
SENATE BILL 5493

State of Washington

58th Legislature

2003 Regular Session

By Senators Regala, Fairley, Eide, B. Sheldon, Fraser, Doumit, Kohl-Welles and Kline

Read first time 01/28/2003. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to environmental quality benchmarks; amending RCW
2 43.21A.510 and 49.70.175; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington's
5 citizens should have access to environmental benchmarks information,
6 and should have the opportunity to participate in developing and
7 maintaining a benchmark program. An enormous amount of environmental
8 quality data is collected for many purposes, but primarily for
9 administering environmental quality and public health programs. Key
10 benchmark information is distilled from this great quantity of data in
11 only rare instances. Such information should be compiled and be
12 presented in a manner that the public will find useful in making
13 choices about individual actions and in expressing their views on
14 priorities for governmental action. This information should address
15 those key parameters that the public finds most important in staying
16 informed on environmental quality conditions and trends over time.

17 (2) The legislature further finds that a system of environmental
18 quality benchmarks is an integral component of transitioning from
19 traditional command and control regulatory strategies to protect

1 environmental quality to performance-based strategies that allow
2 greater flexibility in choosing the means to attain goals that are
3 publicly developed and supported. The success of such performance-
4 based strategies is dependent upon high quality information that is
5 widely available and useable by the regulated community and the public
6 generally.

7 (3) Therefore, it is the purpose of this act to authorize the
8 development of a proposal for an environmental quality benchmarks
9 program for future legislative consideration, and to make better use of
10 existing monitoring data and analysis to inform the public and to
11 further performance-based environmental quality strategies.

12 NEW SECTION. **Sec. 2.** (1) The Washington state institute for
13 public policy shall provide to the legislature a report that includes
14 a proposal for a Washington environmental benchmarks program. The
15 institute shall review benchmark programs currently operating at the
16 local and state level, and in other states, including those
17 environmental benchmarks tracked by the Oregon program board for over
18 a decade. The institute's review shall address and provide options as
19 well as recommendations on:

20 (a) Ensuring a continuous and meaningful role for the public in
21 adopting benchmarks and advising on how the benchmark information
22 should be used in governmental programs;

23 (b) Administering and funding the benchmark program;

24 (c) Addressing key environmental and natural resources, such as:

25 (i) Water resources;

26 (ii) Air resources;

27 (iii) Soil;

28 (iv) Public health effects from environmental contaminants or
29 conditions;

30 (v) Forest land and farmland resources;

31 (vi) Fish and wildlife resources; and

32 (vii) Important and unique natural areas;

33 (d) Methods to rely primarily on existing monitoring data sources
34 and analysis;

35 (e) A long-term strategy for tracking trends on key benchmarks and
36 ensuring that data will be collected continuously over time to make
37 such trends' information useful and accurate; and

1 (f) Identifying benchmark parameters for which information widely
2 accessible by the public and regulated community would support
3 performance-based strategies.

4 (2) In conducting the study, the institute shall consult with
5 legislators, local, state, and federal environmental agency program
6 staff, and interested stakeholder groups.

7 (3) The institute may accept nonstate funds to conduct the study.

8 (4) The institute's report and recommendations shall be submitted
9 no later than December 15, 2004.

10 **Sec. 3.** RCW 43.21A.510 and 1995 c 399 s 66 are each amended to
11 read as follows:

12 (1) In order to assist the department of community, trade, and
13 economic development in providing information to businesses interested
14 in locating in Washington state and to assist Washington citizens in
15 making informed decisions regarding actions to protect and restore the
16 state's environmental quality, the department shall develop and
17 periodically update an environmental profile of the state. This
18 profile shall identify the state's natural resources and environmental
19 quality conditions, and provide information on trends over time on such
20 resources and conditions. The profile shall describe how these assets
21 are valuable to the public and to industry. Examples of information to
22 be included are water resources and quality, air quality, and
23 recreational opportunities related to natural resources.

24 (2) The department shall complete the initial profile by June 30,
25 2004, and shall incorporate benchmark information that may be developed
26 as a result of the report in section 2 of this act.

27 **Sec. 4.** RCW 49.70.175 and 1985 c 410 s 5 are each amended to read
28 as follows:

29 Funds in the worker and community right to know fund established
30 under RCW 49.70.170 may be spent by the department of ecology to
31 implement RCW 70.102.020 (1) through (3) following legislative
32 appropriation, and through June 30, 2005, may be expended for the
33 development of a proposal for an environmental benchmark program under
34 chapter . . . , Laws of 2003 (this act). Disbursements from the fund
35 shall be on authorization of the director of the department of ecology.

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