public health, behavioral health, planning and permitting, fire, libraries, EMS and more. Counties should be compensated for the reduced productive use of the land due to restrictive regulations from threatened or endangered species policies.

As beneficiaries of State Forest Transfer trust and State Forest Purchase trust lands, individual counties benefit directly from commercial timber harvested from lands managed by the Department of Natural Resources (DNR) within their county's borders. As regulations have changed over time, the acreage available for commercial timber harvest has declined dramatically. The reduced timber harvest levels have created economic impacts that should be comprehensively measured. Counties support an accurate, field validated inventory of forest trust lands by forest stand type (acreage, volume, species, and age). This data is critical for the input of the Forest Estate Model used by the DNR to calculate the sustainable harvest. Counties also support the DNR adhering to the sustainable harvest commitment and additional harvest in the specific forest trusts where arrearages in the decadal sustainable harvest calculation have occurred. The impact of those declines has not been applied proportionally and has resulted in significant disparities between counties and their individual likelihood of receiving timber harvest revenues. Counties may be willing to evaluate alternatives to improve the trust structure.

To mitigate negative impacts of the HCP, WSAC intends to develop and consider strategies that include increased sustainable timber harvest on other public lands, replacing encumbered State Forest Transfer and State Forest Purchase trust lands with other commercially-viable timber lands, swapping unencumbered federal forest lands that will allow

commercial timber harvest with encumbered state forest lands, increasing county-owned and managed timber lands for commercial timber harvest, and harvest strategies on existing DNR-managed timber lands that will maintain or enhance overall revenue. The goal of these strategies is to achieve no net loss to counties in terms of financial impacts to county taxing districts and overall economic impacts. WSAC will demand that county trust beneficiaries are provided early and robust participation in any process to adopt further amendments to the DNR HCP.

WSAC supports the forest product industry and the associated employment opportunities for county residents as well as the direct, indirect, and induced economic benefits it provides. WSAC supports strategies that help sustain and increase those county benefits while generally opposing actions that negatively impact commercial forestry without corresponding offsets in other areas, including jobs and other economic offsets. It is important that the sustainable harvest calculation for all state trust lands managed by the DNR be closely monitored by beneficiaries and that third-party reviews be conducted periodically to assure proper methodology and data credibility.

WSAC supports sustainable timber harvest and the long-term protection of commercial timber lands, both publicly and privately owned, from inappropriate conversion to other uses. Counties support policies that help maintain private working forest lands. WSAC is also willing to consider and invest in strategies to develop alternative markets for commercial timber products, including marketable ecosystem services.

Additional investments need to be provided for forest health treatments on private, state, and federal lands. The communities in which these lands are located are disparately impacted by the effects of wildfire. In a changing climate and with reduced funding for managing public and private forest land, many forested lands are experiencing, or are at significant risk for, catastrophic wildfire. Counties support prioritizing funding for forest health treatments, including but not limited to active logging, thinning, prescribed burning, and other fuel reductions strategies.

### **Puget Sound Partnership**

The Puget Sound Partnership is a state agency serving as the backbone organization for Puget Sound recovery. The Partnership coordinates the efforts of citizens, governments, tribes, scientists, businesses, and nonprofits to set priorities, implement a regional recovery plan, and ensure accountability for results.

The Puget Sound Partnership's boards support and guide the agency in its charge of mobilizing and accelerating the science-based effort to protect and restore Puget Sound. These boards consist of the Leadership Council, Ecosystem Coordination Board, and Science Panel. The Leadership Council is also the statutorily designated regional salmon recovery organization for Puget Sound. It is advised by the Puget Sound Salmon Recovery Council on matters related to salmon recovery. Counties have designated representation on the Ecosystem Coordination Board and Salmon Recovery Council.

The Partnership is charged with implementing the Action Agenda, a comprehensive and implementation plan that charts the course to the recovery of our nation's largest estuary. It complements and incorporates the work of many partners from around Puget Sound to describe regional strategies and specific actions needed to recover Puget Sound. These strategies and actions provide opportunities for federal, state, local, tribal, and private entities to invest resources and coordinate actions better.

The Action Agenda is evaluated and updated every four years. The Legislature adopted six recovery goals to help partners define a healthy Puget Sound. The following goals guide each Action Agenda:

- Healthy human population.
- Vibrant quality of life.
- Thriving species and food web
- Protected and restored habitat.
- Abundant water quantity.
- Healthy water quality.

