

**151.613 Authority membership -- Qualifications -- Terms -- Compensation -- Officers.**

- (1) Members of a Stream Restoration and Mitigation Authority established under KRS 151.610 to 151.615 shall reside or have a real property interest in the given watershed and shall serve as ex officio members of the 2020 water management planning councils established under KRS 151.601(1) that lie within a given watershed.
- (2) Each authority shall be composed of the following members appointed by the Governor:
  - (a) If there is a sewer utility or utilities serving all or a portion of the HUC 10 watershed, one (1) representative of these utilities;
  - (b) If there is a water utility or utilities serving all or a portion of the HUC 10 watershed, one (1) representative of these utilities;
  - (c) Two (2) representatives of conservation organizations, with one (1) selected from a local watershed organization, if possible;
  - (d) Three (3) representatives of business or industries with facilities or operations located within the watershed, selected to provide representation from development, manufacturing, and extractive industry sectors, if possible;
  - (e) Two (2) representatives from the local governments whose jurisdictional boundaries include all or a portion of the watershed, with one (1) representing the largest incorporated municipality in the watershed if any, and the other representing county government; or in the absence of an incorporated municipality whose jurisdictional boundaries include all or a portion of the watershed, two (2) representatives of county government;
  - (f) One (1) representative of the Soil and Water Conservation District in which the watershed is located;
  - (g) One (1) representative of an organization representing aquatic recreation interests;
  - (h) One (1) representative of the agricultural land use sector; and
  - (i) One (1) representative of a nonprofit organization managing grants affecting all or any portion of the watershed, in order to support local efforts by schools, local governments, nonprofit organizations, and volunteers to accomplish the goals of improving water quality, addressing solid waste problems, and promoting environmental awareness and education.
- (3) Members shall serve four (4) year terms, except the first members of the authority shall serve for terms of years as follows:
  - (a) Four (4) members shall serve for a term of four (4) years;
  - (b) Four (4) members shall serve for a term of three (3) years; and
  - (c) The remaining members shall serve for a term of two (2) years.
- (4) Members of the authority may be reappointed. A vacancy in an unexpired term shall be filled for the unexpired portion of the term in the same manner as the original appointment to that term.

- (5) Members of the authority shall serve without pay but may be reimbursed by the authority, as fiscal resources allow, for reasonable expenses incurred to carry out their work.
- (6) Each authority shall elect officers to serve annual terms, adopt bylaws, and establish an annual budget and, when appropriate, may establish advisory committees and policies it deems necessary for the authority's operation.
- (7) The authority may remove any member at the member's request or due to poor attendance at meetings.
- (8) Any organization meeting the following conditions may become a Stream Restoration and Mitigation Authority for the purposes of KRS 151.610 to 151.615:
  - (a) The organization was created as an instrumentality of one (1) or more local governments pursuant to KRS Chapter 65 or 273 for the purposes of planning and implementing stream restoration and water quality enhancement projects on a watershed basis;
  - (b) The organization was established prior to January 1, 2008;
  - (c) The organization has adopted a resolution by majority vote to become a Stream Restoration and Mitigation Authority, and has informed the water service coordinator or coordinators in the watershed; and
  - (d) The membership of the organization's governing body has been expanded to include representatives as identified under subsection (2) of this section. The terms of office for existing members of Stream Restoration and Mitigation Authorities established under this subsection shall continue in the same manner until the date that the term expires. New members shall be appointed in the manner prescribed under subsections (2), (3), and (4) of this section, except that newly appointed members shall serve four (4) year terms.

**Effective:** July 15, 2008

**History:** Created 2008 Ky. Acts ch. 97, sec. 4, effective July 15, 2008.