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## Environment Committee

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### HB 2335

**Brief Description:** Concerning standards for the use of science to support public policy.

**Sponsors:** Representatives Short, Upthegrove and Springer.

#### Brief Summary of Bill

- Requires the Department of Ecology and the Department of Fish and Wildlife to identify the peer-reviewed science, scientific literature, and other sources of information being relied upon before taking any significant agency action.

**Hearing Date:** 1/23/12

**Staff:** Kara Durbin (786-7133).

#### Background:

Numerous state agencies, including the Department of Ecology and the Department of Fish and Wildlife, exercise regulatory oversight over portions of the state's natural resources. The state Administrative Procedure Act, chapter 34.05 RCW, establishes the rulemaking process for state agencies and also outlines the procedural requirements for appealing an agency action.

Peer review is a documented review process of a specific scientific and/or technical work product by qualified individuals or organizations that are independent of those who performed the work. The individuals or organizations conducting the review may analyze the documentation supporting the work product, including the assumptions, calculations, methodologies used, and the conclusions reached. Peer review often occurs during the final stages of the project to ensure that the final product is technically sound.

#### Summary of Bill:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Before taking a significant agency action, the Department of Ecology (DOE) and the Department of Fish and Wildlife (DFW) must identify peer-reviewed science, scientific literature, and other sources relied upon for the significant agency action.

"Significant agency action" is defined as an act of the DOE or the DFW that: (1) results in substantive requirements for a non-state sector with penalties for noncompliance; (2) establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or (3) results in significant amendments to an existing policy or program.

The term "peer-reviewed science" is also defined.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.