In 2020, the Partnership is evaluating the 2018-2022 Action Agenda to help inform the collective approach to the 2022-

**WSAC Policy:**

Counties support efforts to clean and restore Puget Sound, and take many steps through individual plans, regulations, programs, and projects to assist with that objective. By the nature of their statutory responsibilities, Counties play a major role in implementing the Action Agenda. Counties want to ensure the Action Agenda recognizes and supports current county responsibilities, as well as current and future needs that prevent Counties from achieving Action Agenda goals. To be effective, the Action Agenda must:

- Be coordinated with other state mandates, such as updating Shoreline Master Programs, Growth Management Act comprehensive plans and development regulations and NPDES permits.
- Ensure significant and ongoing financial and technical support is provided to Counties to assist them in implementing the Action Agenda.

**Stormwater**

Control and treatment of stormwater is an issue of increasing concern for counties. One of the challenges with stormwater is that successful management entails actions at both the basin level and the site-specific level. This includes retrofitting existing facilities (e.g., roads) and managing land use development.

Some counties are affected by Ecology’s issuance of National Pollution Discharge Elimination System (NPDES) Phase I and II permits. NPDES Phase I permits cover stormwater discharges from certain industries, construction sites involving more five or more acres, and municipalities with a population of more than 100,000. NPDES Phase II regulations expand the requirement for stormwater permits to all municipalities located in urbanized areas and to construction sites between one and five acres. The NPDES Phase II regulation also requires an evaluation of cities outside of urbanized areas that have a population over 10,000, to determine if a permit is necessary for some or all of these cities. Two separate NPDES Phase II general permits cover eastern and western Washington communities.

The permits, issued under Ecology’s Clean Water Act authority, require jurisdictions to adopt a stormwater management program to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Clean Water Act. The permits require counties to develop stormwater management programs that must include the adoption of new ordinances to control stormwater runoff, public involvement, public education, a program to detect and eliminate illicit discharges, and other requirements.

**WSAC Policy:**

Counties support improving stormwater controls to protect water quality and aquatic resources. However, federal and state requirements must recognize that success depends on implementing these controls rationally and sustainably. Stormwater regulations should be coordinated with other water quality efforts, such as the Puget Sound Partnership. Counties should be given the flexibility to determine what actions are the most cost-effective to achieve stormwater management goals. Counties believe that the state must share in the cost of implementing new stormwater regulations and programs. If funding is not forthcoming, liability for counties under the new permit requirements should be proportionally reduced.

**Climate Change**

Washington’s counties are prepared to meet the challenges posed by the potential impacts of climate change. Counties have initiated actions to reduce the effect of their own business operations and practices on greenhouse gas emissions. Some counties are initiating programs to analyze their planning and environmental review processes to ensure safe, sustainable, and vibrant communities. WSAC recognizes that:

- Washington’s counties have diverse views on climate change and have differing abilities/resources to respond to potential impacts of climate change;
- Several counties in Washington State are national leaders on climate change issues;
- Several counties are taking steps to integrate the reduction of greenhouse gasses into their land use planning and environmental review processes;
- All counties are taking relevant and measurable steps to reduce greenhouse gas emissions caused by their

organizational business practices;

- Existing elements of the Growth Management Act support processes to reduce and mitigate the increase in greenhouse gas emissions, such as compact urban development, enhancing transportation options including non-motorized transportation facilities, commute trip reduction, transit-oriented development, and protecting critical areas and natural resource lands from conversion.

**WSAC Policy:**

Counties will work proactively with the executive and legislative branches, and workgroups created from these branches, to develop climate change policy and legislation.

Counties support legislation that encourages and allows counties to adopt policies and ordinances to reduce their organizational/business practices impact on greenhouse gas emissions. Additionally, we support legislation that encourages and allows counties to incorporate into plans, policies, regulations, and ordinances that reduce greenhouse gas emissions associated with activities within the comprehensive planning and environmental review processes.

