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SECOND SUBSTITUTE SENATE BILL 6336

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State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Rasmussen, Winsley, Haugen, Swecker, Morton and Sutherland)

Read first time 02/06/96.

1 AN ACT Relating to the water resources board; adding new sections  
2 to chapter 43.131 RCW; and adding a new chapter to Title 43 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that balanced  
5 administration and management of the state water resources and water  
6 quality is of paramount importance to the citizens of the state. The  
7 legislature finds that regional differences in water resource  
8 conditions and uses require greater consideration in the development  
9 and administration of water resource policy. The legislature finds  
10 that despite these regional differences, in all areas of the state  
11 there are a diversity of interests and needs that are dependent upon  
12 the state's water resources, from municipal, commercial, industrial,  
13 agricultural, and seafood needs of human communities, to habitat and  
14 other instream water resource needs. The legislature finds that to  
15 effectively develop and administer water resource policies the views  
16 and expertise of persons from all regions of the state should be  
17 considered.

18 It is the intent of the legislature to establish a state board on  
19 water resources that consists of members representing all regions of

1 the state. Further, it is the direction of the legislature that the  
2 board provide advice on the development and implementation of policies  
3 and programs that are balanced with the interests of all sectors of the  
4 state's residents taken into account.

5 NEW SECTION. **Sec. 2.** There is hereby created a state board to be  
6 known as the Washington water resources board. The board shall have  
7 five members.

8 (1) Members shall be appointed by the governor, with the consent of  
9 the senate. Two of the members shall reside east of the crest of the  
10 Cascade mountains and two shall reside west of the crest of the Cascade  
11 mountains, and one member shall represent the state at large. No more  
12 than one member may reside in any one county.

13 In making appointments to the board, the governor shall select  
14 persons with recognized expertise in water-related issues, including  
15 but not limited to, issues regarding agriculture, tribes, hydroelectric  
16 production, fisheries, municipal and industrial supply, recreational  
17 uses, and water quality, who have demonstrated the ability to work  
18 constructively in group settings, and who have demonstrated their  
19 ability to listen to the public and understand scientific information.

20 (2) The members of the board shall serve four-year terms except for  
21 one of the initial members from eastern Washington and one of the  
22 initial members from western Washington as designated by the governor  
23 who shall each serve two-year terms. The terms of the initial members  
24 shall begin September 1, 1996. At the first meeting of the board, it  
25 shall choose one of its members as chair.

26 (3) Each board member shall receive a salary as may be fixed by the  
27 governor in accordance with RCW 43.03.040. A member may be dismissed  
28 by the governor before the expiration of his or her term for cause.

29 NEW SECTION. **Sec. 3.** The board has the following powers and  
30 duties:

31 (1) The board shall recommend state-wide policy and guidelines  
32 consistent with statutory law regarding the water resource and water  
33 quality programs and policies administered by the departments of  
34 ecology and health. The initial recommendations considered by the  
35 board shall include procedures for the development and approval of  
36 regional water resource plans, procedures and standards for

1 establishing instream flow levels, hydraulic continuity, augmentation  
2 of water supplies, aquifer management, and water transfers.

3 (2) Before adoption of a draft rule for public comment regarding a  
4 water resource or water quality issue, the state board of health and  
5 the department of ecology shall provide the proposed rule to the board.  
6 The board may comment on the proposed rule with regard to any conflict  
7 or inconsistency between the proposed rule and any other rule, statute,  
8 or the board's recommended policies and guidelines.

9 (3) The board shall periodically advise the legislature on  
10 recommended modifications of water resources and water quality statutes  
11 to further goals expressed by the legislature in Title 90 RCW and to  
12 improve the administration of state water resource and water quality  
13 programs. The board shall also timely review and make recommendations  
14 upon such water resource and water quality issues as the governor or  
15 the legislature may refer to the board.

16 (4) The board shall facilitate the communication of information and  
17 views among all interests in Washington water resources. To accomplish  
18 this duty the board shall hold a public forum at least twice annually  
19 in which resource topics of broad public import are scheduled for  
20 discussion and to which invitations are broadly disseminated to all  
21 interests. The board shall seek geographic diversity in the location  
22 of such forums. A summary of the forum proceedings shall be included  
23 in the biennial report required under section 5 of this act.

24 (5) The board may review and comment upon the proposed budgets for  
25 water resource-related activities submitted to the office of financial  
26 management by the departments of ecology and health. The agencies  
27 shall provide the proposed budget to the board sufficiently before the  
28 due date for submission to the office of financial management that the  
29 board may provide advice on the budget's content. The board may call  
30 upon staff of either agency to make presentations to the board to  
31 explain the proposed budget submittal, including both operating and  
32 capital budget appropriations. The board may provide advice to the  
33 office of financial management on the budgets.

34 (6) In developing recommendations and performing reviews of  
35 proposed agency rules, policies, and budgets, the board shall consult  
36 with and integrate its reviews with other boards or committees  
37 providing advice or direction to the departments of ecology and health  
38 on water-related subjects, including the state board of health.

1 (7) The board may employ staff necessary to carry on the  
2 administrative work of the board.

3 (8) The board may appoint technical working groups and advisory  
4 interest group committees to assist in carrying out its duties.

5 NEW SECTION. **Sec. 4.** The department of ecology and the department  
6 of health shall each provide staff support to the board and shall  
7 cooperate fully in assuring the efficient functioning of the board.  
8 The board's expenses shall be incorporated and separately identified in  
9 departments' budgets. Other state agencies participating in providing  
10 assistance to regional planning efforts or otherwise involved in water  
11 resources-related matters shall also cooperate with the board.

12 NEW SECTION. **Sec. 5.** The board shall submit a biennial report to  
13 the governor and the legislature containing a summary of the  
14 transactions and proceedings of the board together with a summary of  
15 any information gathered by the board and such other facts,  
16 suggestions, and recommendations as the governor or the legislature  
17 requests.

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.131 RCW  
19 to read as follows:

20 The Washington water resources board and its powers and duties  
21 shall be terminated June 30, 2003, as provided in section 7 of this  
22 act.

23 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.131 RCW  
24 to read as follows:

25 The following acts or parts of acts, as now existing or hereafter  
26 amended, are each repealed, effective June 30, 2004:

- 27 (1) Section 1 of this act;
- 28 (2) Section 2 of this act;
- 29 (3) Section 3 of this act;
- 30 (4) Section 4 of this act; and
- 31 (5) Section 5 of this act.

1        NEW SECTION.    **Sec. 8.**    Sections 1 through 5 of this act shall  
2    constitute a new chapter in Title 43 RCW.

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