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**SUBSTITUTE SENATE BILL 5289**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Jacobsen, Oke and Fraser)

READ FIRST TIME 03/05/03.

1       AN ACT Relating to watershed health monitoring; adding a new  
2 section to chapter 77.85 RCW; and creating a new section.

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

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

5       (a) The state's independent science panel made several  
6 recommendations for improving the state's programs for monitoring  
7 salmonid recovery in a December 2000 report to the governor and the  
8 legislature;

9       (b) Acting upon this report and other recommendations, the 2001  
10 legislature created the monitoring oversight committee to develop  
11 recommendations for a comprehensive statewide strategy for monitoring  
12 watershed health, with a focus upon salmon recovery;

13       (c) The 2001 legislation also directed the monitoring oversight  
14 committee to prepare an action plan to achieve implementation of a  
15 comprehensive strategy by 2007;

16       (d) The monitoring oversight committee has carried out this work  
17 and delivered its report to the 2003 legislature, entitled *The*  
18 *Washington Comprehensive Monitoring Strategy and Action Plan for*  
19 *Watershed Health and Salmon Recovery*;

1 (e) The monitoring oversight committee surveyed current state  
2 agency salmon recovery monitoring and watershed health-related  
3 monitoring expenditures and found that millions of dollars are expended  
4 on a biennial basis;

5 (f) The state's current budget crisis will severely constrain the  
6 ability to make substantial progress in implementing some elements of  
7 the action plan to achieve a comprehensive statewide salmon recovery  
8 and monitoring strategy, but that many elements of the action plan may  
9 be implemented by changing priorities in some existing monitoring  
10 expenditures in order to better achieve the greatest benefits for  
11 programs and activities for protecting and restoring watershed health  
12 and fish recovery, combined with allocating new resources to the key  
13 elements of the action plan; and

14 (g) There is a need to implement the work of the monitoring  
15 oversight committee and to assign responsibility for overall  
16 coordination in implementation of the action plan.

17 (2) Therefore, it is the purpose of this act to adopt the  
18 monitoring strategy and action plan referenced in subsection (1)(d) of  
19 this section and to charge the salmon recovery funding board with the  
20 ongoing responsibility to implement the strategy and action plan in  
21 cooperation with state agencies with monitoring responsibilities.  
22 However, it is not the intent of the legislature to in any way hinder  
23 fishery and hatchery monitoring activities specifically related to  
24 comanagement responsibilities conducted by the department of fish and  
25 wildlife.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.85 RCW  
27 to read as follows:

28 (1) The salmon recovery funding board shall provide coordination  
29 among and oversight of state agencies in the implementation of the  
30 comprehensive statewide watershed health monitoring strategy and action  
31 plan developed under the authority of chapter 298, Laws of 2001. The  
32 salmon recovery funding board may periodically revise the strategy and  
33 action plan to reflect changes in funding availability, monitoring  
34 activities by state or nonstate agencies or entities, and other  
35 considerations relevant to achieving a comprehensive strategy. In  
36 implementing as well as revising the plan, the board shall periodically

1 consult broadly with federal, state, regional, and local salmon  
2 recovery and watershed health monitoring agencies and entities.

3 (2) To assist the salmon recovery funding board in carrying out its  
4 duties under this section, the board shall establish a monitoring  
5 policy implementation committee.

6 (a) The monitoring policy implementation committee consists of  
7 eleven members, including one representative from each of the five  
8 state agencies represented on the salmon recovery funding board and  
9 five citizens at large appointed by the board. In addition, the salmon  
10 recovery funding board shall appoint the chair of the committee.

11 (b) The monitoring policy implementation committee shall provide  
12 the board with recommendations on:

13 (i) Continuing policy and technical issues related to salmon  
14 recovery and watershed health monitoring;

15 (ii) Completion of missing elements of the monitoring strategy and  
16 action plan;

17 (iii) Salmon recovery and watershed health monitoring data and  
18 information management;

19 (iv) Coordination of agency monitoring work plans and budget  
20 requests;

21 (v) Actions to consolidate, simplify, and make more efficient state  
22 salmon recovery monitoring and watershed health monitoring;

23 (vi) Coordination of local and regional monitoring efforts with  
24 statewide efforts;

25 (vii) Synthesized statewide reporting of salmon recovery monitoring  
26 and watershed health monitoring;

27 (viii) Allocation of funds made available to the salmon recovery  
28 funding board for salmon recovery monitoring and watershed health  
29 monitoring activities; and

30 (ix) Funds that could be appropriated to the salmon recovery  
31 funding board for allocation for salmon recovery monitoring and  
32 watershed health monitoring activities.

33 (3) The salmon recovery funding board shall allocate funds  
34 appropriated by the legislature to the board for grants or other  
35 distribution to state agencies or other entities for the purposes of  
36 salmon recovery and watershed health monitoring activities. In making  
37 such allocations, the board shall be generally guided by the action

1 plan in *The Washington Comprehensive Monitoring Strategy and Action*  
2 *Plan for Watershed Health and Salmon Recovery*.

3 (4) In addition to funding decisions regarding funds appropriated  
4 to the board, the board may make recommendations to state agencies for  
5 carrying out monitoring activities consistent with the strategy and  
6 action plan. Where the state agency declines to implement the  
7 recommendation wholly or substantially, the director of the agency  
8 shall explain such refusal in writing, including an identification of  
9 the funding, legal, or other constraints upon the agency to fully  
10 implement the recommendation.

11 (5) At the end of each even-numbered year, the salmon recovery  
12 funding board shall report to the governor and the appropriate  
13 committees of the senate and house of representatives on its activities  
14 under this section and the progress of state agencies and other  
15 entities in implementing the monitoring strategy and action plan.

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