
SENATE BILL 6169

State of Washington

62nd Legislature

2012 Regular Session

By Senators Ranker, Litzow, Hargrove, and Chase

Read first time 01/13/12. Referred to Committee on Energy, Natural Resources & Marine Waters.

1 AN ACT Relating to the ocean policy advisory council; amending RCW
2 43.143.020; adding new sections to chapter 43.143 RCW; and creating a
3 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 the 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 policymaking 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.

1 NEW SECTION. **Sec. 2.** (1) The ocean policy advisory council is
2 established in the executive office of the governor. The council is
3 composed of the following nonvoting members:

4 (a) The governor or the governor's designee;

5 (b) The director or commissioner, or the director's or
6 commissioner's designee, of the following agencies:

7 (i) The department of ecology;

8 (ii) The department of natural resources;

9 (iii) The department of fish and wildlife;

10 (iv) The state parks and recreation commission; and

11 (v) The department of commerce;

12 (c) The council is composed of the following voting members:

13 (i) A member of each of the governing bodies of the coastal
14 counties, to be appointed by a majority of the members of the governing
15 body of the respective county;

16 (ii) An elected city official from a city located near the coastal
17 waters to be appointed by the governor;

18 (iii) A tribal representative from each of the tribes located on
19 the coast bordering the coastal waters, if the tribe chooses to
20 participate;

21 (iv) An elected official from a port district located near the
22 coastal waters to be appointed by the governor;

23 (v) A representative from a conservation or environmental
24 organization to be appointed by the governor;

25 (vi) A representative from each outer coast marine resources
26 committee, to be appointed by the marine resources committee;

27 (vii) A representative from a commercial fishing association, to be
28 appointed by the governor; and

29 (viii) When the issue before the council directly affects either
30 Wahkiakum or San Juan county, as determined by a majority vote of the
31 council, the council will also include either a member of the governing
32 body of Wahkiakum or San Juan county, or both, to be appointed by the
33 majority of the members of the governing bodies of the respective
34 county.

35 (2) The council may invite federal agencies with responsibility for
36 the study and management of ocean resources or regulation of ocean
37 activities to designate a liaison to the council to attend council
38 meetings, respond to council requests for technical and policy

1 information, and review any draft materials prepared by the council.
2 The council may also invite representatives from other coastal states
3 or Canadian provinces to participate when appropriate as nonvoting
4 members.

5 (3) A state agency representative identified under subsection
6 (1)(b)(i) through (iv) of this section shall serve as the chair of the
7 council. The term of the chair is one year. The first chair of the
8 council is the representative from the department of ecology, whose
9 term begins on the effective date of this section. At the expiration
10 of each chair's term, the chair shall rotate to the next agency listed
11 under subsection (1)(b) of this section. The chair shall schedule
12 meetings and set meeting agendas for the council.

13 (4) The department of ecology shall provide administrative and
14 staff support for the board.

15 (5) The council shall meet at least twice each year.

16 (6) A majority of the voting members of the council constitutes a
17 quorum for the transaction of business.

18 (7) The term of office of each member appointed by the governor, or
19 the governing body of a county, is four years. Members are eligible
20 for reappointment.

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

22 (1) Serve as a forum for communication in order to seek consistency
23 of state, local, and tribal policies concerning ocean issues, including
24 issues relating to resource management, marine and coastal hazards,
25 ocean energy, and ocean research and education issues;

26 (2) Serve as a point of contact for, and collaborate with, the
27 federal government, regional entities, and other state governments,
28 regarding ocean issues;

29 (3) Provide a forum to discuss ocean resource policy, planning, and
30 management issues, and when appropriate, mediate disagreements;

31 (4) Serve as an interagency resource to respond to issues facing
32 coastal communities and ocean resources in a collaborative manner;

33 (5) Identify and pursue public and private funding opportunities
34 for the programs and activities of the council, and for relevant
35 programs and activities of member entities; and

36 (6) Provide policy recommendations to the governor, the

1 legislature, and state and local agencies on specific ocean resource
2 management issues.

3 NEW SECTION. **Sec. 4.** (1) The council may establish project review
4 panels to address and coordinate the interest of federal, state, and
5 local governments in specific development proposals.

6 (2) The council may adopt guidelines to establish criteria to
7 create review panels and determine the scope of the activities of the
8 panel.

9 (3) A panel does not have any authority independent of the council.
10 The authority of any panel consists only of that granted to it by the
11 council.

12 **Sec. 5.** RCW 43.143.020 and 1989 1st ex.s. c 2 s 10 are each
13 amended to read as follows:

14 (~~Unless the context clearly requires otherwise,~~) The definitions
15 in this section apply throughout this chapter(÷) unless the context
16 clearly requires otherwise.

17 (1) "Coastal counties" means Clallam, Jefferson, Grays Harbor, and
18 Pacific counties.

19 (2) "Coastal waters" means the waters of the Pacific Ocean seaward
20 from Cape Flattery south to Cape Disappointment, from mean high tide
21 seaward two hundred miles.

22 (3) "Council" means the ocean policy advisory council created in
23 section 2 of this act.

24 NEW SECTION. **Sec. 6.** Sections 2 through 4 of this act are each
25 added to chapter 43.143 RCW.

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