

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5637**

Chapter 298, Laws of 2001

57th Legislature  
2001 Regular Session

WATERSHED HEALTH MONITORING AND ASSESSMENT

EFFECTIVE DATE: 7/22/01

Passed by the Senate April 19, 2001  
YEAS 48 NAYS 0

BRAD OWEN  
**President of the Senate**

Passed by the House April 18, 2001  
YEAS 92 NAYS 0

FRANK CHOPP  
**Speaker of the  
House of Representatives**

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Approved May 14, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5637** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

FILED

May 14, 2001 - 3:24 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5637**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2001 Regular Session

**State of Washington                      57th Legislature                      2001 Regular Session**

**By** Senate Committee on Natural Resources, Parks & Shorelines  
(originally sponsored by Senators Jacobsen, Regala, Costa and Oke)

READ FIRST TIME 02/21/01.

1            AN ACT Relating to watershed health monitoring and assessments;  
2 adding a new section to chapter 90.82 RCW; adding a new section to  
3 chapter 77.85 RCW; and creating new sections.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that a comprehensive  
6 program of monitoring is fundamental to making sound public policy and  
7 programmatic decisions regarding salmon recovery and watershed health.  
8 Monitoring provides accountability for results of management actions  
9 and provides the data upon which an adaptive management framework can  
10 lead to improvement of strategies and programs. Monitoring is also a  
11 required element of any salmon recovery plan submitted to the federal  
12 government for approval. While numerous agencies and citizen  
13 organizations are engaged in monitoring a wide range of salmon recovery  
14 and watershed health parameters, there is a greater need for  
15 coordination of monitoring efforts, for using limited monitoring  
16 resources to obtain information most useful for achieving relevant  
17 local, state, and federal requirements regarding watershed health and  
18 salmon recovery, and for making the information more accessible to  
19 those agencies and organizations implementing watershed health programs

1 and projects. Regarding salmon recovery monitoring, the state  
2 independent science panel has concluded that many programs already  
3 monitor indicators relevant to salmonids, but the efforts are largely  
4 uncoordinated or unlinked among programs, have different objectives,  
5 use different indicators, lack support for sharing data, and lack  
6 shared statistical designs to address specific issues raised by listing  
7 of salmonid species under the federal endangered species act.

8 Therefore, it is the intent of the legislature to encourage the  
9 refocusing of existing agency monitoring activities necessary to  
10 implement a comprehensive watershed health monitoring program, with a  
11 focus on salmon recovery. The program should: Be based on a framework  
12 of greater coordination of existing monitoring activities; require  
13 monitoring activities most relevant to adopted local, state, and  
14 federal watershed health objectives; and facilitate the exchange of  
15 monitoring information with agencies and organizations carrying out  
16 watershed health, salmon recovery, and water resources management  
17 planning and programs.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.82 RCW  
19 to read as follows:

20 In conducting assessments and other studies that include monitoring  
21 components or recommendations, the department and planning units shall  
22 implement the monitoring recommendations developed under section 3 of  
23 this act.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.85 RCW  
25 to read as follows:

26 (1) The monitoring oversight committee is hereby established. The  
27 committee shall be comprised of the directors or their designated  
28 representatives of:

- 29 (a) The salmon recovery office;
- 30 (b) The department of ecology;
- 31 (c) The department of fish and wildlife;
- 32 (d) The conservation commission;
- 33 (e) The Puget Sound action team;
- 34 (f) The department of natural resources;
- 35 (g) The department of transportation; and
- 36 (h) The interagency committee for outdoor recreation.

1           (2) The director of the salmon recovery office and the chair of the  
2 salmon recovery funding board, or their designees, shall cochair the  
3 committee. The cochairs shall convene the committee as necessary to  
4 develop, for the consideration of the governor and legislature, a  
5 comprehensive and coordinated monitoring strategy and action plan on  
6 watershed health with a focus on salmon recovery. The committee shall  
7 invite representation from the treaty tribes to participate in the  
8 committee's efforts. In addition, the committee shall invite  
9 participation by other state, local, and federal agencies and other  
10 entities as appropriate. The committee shall address the monitoring  
11 recommendations of the independent science panel provided under RCW  
12 77.85.040(7) and of the joint legislative audit and review committee in  
13 its report number 01-1 on investing in the environment.

