

SENATE BILL REPORT

SB 6036

AS REPORTED BY COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES,
FEBRUARY 5, 1992

Brief Description: Creating a temporary commission to review and revise the state's environmental policies focusing on eliminating inefficiency and redundant programs.

SPONSORS: Senator Metcalf

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: That Substitute Senate Bill No. 6036 be substituted therefor, and the substitute bill do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Owen, and Snyder.

Staff: Gary Wilburn (786-7453)

Hearing Date: January 16, 1992; February 5, 1992

BACKGROUND:

The Environment 2010 Project conducted by the Washington Department of Ecology and other studies has concluded that traditional "command-and-control" environmental regulatory strategies alone are insufficient to address the increasing complexity and magnitude of environmental problems. The Environment 2010 report identified several reasons: (1) there are too many sources to control effectively; (2) environmental problems should be dealt with more holistically, to avoid the "shell game" of shifting emissions among environmental media; (3) prevention should be preferred to reaction to a problem; (4) the burden of environmental protection should be decentralized so that limited resources can be most efficiently used to address priority problems.

The report identified several means to supplement regulatory problems, including education and technical assistance, economic incentives and disincentives, and pollution prevention. Such techniques may engender a new ethic of individual responsibility, self-regulation, and voluntary change.

A study conducted by the Scientific Advisory Board of the U.S. Environmental Protection Agency (EPA) concluded that there were several highly ranked environmental problems which were not being adequately addressed relative to other problems within the traditional mission of that agency. The report made several recommendations that may be applicable to state environmental strategies, including: (1) the EPA should target its environmental protection efforts to greatest risk reduction; (2) EPA should attach as much importance to

reducing ecological risk as it does to reducing human health risk; (3) EPA should improve the data and analytical methodologies that support risk assessment; (4) EPA should reflect risk-based priorities in strategic planning and budget processes; (5) EPA should emphasize pollution prevention; and (6) EPA should increase efforts to integrate environmental considerations into broader aspects of public policy.

SUMMARY:

The temporary Commission on Environmental Strategies is created. The commission consists of 12 members as follows: (1) four members appointed by the Governor, representing business and industry, agriculture, local government, and environmental organizations; (2) four members representing these interests, appointed jointly by the Senate President and the Speaker of the House of Representatives; and (3) one representative from each of the four caucuses in the Senate and House of Representatives. Certain state agencies shall serve as nonvoting members of the commission.

The commission is directed to study several subjects relating to environmental strategies and to make recommendations for administrative and legislative changes of such strategies. It is to make periodic reports to the legislative committees on the environment, and shall develop a work plan by December 1, 1992.

Alternative environmental strategies. The commission is directed to review existing programs and alternative methods to achieve comparable or greater environmental protection, including market incentives, integrated permits, expansion of bubble and offset policies, pollution prevention programs, increased technical assistance, public and consumer education, and other means. The commission may recommend pilot projects for state agency implementation. The director of the state agency with jurisdiction is to implement the pilot project unless he or she declines based upon a lack of legislative or budgetary resources.

Environmental budgets. The commission shall also review and compare relative funding levels of programs and the relative magnitude of the environmental problems addressed by such programs. It is to review existing budget development procedures and restrictions within existing dedicated funds for environmental programs. Also to be reviewed are proposals for environmental trust funds for the purpose of comprehensive funding mechanisms for environmental quality problems.

Federally delegated programs. The commission is to review federally delegated programs, make recommendations regarding continuation of state administration and consider fiscal and program efficiencies and their impact upon the regulated community.

Sunset of environmental programs. The commission is to review programs which may duplicate other programs or address insignificant environmental threats and make recommendations

for sunseting programs. Programs concerning the Ecological Commission, environmental permits coordination, and litter pickup are terminated. The commission is directed to recommend prior to such termination whether these programs should be extended.

Other studies. The commission is to review the state's environmental quality and growth management programs and make recommendations to integrate the programs. It is also to review and make recommendations for the creation of a single, statewide system to maintain environmental quality data, statistics, and trends.

EFFECT OF PROPOSED SUBSTITUTE:

Legislative findings are made. Sunsets of specific programs are eliminated. The commission is allowed to recommend pilot projects which state agencies, in their discretion, may implement. Commission appointments should reflect a balance of interests and geographical representation. The interests of small business, landowners, and organizations for environmental protection and human health protection should be considered in the appointments. The appropriation is deleted. The legislation is made contingent on funding in the Supplemental Omnibus Appropriations Act.

Appropriation: none

Revenue: none

Fiscal Note: requested January 13, 1992

TESTIMONY FOR:

A comprehensive study of alternatives to "command and control" environmental strategies is needed.

TESTIMONY AGAINST:

Sunsets of existing programs without further study is premature. The study mission presumes inadequacies in existing programs which may or may not be the case.

TESTIFIED: Ed Thorpe, CCW (con); Naki Stevens, People for Puget Sound (pro); Bruce Wishart, Sierra Club (pro); Kevin Clark, City of Seattle (pro); Mike Reed, Department of Ecology; Jeff Parsons, National Audubon Society