
SUBSTITUTE SENATE BILL 5801

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Energy & Utilities (originally sponsored by Senators Fraser and Barr)

Read first time 03/03/93.

1 AN ACT Relating to the water resources policy commission; creating
2 new sections; providing an expiration date; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** FINDINGS AND PURPOSE. The legislature finds
5 that there is a need to comprehensively review the policies and
6 institutional framework governing the management, protection, and
7 allocation of water resources in the state of Washington. A
8 comprehensive review of all water resource management programs should
9 be undertaken as soon as possible because of the proliferation of water
10 resource programs and planning requirements at all levels of
11 government. This has caused inconsistent and conflicting management
12 strategies, as well as delays in making vital decisions due to
13 uncertainty. These policy conflicts are occurring against the backdrop
14 of ever increasing demands for water resources.

15 It is therefore the purpose of this act to create a water resources
16 policy commission to comprehensively review major water resource policy
17 issues facing the state and water resource management programs in the
18 state, and to make recommendations for future policy directions and
19 improvement and implementation of management decisions. These

1 recommendations should be considered by all citizens having an interest
2 in water resources and should provide the foundation for fundamental
3 water resource management reform.

4 NEW SECTION. **Sec. 2.** COMMISSION CREATED. (1) There is created
5 the Washington water resources policy commission. The commission shall
6 be comprised of between twenty-two and twenty-seven members as follows:

7 (a) The governor or the governor's representative;

8 (b) Five members of the house of representatives, appointed by the
9 speaker of the house of representatives, with at least two members from
10 each major caucus;

11 (c) Five members of the senate, appointed by the president of the
12 senate, with at least two members from each major caucus;

13 (d) Five executive branch members, appointed by the governor, to
14 represent varied water resource-related responsibilities;

15 (e) Five members representing local government;

16 (f) The commissioner of public lands, or designee.

17 (2) The governor may appoint up to five representatives of
18 federally recognized Indian tribes.

19 (3) The commission may appoint a variety of temporary or ongoing
20 advisory groups to advise it on various subjects it is studying. This
21 shall include a tribal advisory group.

22 (4) The commission shall convene at the call of the governor under
23 section 4 of this act, and shall at that time elect a chair.

24 (5) Whenever practicable existing employees of state government
25 should be detailed on a temporary basis to assist in staffing the
26 commission. The legislature, the governor, the commissioner of public
27 lands, and the attorney general shall cooperate in assuring the
28 assignment of staff having expertise in the matters under review by the
29 commission.

30 (6) Per diem compensation shall be provided to the members
31 appointed under subsection (1)(d) of this section pursuant to RCW
32 43.03.240.

33 (7) The governor shall make the appointments required under
34 subsection (1)(d) of this section no later than ninety days following
35 the effective date of this act.

36 (8) Except as specifically provided in this act, the commission
37 shall determine the procedures for conducting the commission's
38 activities. In any report or recommendations to the governor and

1 legislature, the commission shall allow the inclusion of minority
2 positions.

3 (9) The commission may enter into contracts for the performance of
4 work necessary to assist the commission in its duties under this act.

5 NEW SECTION. **Sec. 3.** COMMISSION DUTIES. The commission shall
6 conduct a comprehensive review of water resources management in
7 Washington that includes:

8 (1) An identification of all programs governing flood and storm
9 water management, water supply delivery, provision of adequate water
10 supplies for domestic and municipal needs, and for the production of
11 food and fiber for existing and future populations, water quality
12 protection, instream and riparian habitat protection, and other water
13 resource management needs;

14 (2) An assessment of the performance of existing programs in
15 achieving coordinated water resource management, that identifies
16 specific conflicting or inconsistent strategies, standards,
17 jurisdiction, or planning requirements;

18 (3) Recommendations for the coordination and integration of state
19 water resource programs, including the need for an independent water
20 resources agency;

21 (4) Recommendations for comprehensive statutory policies on water
22 allocation procedures and priorities, including revisions of the
23 state's surface and ground water codes;

24 (5) Recommendations to achieve water resource management on a
25 watershed basis;

26 (6) Recommendations for changes to water resource planning programs
27 to achieve a comprehensive regional planning framework whose boundaries
28 recognize hydrological boundaries;

29 (7) Recommendations for the coordination and integration of state
30 water resource programs, including the need for an independent water
31 resources agency;

32 (8) Recommendations for the consolidation of state water resources
33 and water quality funding programs;

34 (9) Recommendations for integrating permit programs for the
35 withdrawal of water and the discharge of pollutants to state waters;

36 (10) Recommendations for the creation of market-based systems for
37 water allocation, including but not limited to transfers, consumption-

1 based rate structures, incentives for conservation of irrigation water,
2 and water marketing;

3 (11) Assessment of the impact of hydrologic continuity on the
4 management of programs governing surface and ground waters, and
5 recommendations for improved management regimes;

6 (12) Recommendations for state and local government coordination of
7 water quality and resource planning consistent with the programs and
8 objectives of the growth management act.

9 NEW SECTION. **Sec. 4.** COMMISSION MEETINGS. Within one hundred
10 twenty days following the effective date of this act, the governor
11 shall schedule the initial meeting of the commission. The commission
12 shall determine the location and frequency of its meetings, but shall
13 meet at least quarterly. Commission meetings shall be open to the
14 public, and written notice of scheduled commission meetings shall be
15 provided to persons requesting such notice. The commission shall
16 accept and consider written comments on the subjects included in its
17 work plan, and shall endeavor to provide opportunities for public
18 comment within its meeting schedule.

19 NEW SECTION. **Sec. 5.** COMMISSION WORK PLAN. The commission shall
20 develop a work plan that sets priorities for review of the subjects
21 described in section 3 of this act and such additional subjects that
22 the commission identifies for review. The work plan shall schedule the
23 subjects for review over the period of the commission's authorized
24 life, and identify its goals for providing a report to the legislature
25 on each subject. The work plan shall describe the tasks proposed for
26 each review item and estimated funding needs. The work plan shall be
27 submitted to the fiscal committees of the legislature and to the office
28 of financial management no later than December 1, 1993.

29 Notwithstanding the work plan schedule, the commission shall report
30 to the legislature on those subjects required by section 3(1), (2),
31 (3), and (4) of this act no later than November 1, 1994.

32 NEW SECTION. **Sec. 6.** REPORTS. The commission shall periodically
33 report to the governor and the legislature as it accomplishes its
34 review of the subjects identified in its work plan. The reports shall
35 describe current conditions and program effectiveness, and shall

1 include recommendations for legislative and administrative action to
2 meet the legislative purpose set forth in section 1 of this act.

3 NEW SECTION. **Sec. 7.** RELATIONSHIP TO THE WATER RESOURCES FORUM.
4 Nothing in this act or the actions of the Washington water resources
5 policy commission shall be construed to affect or supersede the
6 activities of the water resources forum.

7 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and shall take
10 effect immediately.

11 NEW SECTION. **Sec. 9.** Captions as used in this act constitute no
12 part of the law.

13 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act and the
14 Washington water resources policy commission shall expire December 31,
15 1996.

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