

# FINAL BILL REPORT

## ESB 5097

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Synopsis as Enacted

**Brief Description:** Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016.

**Sponsors:** Senators Braun and Takko; by request of Department of Ecology.

**Senate Committee on Energy, Environment & Telecommunications**  
**House Committee on Agriculture & Natural Resources**

**Background:** Department of Ecology (Ecology). Ecology is the lead state agency for floodplain management. In 2016, Ecology established the Office of Chehalis Basin to implement an integrated strategy and administer funding for long-term flood damage reduction and aquatic species restoration in the Chehalis River Basin.

Chehalis River Basin Floods and Strategy. The Chehalis River Basin has a long history of flooding and flood levels continue to rise. In the past 30 years, flooding caused 44 to 78 percent of salmon habitat in the basin to decline, depending on the salmon species, as well as other property and habitat damage. In December 2007, the President declared a major disaster in Grays Harbor, Kitsap, Lewis, Mason, Pacific, and Thurston County. Federal funding was available following this declaration. In 2012, the Governor created the Chehalis Basin Work Group (Work Group) to present recommendations to the Governor and the Legislature. The Work Group presented the Chehalis Basin Flood Hazard Mitigation Alternatives and the Chehalis Basin Strategy 2014 Recommendations Report (Report). The Report recommended an integrated program of long-term flood damage reduction and aquatic species restoration in the Chehalis Basin. The Chehalis Basin Strategy was created to improve and restore river habitat and reduce flood damage.

Chehalis Board (Board). The Board was created to oversee the Chehalis Basin Strategy, and it consists of seven voting members. The Governor appoints four members who are confirmed by the Senate. Two of these four members are designees from the Confederated Tribes of the Chehalis Reservation and the Quinault Indian Nation and they must be confirmed by the Senate. The Chehalis Basin Flood Authority appoints three voting members. The Board also includes five nonvoting ex officio members: the Department of Fish and Wildlife Director, the State Conservation Commission Executive Director, the Ecology Director, the Commissioner of Public Lands, and the Department of Transportation Secretary.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Board members' serve four year terms, except for initial appointments. The terms for board members are staggered with two appointees initially serving two years and three appointees serving three years.

**Summary:** The designation of Chehalis board members is revised. The Governor must appoint two members to be confirmed by the Senate. The Governor must invite the Confederated Tribes of the Chehalis Reservation and the Quinault Indian Nation to each designate a voting member. These tribal designees are not subject to confirmation by the Senate.

Board members' initial terms are clarified by requiring one gubernatorial and one flood authority appointee to serve two years and one gubernatorial and two flood authority appointees to serve three years.

**Votes on Final Passage:**

Senate	44	0
House	96	1

**Effective:** April 17, 2017