Instead of mandated requirements, counties support the following efforts to reduce greenhouse gas emissions:

- Provide incentives and education to achieve goals;
- Provide performance outcomes and not prescriptive measures to follow;
- Create an optional climate change element in GMA. Do not make any climate change goal or element within the GMA subject to the appeals process;
- Recognizing emerging science and subjectivity of solutions;
- Fund incentive grants for counties to integrate climate change into the Comprehensive Plan and Development Regulations;
- Provide funding to counties for a set of pilot programs that will illustrate how counties propose to integrate climate change into the Comprehensive Plan and Development Regulations.

Any legislation that directs counties to address climate change and greenhouse gas emissions must come with sustainable state funding to support local processes to plan, implement, monitor, and evaluate the requirements.

Lastly, counties shall not be held responsible for emissions from activities governed by other governmental jurisdictions including cities, ports, federal agencies including military and naval installations, state agencies and facilities, including transportation facilities and ferries.

## Energy

In November 2006, Washington’s voters passed Initiative 937, which requires the state’s major utilities (those utilities that serve over 25,000 customers) to gradually increase the amount of “renewable energy resources” in their electric supply to fifteen percent by 2020. Renewable energy resources include energy from solar, wind, tidal, ocean wave, geothermal, bio-energy, and landfill or sewage treatment sources. Renewable energy resources do not include hydropower. In addition, Initiative 937 requires electric utilities to make investments in energy efficiency and conservation programs to reduce energy consumption within their service territories, beginning in 2010.

Because of the demand for renewable energy resources by the public and Initiative 937, more energy projects are being developed. However, energy project siting is difficult at the state and local level. A wind, solar, landfill gas, wave or tidal, or biomass project developer of any size may choose to use the local land use process or the State Energy Facility Site Evaluation Council (EFSEC) decision-making process to site such a facility. The use of the EFSEC process has been controversial in several counties.

**WSAC Policy:**

Counties support the use of renewable energy and cost-effective conservation efforts to meet our growing energy needs. Counties encourage the Legislature to fund research and development efforts for biomass, biofuels, and methane gas generation. If the Legislature amends Initiative 937, counties support modest increases in hydropower

eligibility tied to a more robust renewable energy resources target.

Counties are concerned about energy facility siting processes in relation to locally adopted land use plans as required under the Growth Management Act. Counties believe that the local land use decision-making process should be the sole process for siting renewable energy projects.

Counties support the need to convert public vehicle and equipment fleets to alternative fuels; however implementation must allow for the depreciation of current assets and provide incentives for conversion. Counties should not be required to convert vehicles unless and until adequate markets exist for alternative fuels.

### Public Lands

Of the state's 43.3 million upland acres, forty percent is owned by federal, state, or local government, and six percent is owned by Native Americans. State and federal forestland and parkland provide many benefits to the people of the state. In many rural counties, only a small amount of land available for private use and development because the area is dominated by public ownership. There is growing controversy over land purchase by state agencies for wildlife habitat and related purposes. In addition, some agencies fail to suitably maintain public land, resulting in negative impacts on neighbors from noxious weeds, fire, and other public safety problems.

### WSAC Policy:

Before acquiring new lands, especially for habitat protection, the state should engage in a comprehensive analysis of all existing public lands and align its current policies through capital facilities planning and proper land management. Counties should be compensated for the purchase or taking of the land and also for the ongoing loss of the tax base and revenue to the county.

The Legislature also should provide ample funding to state agencies for long-term maintenance and proper management of state land for control of noxious weeds, fire, and public safety.

### Transportation

Transportation is, by definition, a multimodal statewide network provided by a number of essential partners: counties, cities, transit districts, tribes, and the state of Washington. This transportation system is a primary element of safety, economic success, and quality of life for Washington citizens. Adequate funding for all transportation modes, including roads, ferries, and transit, is an ongoing issue of increasing importance to counties. Washington's transportation system has developed over many years under the direction of the Legislature through allocation of responsibilities and resources to meet ever-changing demands. Lack of adequate funding for this system is eroding the public investment and the adequacy of the transportation system.

Counties are uniquely capable of providing various transportation services that connect rural areas, farms to markets, ports, cities, and towns.

Statewide, the transportation system operated by the Counties provides "first mile" connectivity to essential agribusiness, recreational enterprise, natural resources and inter-regional destinations. State resources play a key role in providing this service.

