
SUBSTITUTE SENATE BILL 6169

State of Washington

62nd Legislature

2012 Regular Session

By Senate Energy, Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Litzow, Hargrove, and Chase)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to the Washington state coastal solutions council;
2 amending RCW 43.143.020; adding new sections to chapter 43.143 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The Pacific Ocean and its many resources are
6 of environmental, economic, aesthetic, recreational, social, and
7 historic importance to the people of Washington. Washington's coastal
8 areas and ocean waters also face significant challenges, including the
9 preservation of water quality, fish populations, and fish and wildlife
10 habitat, and the utilization of opportunities offered by new
11 sustainable use activities. The fluid, dynamic nature of ocean
12 currents, atmospheric winds, and marine fish and wildlife across state
13 and national borders and the multijurisdictional reach of many users of
14 the coast and sea complicate policy making and actions to address these
15 challenges. In an effort to address these complications, preserve
16 ocean resources, and implement laws that cross local, state, and
17 international boundaries, the legislature intends to promote
18 coordinated, interagency action utilizing the Washington state coastal
19 solutions council.

1 The Washington state coastal solutions council has, at its core, a
2 bottom-up approach that ensures a cohesive stakeholder and government
3 policy development process. Additionally, the legislature intends that
4 the Washington state coastal solutions council participate in the
5 development of marine spatial planning in Washington's marine waters
6 under chapter 43.372 RCW.

7 NEW SECTION. **Sec. 2.** (1)(a) The Washington state coastal
8 solutions council is established in the executive office of the
9 governor. The council is composed of the following nonvoting members:

- 10 (i) The governor or the governor's designee;
- 11 (ii) The director or commissioner, or the director's or
12 commissioner's designee, of the following agencies:
 - 13 (A) The department of ecology;
 - 14 (B) The department of natural resources;
 - 15 (C) The department of fish and wildlife;
 - 16 (D) The state parks and recreation commission; and
 - 17 (E) The department of commerce.

18 (b) The following members of the coastal advisory body on ocean
19 policy formed by the department of ecology in December 2011 are the
20 initial voting members of the council:

- 21 (i) A citizen from a coastal community;
- 22 (ii) Two representatives from commercial fishing associations;
- 23 (iii) A representative from a coastal conservation group;
- 24 (iv) A representative from a coastal economic development group;
- 25 (v) A representative from an educational institution;
- 26 (vi) A person representing recreation;
- 27 (vii) A representative from a recreational fishing organization;
- 28 (viii) A person representing shellfish aquaculture;
- 29 (ix) A representative from the shipping industry;
- 30 (x) A representative from a science organization; and
- 31 (xi) A representative from each outer coast marine resources
32 committee, to be selected by the marine resources committee.

33 (c) The council must adopt bylaws addressing future membership of
34 the council as well as how vacancies in the membership will be filled.

35 (d) The council must adopt bylaws addressing future membership of
36 the coastal advisory body on ocean policy as well as how vacancies in
37 the membership will be filled.

1 (2) The council may invite state, tribal, local governments, and
2 federal agencies with responsibility for the study and management of
3 ocean resources or regulation of ocean activities to designate a
4 liaison to the council to attend council meetings, respond to council
5 requests for technical and policy information, and review any draft
6 materials prepared by the council. The council may also invite
7 representatives from other coastal states or Canadian provinces to
8 participate when appropriate as nonvoting members.

9 (3) A voting member identified under subsection (1)(b) of this
10 section must serve as the chair of the council. The term of the chair
11 is one year. The initial chair of the council must be nominated and
12 elected by a majority of voting councilmembers at the first meeting of
13 the council. The chair's term begins on the effective date of this
14 section. At the expiration of each chair's term, the next chair must
15 be nominated and elected by a majority of voting councilmembers. The
16 agenda for each meeting must be developed as a collaborative process by
17 voting and nonvoting members.

18 (4) The council shall utilize a consensus approach to decision
19 making among voting and nonvoting members. The council may put a
20 decision to a vote among voting members only, in the event that
21 consensus cannot be reached. The council must include in its bylaws
22 guidelines describing how consensus works and when a lack of consensus
23 among councilmembers will trigger a vote by voting members only.

24 (5) If nonstate funding is secured, the council may hire a neutral
25 convener to assist it in the performance of its duties, including but
26 not limited to establishing bylaws and setting meeting agenda.

27 (6) The department of ecology shall provide administrative and
28 staff support for the council.

29 (7) The council shall meet at least twice each year.

30 (8) A majority of the voting members of the council constitutes a
31 quorum for the transaction of business.

32 (9) The term of office of each member appointed by the governor, or
33 the governing body of a county, is four years. Members are eligible
34 for reappointment.

35 NEW SECTION. **Sec. 3.** The council's duties are to:

36 (1) Serve as a forum for communication in order to seek consistency
37 in state, local, and tribal policies concerning marine waters issues,

1 including issues relating to resource management, fisheries, shellfish
2 aquaculture, marine and coastal hazards, ocean energy, and marine
3 waters research and education issues;

4 (2) Serve as a point of contact for, and collaborate with, the
5 federal government, regional entities, and other state governments,
6 regarding marine waters issues;

7 (3) Provide a forum to discuss marine waters resource policy,
8 planning, and management issues, and, when appropriate, mediate
9 disagreements;

10 (4) Serve as an interagency resource to respond to issues facing
11 coastal communities and marine waters resources in a collaborative
12 manner;

13 (5) Identify and pursue public and private funding opportunities
14 for the programs and activities of the council, and for relevant
15 programs and activities of member entities;

16 (6) Provide policy recommendations to the governor, the
17 legislature, and state and local agencies on specific marine waters
18 resource management issues including:

19 (a) Principals and standards required for emerging new marine uses;

20 (b) Data gaps and opportunities for scientific research addressing
21 coastal needs and concerns;

22 (c) Implementation of Washington's ocean action plan 2006;

23 (d) Development and implementation of coastwide goals and
24 strategies including marine spatial planning; and

25 (e) A coastal perspective regarding cross-boundary marine issues.

26 (7) Establish bylaws based on existing documents of the coastal
27 advisory body on ocean policy referred to under section 2(1)(b) of this
28 act.

29 **Sec. 4.** RCW 43.143.020 and 1989 1st ex.s. c 2 s 10 are each
30 amended to read as follows:

31 (~~Unless the context clearly requires otherwise,~~) The definitions
32 in this section apply throughout this chapter(+) unless the context
33 clearly requires otherwise.

34 (1) "Coastal counties" means Clallam, Jefferson, Grays Harbor, and
35 Pacific counties.

36 (2) "Coastal waters" means the waters of the Pacific Ocean seaward

1 from Cape Flattery south to Cape Disappointment, from mean high tide
2 seaward two hundred miles.

3 (3) "Council" means the Washington state coastal solutions council
4 created in section 2 of this act.

5 NEW SECTION. **Sec. 5.** Sections 2 and 3 of this act are each added
6 to chapter 43.143 RCW.

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