14           (3) The independent science panel shall act as an advisor to the  
15 monitoring oversight committee and shall review all work products  
16 developed by the committee and make recommendations to the committee  
17 cochairs.

18           (4) A legislative steering committee is created consisting of four  
19 legislators. Two of the legislators shall be members of the house of  
20 representatives, each representing different major political parties,  
21 appointed by the co-speakers of the house of representatives. The  
22 other two legislators shall be members of the senate, each representing  
23 different major political parties, appointed by the president of the  
24 senate. The monitoring oversight committee shall provide briefings to  
25 the legislative steering committee on a quarterly basis on the progress  
26 that the oversight committee is making on the development of the  
27 coordinated monitoring strategy and action plan, and the establishment  
28 of an adaptive management framework. The briefings shall include  
29 information on how the monitoring strategy will be coordinated with  
30 other government efforts, expected benefits and efficiencies that will  
31 be achieved, recommended funding sources and funding levels that will  
32 ensure stable sources of funding for monitoring, and the efforts and  
33 cooperation provided by agencies to improve coordination of their  
34 activities.

35           (5) The committee shall make recommendations to individual agencies  
36 to improve coordination of monitoring activities.

37           (6) The committee shall:

1 (a) Define the monitoring goals, objectives, and questions that  
2 must be addressed as part of a comprehensive statewide salmon recovery  
3 monitoring and adaptive management framework;

4 (b) Identify and evaluate existing monitoring activities for  
5 inclusion in the framework, while ensuring data consistency and  
6 coordination and the filling of monitoring gaps;

7 (c) Recommend statistical designs appropriate to the objectives;

8 (d) Recommend performance measures appropriate to the objectives  
9 and targeted to the appropriate geographical, temporal, and biological  
10 scales;

11 (e) Recommend standardized monitoring protocols for salmon recovery  
12 and watershed health;

13 (f) Recommend procedures to ensure quality assurance and quality  
14 control of all relevant data;

15 (g) Recommend data transfer protocols to support easy access,  
16 sharing, and coordination among different collectors and users;

17 (h) Recommend ways to integrate monitoring information into  
18 decision making;

19 (i) Recommend organizational and governance structures for  
20 oversight and implementation of the coordinated monitoring framework;

21 (j) Recommend stable sources of funding that will ensure the  
22 continued operation and maintenance of the state's salmon recovery and  
23 watershed health monitoring programs, once established; and

24 (k) Identify administrative actions that will be undertaken by  
25 state agencies to implement elements of the coordinated monitoring  
26 program.

27 (7) In developing the coordinated monitoring strategy, the  
28 committee shall coordinate with other appropriate state, federal,  
29 local, and tribal monitoring efforts, including but not limited to the  
30 Northwest power planning council, the Northwest Indian fisheries  
31 commission, the national marine fisheries service, and the United  
32 States fish and wildlife service. The committee shall also consult  
33 with watershed planning units under chapter 90.82 RCW, lead entities  
34 under this chapter, professional organizations, and other appropriate  
35 groups.

36 (8) The cochairs shall provide an interim report to the governor  
37 and the members of the appropriate legislative committees by March 1,  
38 2002, on the progress made in implementing this section. By December  
39 1, 2002, the committee shall provide a monitoring strategy and action

1 plan to the governor, and the members of the appropriate legislative  
2 committees for achieving a comprehensive watershed health monitoring  
3 program with a focus on salmon recovery. The strategy and action plan  
4 shall document the results of the committee's actions in addressing the  
5 responsibilities described in subsection (6) of this section. In  
6 addition, the monitoring strategy and action plan shall include an  
7 assessment of existing state agency operations related to monitoring,  
8 evaluation, and adaptive management of watershed health and salmon  
9 recovery, and shall recommend any operational or statutory changes and  
10 funding necessary to fully implement the enhanced coordination program  
11 developed under this section. The plan shall make recommendations  
12 based upon the goal of fully realizing an enhanced and coordinated  
13 monitoring program by June 30, 2007.

14 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this  
15 act, referencing this act by bill or chapter number, is not provided by  
16 June 30, 2001, in the omnibus appropriations act, this act is null and  
17 void.

Passed the Senate April 19, 2001.

Passed the House April 18, 2001.

Approved by the Governor May 14, 2001.

Filed in Office of Secretary of State May 14, 2001.