### WSAC Policy:

With these ideas in mind, Counties support the following policies and philosophy in moving the County transportation system forward:

Counties support the philosophy that maintenance and preservation of our transportation system are essential to safeguarding the investment in our existing infrastructure and should be the foremost priority of transportation investments statewide. Preservation and maintenance of all modes of the existing transportation network, including equitable distribution of all transportation resources to avoid weakening of any portion of the system, should be the primary goal to preserve and improve the entire system.

As owners of over 50% of the transportation system, Counties support that any increase to the State Motor Fuel Tax, a Road Usage Charge, or similar system designed for funding transportation, Counties should receive a proportionate share (at least 50%), if not more in the increase realized. County road revenues have eroded over the past three decades and current transportation revenues are not adequate to maintain a quality transportation system nor make improvements needed to enhance safety, address fish passage blocking culverts, improve local freight mobility and relieve congestion. While the State gas tax has more than doubled over the past twenty years, the county portion has remained relatively flat during that same period, resulting in a significant drop in the purchasing power of our share of the gas tax revenue.

Counties support additional resources to address the long-term need to maintain, upgrade and expand the state and local transportation system. The 1% property tax cap combined with limited State investment has resulted in deep revenue disparities between the State and Counties. As traditional transportation revenues decline and disappear, Counties support exploring new revenue streams provided that any new revenues be equally and proportionally shared with Counties and any new transportation revenues should be protected by the 18<sup>th</sup> amendment as currently exists with the gas tax revenues collected. New revenue streams should/must be able to keep pace with future need.

Counties support the full funding of the County Road Administration Board (CRAB), including the Rural Arterial Program (RAP) and County Arterial Preservation Program (CAPP), as administered. CRAB is a highly effective and efficient agency that provides critical construction and preservation programs for county road departments. CRAB provides assistance and training to county road departments and elected leaders to ensure compliance with all state and federal laws and rules. CRAB is a distinct and unique agency nationally that has helped make Washington and its counties, leaders in county road governance.

Counties support that all users of the system have a responsibility to adequately invest in the transportation infrastructure that is so critical to every-day life and revenues that are collected should reflect as such. The transportation system must be regularly and consistently maintained in order to preserve the existing public infrastructure (current revenues are not keeping pace with needs, reduce the future costs to tax-payers, and to protect the environment). The transportation system should be equitably funded and designed to serve the mobility demands and desires of all the people of the State, recognizing the unique restraints of each area.

Counties support the streamlining and/or regulatory reforms of federal and state funds for construction, maintenance, preservation, and safety purposes. All funds where practicable, should be sent directly to operational levels without involvement of any intermediate level of government. Pass-through and block grant funding concepts are timely, reduce costs, and are highly desirable. An example of a successful program that should be pursued and implemented is a federal fund exchange for State dollars to County agencies as is seen in other states.

As policy makers consider new fund sources and new policies that will further the environmental objectives of the State, transportation system policy and funding strategies must keep Counties whole, including increases in administrative costs to programs. Environmental objectives may include, but are not limited to, reducing greenhouse gas emissions, salmon recovery, reductions in vehicle miles traveled, and conversion to electric vehicles.

## Public Works

Counties are responsible for funding, constructing, operating, and maintaining a wide variety of public infrastructure projects and facilities, which are vital to the health, safety, and welfare of county residents and the state as a whole. Included in this infrastructure are roads and streets; bridges; sewer, water and stormwater facilities; parks; courthouses and other administrative facilities; public health clinics; Geographic Information Systems (GIS); dispatch and communication centers, and other technological improvements; behavioral health residential and treatment facilities; and jails and juvenile detention facilities.

Population growth, deteriorating and aging facilities, limited revenues, and emerging technologies are key factors contributing to a growing deficit in county infrastructure. Special levies and other traditional local funding sources have

not been successful as funding tools for county infrastructure.

**WSAC Policy:**

Funding to meet the infrastructure requirements of Washington’s businesses and residents is a shared responsibility of state and local governments. State and local policymakers must come together to find funding solutions to help pay the costs of environmental protection and maintenance of the state’s quality of life as it faces the pressures of rapid growth. At the same time, county and city comprehensive plans and capital facilities plans should be used by the state in establishing its priorities for the use of infrastructure funds.

Counties support the continued use of the state Public Works Assistance Account revolving loan program for local roads, streets, bridges, water systems, sewer systems, and stormwater facilities. Counties also support expanded use of the loan fund for county courthouse facilities and adult or juvenile detention facilities. Likewise, counties support state grant assistance for the construction and maintenance of county law and justice facilities.

