

HOUSE BILL REPORT

SSB 5637

As Reported by House Committee On:

Natural Resources
Appropriations

Title: An act relating to watershed health monitoring and assessments.

Brief Description: Creating a program of watershed health monitoring and assessments.

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

Brief History:

Committee Activity:

Natural Resources: 3/26/01, 3/30/01 [DPA];

Appropriations: 3/31/01, 4/2/01 [DPA(APP w/o NR)s].

Brief Summary of Substitute Bill (As Amended by House Committee)

- A monitoring oversight committee is established and consists natural resource agencies and legislators representing the environmental and natural resource committees of the House and Senate.
- The committee must address the monitoring recommendations contained in the report by the independent science panel and the Joint Legislative Audit and Review Committee report on investing in the environment.
- The committee must provide a monitoring strategy and action plan to the Governor and appropriate legislative committees by December 1, 2002, for achieving a comprehensive watershed-related monitoring program with a focus on salmon recovery.
- The action plan must make recommendations based upon the goal of achieving an enhanced and coordinated monitoring program by June 30, 2007.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 12 members: Representatives

Doumit, Democratic Co-Chair; Sump, Republican Co-Chair; Pearson, Republican Vice Chair; Rockefeller, Democratic Vice Chair; Buck, G. Chandler, Edwards, Eickmeyer, Ericksen, Jackley, Murray and Pennington.

Staff: Bill Lynch (786-7092).

Background:

A number of projects and programs have been undertaken within the state to help restore the health of watersheds and the species that inhabit them. Although many of these programs monitor various indicators, these efforts are largely uncoordinated and unlinked among programs, have different objectives, use different indicators, and lack support for sharing data. There is also a lack of shared statistical designs to address specific issues raised by listing of salmonid species under the federal Endangered Species Act.

The Independent Science Panel was created by the Legislature in 1998 to provide scientific oversight of the state's salmon, steelhead, and trout recovery efforts. In response to a legislative directive, the panel issued a report containing recommendations regarding monitoring. This report stated that the development and implementation of a comprehensive statewide monitoring program was fundamental to salmonid recovery in the state, and that efforts to recover these fish stocks would not be scientifically credible without comprehensive monitoring focused on recovery objectives. The Joint Legislative Audit and Review Committee (JLARC) issued a report in 2001 which also expressed a need to improve monitoring related to state grant and loan programs funded by natural resource related agencies.

Summary of Amended Bill:

A monitoring oversight committee is established and consists of the directors, or their designees, of the Salmon Recovery Office, the Department of Ecology, the Department of Fish and Wildlife, the Conservation Commission, the Puget Sound Action Team, the Department of Natural Resources, the Department of Transportation, the Salmon Recovery Funding Board, and the Interagency Committee for Outdoor Recreation. The following eight legislators are also members of the monitoring oversight committee: the co-chairs of the House Natural Resources Committee; the chair and the ranking minority member of the Senate Natural Resources, Parks, and Shorelines Committee; the co-chairs of the House Agriculture and Ecology Committee; and the chair and the ranking minority member of the Senate Environment, Energy, and Water Committee.

The director of the Salmon Recovery Office and the chair of the Salmon Recovery Funding Board serve as the co-chairs of the monitoring oversight committee. The committee is directed to invite participation from the treaty tribes in the committee's efforts. The committee must also invite participation by other state, local, and federal

agencies and other entities as appropriate.

The independent science panel acts as an advisor to the committee and reviews all of its work products and makes recommendations to the co-chairs. The committee must address the monitoring recommendations contained in the report by the independent science panel and the JLARC report on investing in the environment. The committee may make recommendations to individual agencies to improve coordination of their monitoring activities.

Several areas are specified for the committee to address when developing the monitoring strategy and action plan that are consistent with the recommendations contained in the report of the independent science panel. These include the standardization of monitoring protocols for salmon recovery and watershed health, statistical designs that are appropriate to the objectives, ensuring data consistency and coordination, integration of monitoring information into decision-making, recommending stable sources of funding, as well as other factors. In addition, the committee is required to recommend organizational and governance structures for oversight and implementation of the coordinated monitoring framework, and identify administrative actions that will be undertaken by state agencies to implement elements of the coordinated monitoring program.

