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SENATE BILL 6805

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State of Washington 57th Legislature

2002 Regular Session

By Senator Fraser

Read first time 02/07/2002. Referred to Committee on Environment,  
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 transiting 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 second  
4 generation environmental protection strategies is dependent upon high  
5 quality information that is widely available and useable by the  
6 regulated community and the public 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. The institute's review  
17 shall address and provide options as well as recommendations on:

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

21 (b) Administering and funding the benchmark program;

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

23 (i) Water resources;

24 (ii) Air resources;

25 (iii) Soil;

26 (iv) Public health effects from environmental contaminants or  
27 conditions;

28 (v) Forest land and farmland resources;

29 (vi) Fish and wildlife resources; and

30 (vii) Important and unique natural areas;

31 (d) Methods to rely primarily on existing monitoring data sources  
32 and analysis;

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

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

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

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

5 (4) The institute's report and recommendations shall be submitted  
6 no later than December 15, 2002.

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

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

21 (2) The department shall complete the initial profile by June 30,  
22 2004, and shall incorporate benchmark information that may be developed  
23 as a result of the report in section 2 of this act.

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

26 Funds in the worker and community right to know fund established  
27 under RCW 49.70.170 may be spent by the department of ecology to  
28 implement RCW 70.102.020 (1) through (3) following legislative  
29 appropriation, and through June 30, 2003, may be expended for the  
30 development of a proposal for an environmental benchmark program under  
31 chapter . . . , Laws of 2002 (this act). Disbursements from the fund  
32 shall be on authorization of the director of the department of ecology.

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