Counties also support the expansion of alternative public works methods such as county forces construction and design-build contracting to reduce the cost of infrastructure construction.

**Economic Development**

As regional governments, all counties play a significant role in local economic development efforts by providing membership and public funds for economic development councils. Additionally, counties have positions on the Public Works Board, Community Economic Revitalization Board, the Washington Economic Revitalization Team, and local Workforce Investment Boards, all of which direct public funds toward economic development in local communities.

In recent years legislation has directed counties to play a vital role in community economic development by providing additional sales tax authority for rural counties. The Legislature has also asked the state’s universities and colleges to create technologies and services that can be deployed by new businesses.

Partnerships with the state’s research universities, extension programs, and other colleges are encouraged for the creation of new ‘cutting-edge’ enterprises.

**WSAC Policy:**

Counties, in consultation with cities, ports, and other local governments, will provide leadership in local economic development efforts. The state must set policies that will enable local communities, whether rural or urban, to compete for new businesses and retain existing businesses.

**Broadband Access**

Broadband is critical infrastructure. Access is fundamental to the modern economy, essential for education, and vital to innovative health equity. It is increasingly essential to many activities of daily life and quality of life. However, due to geographic, economic, and other variables, access to quality high-speed broadband lacks for far too many Washington residents. Inadequate and unaffordable service exists in every county across the state. Low broadband quality hinders counties’ ability to provide vital services and impedes telehealth access and the opportunity to participate in remote work and school activities meaningfully. Increasing broadband access to unserved and underserved areas is critical to successful emergency management, public health, and public safety programs, as well as economic opportunity.

Deployment of broadband infrastructure is slow to rural communities, and there is little incentive to invest in system upgrades that would improve service levels. Also, the lack of redundancy in system architecture makes these communities vulnerable to system outages. Lack of sufficient fiber-optic infrastructure means these communities are not prepared to deploy enhanced capabilities and will likely not see those services available for many years to come.

Multiple different initiatives and corresponding sources are currently underway, including the Public Works Board, the State Broadband Office, Community Economic Revitalization Board, and the federal level. Achieving affordable and quality broadband access for all Washington residents requires additional, sustained aligned state and federal investment as well as coordination with local governments and communities, including private, public, and nonprofit

entities.

**WSAC Policy:**

The state and federal government must provide long-term sustainable funding and an ongoing commitment to expanding and maintaining quality, affordable broadband access. WSAC supports a simplified and coordinated effort among state agencies and offices working in partnership with their local governments, communities, and providers. Broadband governance should strengthen the alignment between authority, accountability, and resources.

WSAC supports solutions that are flexible enough to fit specific geographic and regional needs. The state and local governments can better define and utilize local understanding and strategies to increase broadband access. Additionally, grant funding opportunities often focus on urban and rural areas, but un- and under-served communities also exist in mid-density counties; grant opportunities should be expanded accordingly.

WSAC supports the state’s goals outlined in SB 5511 (2019) that all Washington businesses and residences have access to at least one broadband provider with both upload and download speeds of at least 150 Mbps and that new minimum service must be scalable to faster service.

Quality broadband should not be limited to one particular source, such as fiber, that may not be the best solution in all areas. All viable options should be considered, and essential fiber optic cble must be available to ensure adequacy regardless of the technology used to access the internet. Likewise, the state should aim higher than current standards when implementing new infrastructure to delay obsolescence as long as possible. WSCA recommends the state work toward gigabit capacity in all areas. Built-in redundancies in system architecture must protect communities vulnerable to system outages, particularly in emergencies.

Washington must have a friendly environment for technology neutral, affordable last-mile solutions. Subsidy programs should ensure the sustainability of fiber to the premises, and the state should expand its Wi-Fi hotspots program.

County buildings should be considered as anchor institutions whenever feasible. Likewise, existing technological assets must be utilized to their maximum extent.

All local governments should be allowed the flexibility to serve as retail network providers at their option, including cities, counties, port districts, and public utility districts. The quality standards for rights-of-way and franchise agreements should be the same for both cities and counties.