In developing a coordinated monitoring strategy, the committee must coordinate with other appropriate state, federal, local, and tribal monitoring efforts. These entities include, but are not limited to: the Northwest Power Planning Council, the Northwest Indian Fisheries Commission, the National Marine Fisheries Service, and the United States Fish and Wildlife Service. The committee is required to consult with planning units conducting watershed planning, lead entities engaged in salmon recovery efforts, professional organizations, and other appropriate groups.

The committee must provide a monitoring strategy and action plan to the Governor and appropriate legislative committees by December 1, 2002, for achieving a comprehensive watershed-related monitoring program with a focus on salmon recovery. An interim report on the progress made in implementing these requirements must be provided to the Governor and appropriate legislative committees by March 1, 2002. The action plan must make recommendations based upon the goal of achieving an enhanced and coordinated monitoring program by June 30, 2007.

The monitoring strategy and action plan must document the results of the committee's actions in addressing its responsibilities. The strategy and action plan must include an assessment of existing state agency operations related to monitoring, evaluation, and adaptive management of watershed health and salmon recovery, and contain recommendations for operational or statutory changes and funding necessary to fully implement an enhanced coordinated monitoring program.

In conducting assessments or studies that include monitoring components or

recommendations, the Department of Ecology and watershed planning units must implement monitoring recommendations developed by the committee.

Amended Bill Compared to Substitute Bill:

The monitoring oversight committee is required to address, rather than consider, the recommendations of the independent science panel. The JLARC recommendations regarding monitoring must also be addressed. The independent science panel acts as an advisor to the committee rather than being represented on the committee. The Department of Transportation and the Interagency Committee for Outdoor Recreation are added to the committee. Legislators are added to the committee. The strategy and action plan must document the results of the committee in addressing its responsibilities.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The state spends a lot of money on monitoring, and there needs to be better coordination of efforts to avoid duplication and make the information easier to share and integrate into decision-making. The joint cabinet has been looking at improving monitoring to provide a more strategic approach. What is done, at what level, under what framework needs to be established through a comprehensive strategy. This will mesh well with the legislation implementing the JLARC recommendations. The federal agencies require a state monitoring strategy as part of a state salmon recovery plan. This is not another layer for salmon recovery but helps make sure that the money is spent wisely. Implementing the recommendations of the independent science panel, and providing them an advisory role, is important for the state in addressing monitoring.

Testimony Against: None.

Testified: Senator Jacobsen, prime sponsor; Curt Smitch, Special Assistant to the Governor's office for Natural Resources; and Laura Johnson, Salmon Recovery Funding Board.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Natural Resources. Signed by 31 members: Representatives Sehlin, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Lisk, Republican Vice Chair; Alexander,

Benson, Boldt, Buck, Clements, Cody, Cox, Dunshee, Fromhold, Grant, Kagi, Keiser, Kenney, Kessler, Lambert, Linville, Mastin, McIntire, Mulliken, Pearson, Pflug, Ruderman, D. Schmidt, Schual-Berke, Talcott and Tokuda.

Staff: Jeff Olsen (786-7157).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Natural Resources:

The amended bill requires, rather than allows, the monitoring oversight committee to make recommendations to individual agencies to improve coordination of monitoring activities. Additionally, a null and void clause is added, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

Testimony For: Monitoring is a high priority for the Salmon Recovery Funding Board, and the Governor's Salmon Recovery Office supports the bill. The Salmon Recovery Funding Board will coordinate, with the Governor's Salmon Recovery Office and the other agencies, the development of a comprehensive monitoring system. The project will take approximately 18 months, and the fiscal impact is to get the best available scientists to participate in the development of the monitoring system.

Testimony Against: None.

Testified: Jim Fox, Salmon Recovery Funding Board.