

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2741

Chapter 239, Laws of 1994
(partial veto)

53rd Legislature
1994 Regular Session

WATERSHED COORDINATING COUNCIL ESTABLISHED

EFFECTIVE DATE: 6/9/94

Passed by the House March 10, 1994
Yeas 94 Nays 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 9, 1994
Yeas 46 Nays 0

JOEL PRITCHARD

President of the Senate

Approved April 1, 1994, with the
exception of section 5, which is
vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of
the House of Representatives of the
State of Washington, do hereby certify
that the attached is **ENGROSSED
SUBSTITUTE HOUSE BILL 2741** as passed
by the House of Representatives and
the Senate on the dates hereon set
forth.

MARILYN SHOWALTER

Chief Clerk

FILED

April 1, 1994 - 10:34 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2741

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Linville, Pruitt, King, Rust, Valle, R. Johnson, Roland, Rayburn, R. Meyers, J. Kohl, Kremen, L. Johnson and Karahalios)

Read first time 02/04/94.

1 AN ACT Relating to coordinated, watershed-based natural resource
2 planning; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Long-term sustainable and economically productive watersheds
6 are necessary for the well-being of the citizens of the state of
7 Washington. The legislature also finds that there is a need to develop
8 consensus regarding the beneficial economic and natural values which
9 watersheds provide. The legislature further finds that watershed units
10 are the appropriate geographic planning and implementation element for
11 addressing the health and economic productivity of the state's natural
12 resources;

13 (2) The ongoing efforts of public agencies and private parties in
14 watershed planning and its implementation are having a far-reaching
15 effect on lands and resources, and continued integrated and coordinated
16 planning and its implementation is needed to achieve the most effective
17 and efficient use of public funds;

18 (3) In times of decreasing revenues and increasing demands, it is
19 critically important to ensure the efficient and effective use of

1 scarce financial resources by avoiding overlap and duplication of
2 effort among watershed-based planning and implementation efforts;

3 (4) The existing efforts implementing watershed-based planning are
4 often complicated by multiple land ownerships, different management
5 missions and objectives, different ways of collecting information, and
6 legal constraints; and

7 (5) Many different entities, including federal, state, and local
8 governments, tribes, private landowners, and other groups are
9 conducting planning, research, implementation, and monitoring programs
10 relating to watersheds. To the greatest extent possible, coordinated
11 planning and its implementation should be based on these efforts.

12 NEW SECTION. **Sec. 2.** The purpose of this act and the intent of
13 the legislature is:

14 (1) That sections 3 through 5 of this act do not grant any new
15 rule-making authority nor direct any substantive changes to existing
16 management policies established pursuant to law;

17 (2) To provide mechanisms to make comprehensive watershed planning
18 and implementation policy recommendations for consideration by the
19 legislature;

20 (3) To encourage coordination and integration of existing state
21 agency and private party watershed planning and implementation; and

22 (4) To develop a set of measurable objectives against which the
23 effectiveness of watershed programs may be assessed.

24 NEW SECTION. **Sec. 3.** (1) The watershed coordinating council is
25 hereby established. The council shall be comprised of the commissioner
26 of public lands or the commissioner's designee and the director or the
27 director's designee or the secretary or the secretary's designee of the
28 following agencies: The department of transportation, the department
29 of agriculture, the department of ecology, the department of fish and
30 wildlife, the department of health, the department of community, trade,
31 and economic development, the interagency committee for outdoor
32 recreation, the Puget Sound water quality authority, and the
33 conservation commission. The members of the council shall coordinate
34 their watershed planning and implementation activities. Meetings of
35 the council shall be subject to the provisions of the open public
36 meetings act.

1 (2) In conjunction with the council's efforts, the commissioner of
2 public lands shall continue to coordinate the department of natural
3 resources' landscape planning and implementation activities with
4 landowners and other interested parties.

5 (3) The council shall coordinate its activities set forth in
6 section 4 of this act with federal, tribal, and local governments.

7 (4) The directors of the departments of agriculture, fish and
8 wildlife, and ecology and the commissioner of public lands shall
9 organize meetings of the council and shall cooperatively ensure a
10 reasonable level of staff support for the council and for the task
11 force established in section 5 of this act.

12 (5) The watershed coordinating council shall expire on June 30,
13 1997.

14 NEW SECTION. **Sec. 4.** By December 15, 1994, the watershed
15 coordinating council shall provide to the legislature a summary of all
16 state agency watershed programs, plans, and ongoing activities on a
17 watershed-by-watershed basis. The council shall also prepare a report
18 of its recommendations for consideration by the legislature. The
19 report of recommendations shall include:

20 (1) A recommended definition of the geographical unit for watershed
21 planning and implementation processes, taking into account the
22 relationships between smaller watersheds within larger watersheds and
23 the relationships between adjacent watersheds;

24 (2) Recommendations for the establishment of common protocols
25 governing data collection and analysis and for a central depository of
26 information which could be used by all state agencies involved in
27 watershed planning and implementation processes;

28 (3) Identification of data available from all existing sources
29 regarding the condition of the state's watersheds;

30 (4) Identification of any barriers to state agency cooperation in
31 watershed planning and implementation, and recommendations to overcome
32 such barriers;

33 (5) Recommendations for minimizing duplication, segmentation, and
34 overlap, and identification of proposals for improving efficiency in
35 watershed planning and implementation; and

36 (6) Recommendations for new sources of funding and reallocation of
37 existing state funding sources for watershed planning and
38 implementation.