Additionally, state and local land-use processes should consider incentivizing, and state and federal law should allow, adding broadband requirements to maximize efficiency when other development is occurring, including using open-access fiber or indefeasible rights of use agreements. Emergency planning should include consideration of broadband access and the safety of the broadband network.

The state should support the creation of local Broadband Action Teams, both financially and with experienced personnel.

**Emergency Management**

In addition to general public safety responsibilities, counties have specific statutory duties to provide emergency management, both individually and in partnership with state and federal agencies. Inter-county and intra-county mutual aid agreements also are becoming more prevalent and are increasingly essential to ensure seamless services across jurisdictional lines. Counties engage in planning and preparedness activities and often are the front line for response and recovery efforts. These functions involve natural disasters as well as terrorist and biological attacks.

**WSAC Policy:**

To ensure seamless responses to emergencies, counties support local and regional mutual aid agreements and continued partnerships with the state Emergency Management Division, the Federal Emergency Management Agency

(FEMA), the Office of Homeland Security, tribal governments, and other relevant agencies and private industry.. Counties also firmly believe that addressing terrorism must not weaken counties' traditional emergency management focus on natural disasters. We enthusiastically support an "all- hazard" approach for emergency management planning, preparation, training, and mitigation activities. Similarly, counties should be able to address preparedness for nuclear events in their local emergency planning efforts.

To appropriately respond to increasing emergency demands, counties must receive increased state and federal funding. A new stable revenue source that would bolster local emergency management programs statewide is needed. Counties do not support matching requirements to receive new funding. Instead, counties support flexibility in the receipt and use of state and federal funds, which will allow counties to meet unique local needs better and maximize the benefits of an all-hazard approach to emergency management.

State funding should not be tied to federal FEMA funding standards because the need for state assistance occurs well before counties meet the federal assistance threshold.

# **ADDENDUM**

Tax Principles  
Criminal Justice Principles



## TAX POLICY PRINCIPLES

The Washington State Association of Counties (WSAC) represents elected county commissioners, councilmembers, and executives from all 39 of Washington's counties. These Tax Policy Principles guide WSAC's actions as it advocates for the common good of all counties.

As the state reviews its tax code, it must not do so in a vacuum. The upside-down nature of Washington counties' revenue structure must be considered, and attention must be paid to the state-county relationship. To assist the state in its work, WSAC developed the following Tax Policy Principles against which to weigh tax proposals relative to their effect on counties.

➤ **Does the proposed tax provide sufficient revenue such that it does not create or expand an unfunded or underfunded mandate?**

- State policymakers should be explicitly aware of the costs that state mandates impose on local governments, and local governments should have the authority to raise sufficient revenues to meet these obligations.
- The finances of both the state and county governments must be considered. State and local governments often compete for tax bases. State policymakers should examine how state tax decisions affect local governments and vice versa.
- Sufficient revenue means enough revenue to finance the level of services that the state chooses to mandate and/or the counties choose to provide. Revenue should be adequate to balance the budget in the short term as well as having the ability to change at a similar rate as the desired spending.

➤ **Does the proposed tax provide local flexibility and control and equality across counties?**

- Tax policy should recognize that all counties are not created equally in their abilities to raise revenue. Counties support statewide revenue solutions to statewide issues, and that revenue be distributed equitably across the state based on program and service needs and not on the ability to raise the funds locally.
- Policymakers must acknowledge the challenges that exist with local option taxes. Voter approval requirements may pose a substantial challenge in many counties, especially counties that are primarily rural. Likewise, the ability to raise adequate funds with a specific tax varies widely county by county.
- Washington's residents should not suffer from inequitable service levels for core programs because of the inequity in a county's ability to generate taxes.
- Tax policy should minimize the use of earmarking and the inclusion of nonsupplant language, both of which impose rigidities into the budgeting system that do not permit flexible allocations of revenue among competing uses.

➤ **Does the proposed tax hinder economic growth?**

- The tax system should not reduce the productivity of the economy.
- Tax policy should reflect the realities of competing in a global economy and be responsive to intercounty, interstate, and international economic competition.
- Tax systems should also be responsive to changing competitive circumstances.
- No county can afford to be at a distinct comparative disadvantage relative to other counties or border counties, or countries.

