
SENATE BILL 5278

State of Washington

59th Legislature

2005 Regular Session

By Senators Jacobsen, Kline and Fraser

Read first time 01/19/2005. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to the ocean policy review commission; adding a new
2 section to chapter 43.143 RCW; 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 Washington's
5 coastal and ocean resources are among the most important of its natural
6 resources and that the state holds these resources in trust for the
7 people of Washington. Ocean based activities, such as fishing,
8 aquaculture, tourism, recreation, and marine transportation have
9 historically played a vital role in Washington's economy and culture.
10 New ocean uses are being proposed in such areas as renewable energy,
11 marine biotechnology, and ocean observing. A healthy ocean is an
12 integral part of the high quality of life enjoyed in the state.
13 Therefore, the people of Washington have an obligation to be good
14 stewards of the ocean so that coastal and ocean resources are preserved
15 for future generations.

16 Washington's coastal and ocean resources face significant
17 challenges, including the preservation of water quality, fish
18 populations, and fish and wildlife habitat, and the utilization of
19 opportunities offered by new sustainable use activities. Coordinated

1 policy regarding Washington's coastal and ocean resources will improve
2 the efficiency and effectiveness of the state's ocean related programs
3 and activities. The coordination of Washington's scientific resources
4 will increase the quality and quantity of information available to
5 assess current and proposed use activities. Additionally, the movement
6 of ocean currents, atmospheric winds, and marine fish and wildlife
7 across state and national borders and the multijurisdictional reach of
8 many users of the coast and sea make cooperation between Washington and
9 adjacent jurisdictions necessary.

10 Between 2001 and 2004, two high level commissions, the United
11 States commission on ocean policy and the Pew oceans commission,
12 studied and issued reports documenting the state of our nation's oceans
13 and provided ocean policy recommendations. In response to the final
14 report of the United States commission on ocean policy, the president
15 issued the United States ocean action plan and created the cabinet-
16 level committee on ocean policy in December 2004. Through these
17 actions, the federal government has evidenced an intent to facilitate
18 coordination between federal, state, tribal, local governments, and
19 other interested groups and to provide funding for ocean resources
20 programs and activities.

21 An evaluation of the condition of the state's coastal and ocean
22 resources and the development of options for addressing the
23 opportunities and challenges facing these resources will facilitate the
24 adoption of a more efficient and effective ocean policy.

25 NEW SECTION. **Sec. 2.** (1) The ocean policy review commission is
26 established.

27 (2) The commission is composed of the following members:

28 (a) The governor or the governor's designee;

29 (b) The director of the department of fish and wildlife or the
30 director's designee;

31 (c) The commissioner of public lands or the commissioner's
32 designee; and

33 (d) Six individuals appointed by the governor possessing recognized
34 expertise on ocean policy, program, or research issues. The governor
35 shall consult with a wide range of sources when appointing commission
36 members, including leaders from each major caucus of the senate and
37 house of representatives.

1 (3) The ocean policy review commission shall convene no later than
2 June 1, 2005. Upon convening, the commission shall select a chair to
3 preside over commission meetings and a vice-chair to preside in the
4 chair's absence.

5 (4) The commission shall convene a working group to provide
6 information, suggestions, and feedback to the commission as it carries
7 out the requirements of section 3 of this act. The commission shall
8 determine the composition of the working group, which should include,
9 but is not limited to, a representative or representatives of:

- 10 (a) The federal government;
- 11 (b) Tribal government;
- 12 (c) Local coastal government;
- 13 (d) Port districts;
- 14 (e) Organizations engaged in environmental protection;
- 15 (f) Businesses engaged in fishing; and
- 16 (g) Organizations engaged in ocean science or technology.

17 (5) Staff to the ocean policy review commission must be comprised
18 of independent experts who are not affiliated with existing
19 governmental entities or interest groups that have a strong stake in
20 the outcome of the commission's work. In response to reasonable
21 requests from the commission, the department of ecology, the department
22 of fish and wildlife, and the department of natural resources shall
23 provide information within the scope of the commission's work. The
24 commission may contract for technical assistance on any topic or
25 element of the commission's review with the University of Washington,
26 where expertise in marine affairs and ocean and fishery sciences is
27 extensive.

28 (6) Members of the ocean policy review commission and the working
29 group shall be reimbursed for travel expenses under RCW 43.03.050 and
30 43.03.060.

31 NEW SECTION. **Sec. 3.** (1) The ocean policy review commission
32 shall:

33 (a) Examine the condition of Washington's coastal and ocean
34 resources and their contribution to the state's character, quality of
35 life, and economic vitality;

36 (b) Review and summarize the various interests, roles, and

1 responsibilities of public entities, tribal interests, and other
2 stakeholders in the protection and management of Washington's coastal
3 and ocean resources;

4 (c) Identify and recommend ways to more effectively protect and
5 manage coastal and ocean resources and take advantage of appropriate
6 new opportunities to use such resources;

7 (d) Identify and recommend ways to improve coordination between
8 state agencies on coastal and ocean resources issues;

9 (e) Identify and recommend ways to improve the state's coordination
10 with Oregon, British Columbia, the federal government, other states,
11 and tribal and local governments on coastal and ocean resources issues;

12 (f) Identify and recommend ways to improve coordination of
13 scientific and technological information and capabilities within the
14 state; and

15 (g) Identify and recommend ways to finance coastal and ocean
16 protection, management, and development programs.

17 (2) In conducting its work, the ocean policy review commission
18 shall provide for extensive public participation. The commission shall
19 schedule its meetings in locations throughout the state, including
20 meetings in at least five different coastal locations. Additionally,
21 the commission shall attempt to schedule its meetings in locations and
22 at times convenient for public attendance.

23 (3) The ocean policy review commission shall report its findings
24 and recommendations to the governor and the appropriate policy and
25 fiscal committees of the senate and house of representatives by
26 December 31, 2006.

27 NEW SECTION. **Sec. 4.** The ocean policy review commission and its
28 powers and duties terminate June 30, 2007.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.143 RCW
30 to read as follows:

31 The coastal and ocean resources account is created in the custody
32 of the state treasurer. All receipts from gifts or grants to the
33 account, or legislative appropriations to the account, must be
34 deposited in the account. Expenditures from the account may only be
35 used for coastal and ocean resources programs or activities. Only the

1 governor or the governor's designee may authorize expenditures from the
2 account. The account is subject to allotment procedures under chapter
3 43.88 RCW, but an appropriation is not required for expenditures.

4 NEW SECTION. **Sec. 6.** (1) The governor or the governor's designee
5 shall work to secure federal grants and other sources of funding for
6 inclusion in the coastal and ocean resources account during the
7 existence of the ocean policy review commission.

8 (2) The governor or the governor's designee, with participation by
9 the members of the ocean policy review commission, shall represent the
10 state in coastal and ocean resource discussions with the federal
11 government, other states, and tribal and local governments during the
12 existence of the ocean policy review commission.

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