1 **NEW SECTION. Sec. 5. (1) The legislature establishes the*
2 *watershed policy task force to make recommendations on policies for the*
3 *legislature to consider. The task force shall be established by May 1,*
4 *1994, and shall complete its tasks and report to the legislature by*
5 *December 1, 1995. The task force shall expire on June 30, 1996.*

6 *(2) The watershed policy task force shall complete the following*
7 *tasks:*

8 *(a) The development of recommendations for goals and measurable*
9 *objectives for watersheds in the state of Washington. Such goals and*
10 *measurable objectives shall recognize the unique characteristics and*
11 *circumstances of each watershed. The goals and measurable objectives*
12 *recommended shall address at least the following values inherent in*
13 *watersheds: Fish and wildlife, water, beneficial economic uses of*
14 *natural resources including timber and fish harvest and agricultural*
15 *use, wetlands protection, employment, recreation, and educational*
16 *opportunities;*

17 *(b) The identification of proposed strategies for establishing and*
18 *funding locally or regionally based watershed planning and*
19 *implementation activities which would help achieve the goals and*
20 *measurable objectives proposed for adoption by the legislature;*

21 *(c) Identification of barriers to cooperation and possible*
22 *incentives to encourage local governments, tribal governments, private*
23 *landowners, and citizen participation in watershed planning and*
24 *implementation;*

25 *(d) Recommendations for legislative policy changes to integrate*
26 *state watershed planning and its implementation with land use planning*
27 *and regulation responsibilities of local governments under the growth*
28 *management act and other relevant acts; and*

29 *(e) Recommendations for coordination with student and citizen*
30 *watershed protection efforts.*

31 *(3) Members may be appointed by May 1, 1994, to the task force as*
32 *follows:*

33 *(a) The watershed coordinating council shall appoint four of its*
34 *members to the task force;*

35 *(b) The speaker of the house of representatives shall appoint two*
36 *members to the task force, one from the majority party and one from the*
37 *minority party;*

1 (c) The president of the senate shall appoint two members to the
2 task force, one from the majority party and one from the minority
3 party; and

4 (d) The governor, the speaker of the house of representatives, and
5 the president of the senate shall jointly appoint twelve additional
6 members to the task force. The members so appointed shall be selected
7 to represent each of the following interests: Small private forest
8 landowners, large private forest landowners, agricultural interests
9 east of the crest of the Cascade mountains, agricultural interests west
10 of the crest of the Cascade mountains, commercial fishing, recreational
11 fishing, labor interests from a natural resource related union,
12 federally recognized Indian tribes, the environmental community (two
13 members), cities, and counties. The task force shall encourage a
14 representative from federal land resource management agencies to attend
15 and participate in task force meetings.

16 (4) For the purposes of this section, "measurable objective" means
17 a results-oriented objective against which general state goals and
18 specific individual watershed goals can be evaluated as to current and
19 continuing progress in meeting such goals.

20 *Sec. 5 was vetoed, see message at end of chapter.

Passed the House March 10, 1994.

Passed the Senate March 9, 1994.

Approved by the Governor April 1, 1994, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State April 1, 1994.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 5,
3 Engrossed Substitute House Bill No. 2741 entitled:

4 "AN ACT Relating to coordinated, watershed-based natural resource
5 planning;"

6 Increasingly, attention is being given to watersheds as a basis for
7 natural resource management and environmental protection. While the
8 term "watershed" connotes comprehensiveness, much of the natural
9 resources planning, implementation, and restoration work in state
10 watersheds is done in a piecemeal, uncoordinated basis often based on
11 functional interest or land ownership. This lack of coordination is a
12 problem, and the legislature is to be applauded for its attempt to deal
13 with this problem through the provisions in Engrossed Substitute House
14 Bill No. 2741. It is a concern I share.

15 Section 5 of Engrossed Substitute House Bill No. 2741 establishes
16 a watershed policy task force charged with making recommendations to
17 the legislature on statewide goals and objectives for watershed
18 planning and implementation efforts and facilitating watershed planning
19 and implementation efforts on a local level. Section 3 of Engrossed
20 Substitute House Bill No. 2741 establishes the watershed coordinating
21 council. While the majority of tasks set out for the watershed policy

1 task force are important, the task force itself unnecessarily
2 duplicates the watershed coordinating council established in section 3.
3 For this reason, I am vetoing section 5 of Engrossed Substitute House
4 Bill No. 2741, and by Executive Order, I will ask the watershed
5 coordinating council established by this bill to perform the functions
6 listed in section 5(2)(b), (c), (d), and (e) of Engrossed Substitute
7 House Bill No. 2741.

8 Section 5(a) requires the task force to develop recommendations for
9 goals and measurable objectives for watersheds on a statewide basis.
10 There are many initiatives currently underway attempting to establish
11 goals and objectives on a local watershed-by-watershed basis. This is
12 an extremely difficult and time-consuming process, but goals and
13 objectives must be established on a local watershed-by-watershed basis
14 if they are to be real and meaningful. For this reason, I am also
15 asking the watershed coordinating council to identify those watersheds
16 where goals and objectives have already been established and to provide
17 recommendations to facilitate the development of goals and objectives
18 for the state's other watersheds.

19 For the purpose of these section 5 tasks to be performed by the
20 watershed coordinating council, the council should work with an
21 advisory committee consisting of interested parties including tribes,
22 affected landowners, the timber industry and the environmental
23 community.

24 With the exception of section 5, Engrossed Substitute House Bill
25 No. 2741 is approved."