➤ **Is the proposed tax equitable and fair?**

- WSAC supports tax policy that treats individuals equitably.
- Tax policy should impose similar burdens on people in similar circumstances, minimize regressivity, and minimize taxes on low-income individuals.
- Tax policy should not provide disproportionate benefits to men, heighten pressure for women to leave the formal labor market, or reflect biased assumptions about gender, race, and family structure.
- Tax policy should strive to reduce regressivity.
- Tax equity should consider tax incidence, or who actually pays the tax, when the tax is essentially shifted away from the intended taxpayer and onto others in the form of higher costs.
- Tax policy should not impose arbitrary limits that hamstringing counties from delivering the services their residents need and that enhance opportunity.

➤ **Is the proposed tax transparent, simple, and easy to understand; easy to collect and pay; and economically and administratively efficient?**

- Tax policy should facilitate taxpayer compliance. It should be easy to understand and minimize compliance costs. Reducing complexity also helps taxpayers confirm that taxes are being applied fairly and uniformly. Because tax compliance is largely voluntary, it is important that taxpayers feel the system is fair.
- Tax policy should be simple to administer and raise revenue efficiently. A tax system that is easy to administer reduces the likelihood of errors and facilitates fairness. An easily managed system increases the efficiency of revenue collections because a smaller proportion of revenue is used to pay for tax administration.
- Tax policy should be transparent. Taxpayers should know that a tax exists, and how and when it is imposed. Tax policies should clearly and plainly define what taxpayers must pay and when they must pay it. Hiding tax burdens in complex structures should be eliminated. The essence of accountability is that tax burdens should be explicit, not hidden.

➤ **Is the proposed tax stable, certain, and predictable?**

- WSAC supports tax policy that produces revenue in a reliable manner. Stability in revenue collection can encourage more stable spending patterns. Since different types of taxes are affected differently by changes in the economy, stability is best achieved by avoiding an overreliance on any one revenue source.
- Tax policy should provide both short-term adequacy and long-term sustainability. In the short term, revenues should adequately provide for the necessary programs and policies. Long term, taxes should generate stable and predictable revenues that rise at a level consistent with real changes in purchasing power.
- Taxpayers should have consistency and predictability in the tax code. Individuals and businesses should not be subject to frequent changes in tax rates and bases because frequent changes interfere with their economic choices and their ability to make long-term financial plans and decisions. By making long-term planning difficult, instability in the tax system increases uncertainty in the economy.
- Compliance should be facilitated by certainty (future tax obligations are predictable), consistency (tax bases are identical throughout the state), simplicity (taxpayer costs are reduced), and stability of revenue collections (changes in the rates and bases of the taxes are minimized).

## **PROPOSED CRIMINAL JUSTICE REFORM PRINCIPLES**

The Washington State Association of Counties (WSAC) represents elected county commissioners, council members, and executives from all of Washington's 39 counties. WSAC works with statewide elected officials, federal and state agencies, and members of the Washington State Legislature and Congress to promote positions that help counties serve their citizens. These Criminal Justice Policy Principles guide WSAC's actions as it advocates for the common good of counties.

- ❖ WSAC SUPPORTS PROPOSALS THAT DO NOT EXPAND OR CREATE UNFUNDED OR UNDERFUNDED MANDATES
- ❖ WSAC SUPPORTS PROPOSALS THAT DO NOT INFRINGE ON LOCAL CONTROL
- ❖ WSAC SUPPORTS PROPOSALS THAT PROVIDE LOCAL FLEXIBILITY
- ❖ WSAC SUPPORTS PROPOSALS THAT HAVE ATTACHED FULL STATE OR OTHER FUNDING SOURCES
- ❖ WSAC SUPPORTS PROPOSALS THAT MAINTAIN OR ENHANCE EXISTING STATE FUNDING FOR COUNTY PROGRAMS OR SERVICES
- ❖ WSAC SUPPORTS PROPOSALS THAT BENEFIT ITS LOCAL COMMUNITIES AND RESPECT ITS COMMUNITY VALUES
- ❖ WSAC SUPPORTS PROPOSALS THAT PROMOTE OR ENHANCE POLICIES AND DIRECT RESOURCES TOWARD BEHAVIORAL HEALTH TREATMENT AS THE LACK OF ADEQUATE BEHAVIORAL HEALTH TREATMENT RESOURCES IS THE NUMBER ONE CRIMINAL JUSTICE ISSUE FACING COUNTIES