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SENATE BILL 5801

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Fraser and Barr

Read first time 02/15/93. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to the water resources policy commission; creating  
2 new sections; providing an expiration date; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** FINDINGS AND PURPOSE. The legislature finds  
5 that there is a need to comprehensively review the policies and  
6 institutional framework governing the management, protection, and  
7 allocation of water resources in the state of Washington. A  
8 comprehensive review of all water resource management programs should  
9 be undertaken as soon as possible because of the proliferation of water  
10 resource programs and planning requirements at all levels of  
11 government. This has caused inconsistent and conflicting management  
12 strategies, as well as delays in making vital decisions due to  
13 uncertainty. These policy conflicts are occurring against the backdrop  
14 of everincreasing demands for water resources.

15 It is therefore the purpose of this act to create a water resources  
16 policy commission to comprehensively review the water resource  
17 management programs in the state and to make recommendations for  
18 improvement and implementation of management decisions. These  
19 recommendations should be considered by all citizens having an interest

1 in water resources and should provide the foundation for fundamental  
2 water resource management reform.

3 NEW SECTION. **Sec. 2.** COMMISSION CREATED. (1) There is created  
4 the Washington water resources policy commission. The commission shall  
5 be comprised of eleven members as follows:

6 (a) The governor or the governor's representative;

7 (b) Two members of the house of representatives, appointed by the  
8 speaker of the house of representatives, with one member from each  
9 major caucus;

10 (c) Two members of the senate, appointed by the president of the  
11 senate, with one member from each major caucus;

12 (d) Six members, appointed by the governor, to represent the  
13 following interests:

14 (i) Native American tribes;

15 (ii) Agriculture;

16 (iii) Local government;

17 (iv) Environmental organizations;

18 (v) Business; and

19 (vi) Fisheries and wildlife.

20 (2) The commission shall convene at the call of the governor under  
21 section 4 of this act, and shall at that time elect a chair.

22 (3) The governor shall provide for the staff of the commission.  
23 Whenever practicable existing employees of state government should be  
24 detailed on a temporary basis to assist in staffing the commission.  
25 The governor, the commissioner of public lands, and the attorney  
26 general shall cooperate in assuring the assignment of staff having  
27 expertise in the matters under review by the commission.

28 (4) Per diem compensation shall be provided to the members  
29 appointed under subsection (1)(d) of this section pursuant to RCW  
30 43.03.240.

31 (5) The governor shall make the appointments required under  
32 subsection (1)(d) of this section no later than ninety days following  
33 the effective date of this act.

34 (6) Except as specifically provided in this act, the commission  
35 shall determine the procedures for conducting the commission's  
36 activities. In any report or recommendations to the governor and  
37 legislature, the commission shall allow the inclusion of minority  
38 positions.

1 (7) The commission may enter into contracts for the performance of  
2 work necessary to assist the commission in its duties under this act.

3 NEW SECTION. **Sec. 3.** COMMISSION DUTIES. The commission shall  
4 conduct a comprehensive review of water resources management in  
5 Washington that includes:

6 (1) An identification of all programs governing flood and storm  
7 water management, provision of adequate water supplies for domestic and  
8 municipal needs, and for the production of food and fiber for existing  
9 and future populations, water quality protection, instream flow and  
10 riparian habitat protection, and other water resource management needs;

11 (2) An assessment of the performance of existing programs in  
12 achieving coordinated water resource management, that identifies  
13 specific conflicting or inconsistent strategies, standards,  
14 jurisdiction, or planning requirements;

15 (3) Recommendations for the coordination and integration of state  
16 water resource programs, including the need for an independent water  
17 resources agency;

18 (4) Recommendations for comprehensive statutory policies on water  
19 allocation procedures and priorities, including revisions of the  
20 state's surface and ground water codes;

21 (5) Recommendations to achieve water resource management on a  
22 watershed basis;

23 (6) Recommendations for changes to water resource planning programs  
24 to achieve a comprehensive regional planning framework whose boundaries  
25 recognize hydrological boundaries;

26 (7) Recommendations for the coordination and integration of state  
27 water resource programs, including the need for an independent water  
28 resources agency;

29 (8) Recommendations for the consolidation of state water resources  
30 and water quality funding programs;

31 (9) Recommendations for integrating permit programs for the  
32 withdrawal of water and the discharge of pollutants to state waters;

33 (10) Recommendations for the creation of market-based systems for  
34 water allocation, including but not limited to transfers, consumption-  
35 based rate structures, incentives for conservation of irrigation water,  
36 and water marketing;

1 (11) Assessment of the impact of hydrologic continuity on the  
2 management of programs governing surface and ground waters, and  
3 recommendations for improved management regimes;

4 (12) Recommendations for state and local government coordination of  
5 water quality and resource planning consistent with the programs and  
6 objectives of the growth management act.

7 NEW SECTION. **Sec. 4.** COMMISSION MEETINGS. Within one hundred  
8 twenty days following the effective date of this act, the governor  
9 shall schedule the initial meeting of the commission. The commission  
10 shall determine the location and frequency of its meetings, but shall  
11 meet at least quarterly. Commission meetings shall be open to the  
12 public, and written notice of scheduled commission meetings shall be  
13 provided to persons requesting such notice. The commission shall  
14 accept and consider written comments on the subjects included in its  
15 work plan, and shall endeavor to provide opportunities for public  
16 comment within its meeting schedule.

17 NEW SECTION. **Sec. 5.** COMMISSION WORK PLAN. The commission shall  
18 develop a work plan that sets priorities for review of the subjects  
19 described in section 3 of this act and such additional subjects that  
20 the commission identifies for review. The work plan shall schedule the  
21 subjects for review over the period of the commission's authorized  
22 life, and identify its goals for providing a report to the legislature  
23 on each subject. The work plan shall describe the tasks proposed for  
24 each review item and estimated funding needs. The work plan shall be  
25 submitted to the fiscal committees of the legislature and to the office  
26 of financial management no later than December 1, 1993.

27 Notwithstanding the work plan schedule, the commission shall report  
28 to the legislature on those subjects required by section 3(1), (2),  
29 (3), and (4) of this act no later than November 1, 1994.

30 NEW SECTION. **Sec. 6.** REPORTS. The commission shall periodically  
31 report to the governor and the legislature as it accomplishes its  
32 review of the subjects identified in its work plan. The reports shall  
33 describe current conditions and program effectiveness, and shall  
34 include recommendations for legislative and administrative action to  
35 meet the legislative purpose set forth in section 1 of this act.

1        NEW SECTION.    **Sec. 7.**    RELATIONSHIP TO THE WATER RESOURCES FORUM.  
2    Nothing in this act or the actions of the Washington water resources  
3    policy commission shall be construed to affect or supersede the  
4    activities of the water resources forum.

5        NEW SECTION.    **Sec. 8.**    This act is necessary for the immediate  
6    preservation of the public peace, health, or safety, or support of the  
7    state government and its existing public institutions, and shall take  
8    effect immediately.

9        NEW SECTION.    **Sec. 9.**    Captions as used in this act constitute no  
10   part of the law.

11       NEW SECTION.    **Sec. 10.**   Sections 1 through 9 of this act and the  
12   Washington water resources policy commission shall expire December 31,  
13   1996.

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