

SSB 5278 - H COMM AMD

By Committee on Natural Resources, Ecology & Parks

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that Washington's
4 coastal and ocean resources are among the most important of its natural
5 resources and that the state holds these resources in trust for the
6 people of Washington. Ocean based activities, such as fishing,
7 aquaculture, tourism, recreation, and marine transportation have
8 historically played a vital role in Washington's economy and culture.
9 New ocean uses are being proposed in such areas as renewable energy,
10 marine biotechnology, and ocean observing. A healthy ocean is an
11 integral part of the high quality of life enjoyed in the state.
12 Therefore, the people of Washington have an obligation to be good
13 stewards of the ocean so that coastal and ocean resources are preserved
14 for future generations.

15 Washington's coastal and ocean resources face significant
16 challenges, including the preservation of water quality, fish
17 populations, and fish and wildlife habitat, and the utilization of
18 opportunities offered by new sustainable use activities. Coordinated
19 policy regarding Washington's coastal and ocean resources will improve
20 the efficiency and effectiveness of the state's ocean related programs
21 and activities. The coordination of Washington's scientific resources
22 will increase the quality and quantity of information available to
23 assess current and proposed use activities. Additionally, the movement
24 of ocean currents, atmospheric winds, and marine fish and wildlife
25 across state and national borders and the multijurisdictional reach of
26 many users of the coast and sea make cooperation between Washington and
27 adjacent jurisdictions necessary.

28 The United States commission on ocean policy studied and issued a
29 report documenting the state of our nation's oceans and provided ocean
30 policy recommendations. In response to the final report of the United

1 States commission on ocean policy, the president issued the United
2 States ocean action plan and created the cabinet-level committee on
3 ocean policy in December 2004. Through these actions, the federal
4 government has evidenced an intent to facilitate coordination between
5 federal, state, tribal, local governments, and other interested groups
6 and to provide funding for ocean resources programs and activities.

7 An evaluation of the condition of the state's coastal and ocean
8 resources and the development of options for addressing the
9 opportunities and challenges facing these resources will facilitate the
10 adoption of a more efficient and effective ocean policy.

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

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

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

15 (b) One representative from each major caucus in the senate,
16 appointed by the president of the senate;

17 (c) One representative from each major caucus in the house of
18 representatives, appointed by the speaker of the house of
19 representatives;

20 (d) The director of the department of fish and wildlife or the
21 director's designee;

22 (e) The commissioner of public lands or the commissioner's
23 designee;

24 (f) The director of the department of ecology or the director's
25 designee; and

26 (g) Six individuals appointed by the governor possessing recognized
27 expertise on ocean policy, program, or research issues. The governor
28 shall consult with a wide range of sources when appointing commission
29 members, including leaders from each major caucus of the senate and
30 house of representatives.

31 (3) The ocean policy review commission shall be convened by the
32 governor no later than June 1, 2005. Upon convening, the commission
33 shall select a chair to preside over commission meetings and a vice-
34 chair to preside in the chair's absence.

35 (4) The commission shall convene a working group to provide
36 information, suggestions, and feedback to the commission as it carries

1 out the requirements of sections 3 and 4 of this act. The commission
2 shall determine the composition of the working group, which should
3 include, but is not limited to, a representative or representatives of:

- 4 (a) The federal government;
- 5 (b) Tribal government;
- 6 (c) Local coastal government;
- 7 (d) Port districts;
- 8 (e) Organizations engaged in environmental protection;
- 9 (f) Businesses engaged in fishing;
- 10 (g) Organizations engaged in ocean science or technology;
- 11 (h) Recreational fishing interests; and
- 12 (i) Land development interests.

13 (5) Staff to the ocean policy review commission must be provided by
14 the department of ecology, the department of fish and wildlife, and the
15 department of natural resources. Upon request by the commission, any
16 state agency must provide information within the scope of the
17 commission's work. The commission may also contract for technical
18 assistance on any topic or element of the commission's review with the
19 University of Washington, where expertise in marine affairs and ocean
20 and fishery sciences is extensive.

21 (6) Members of the ocean policy review commission and the working
22 group shall be reimbursed for travel expenses under RCW 43.03.050 and
23 43.03.060.

24 NEW SECTION. **Sec. 3.** The ocean policy review commission shall,
25 upon convening, examine the findings and recommendations of the United
26 States commission on ocean policy. The commission shall identify ocean
27 and coastal programs currently operating in the state. Additionally,
28 the commission shall identify recommendations from the United States
29 commission on ocean policy that could be implemented immediately or by
30 December 31, 2006. The commission shall report these findings and
31 recommendations to the governor and the appropriate policy and fiscal
32 committees of the senate and house of representatives by December 31,
33 2005.

34 NEW SECTION. **Sec. 4.** (1) In addition to the requirements in
35 section 3 of this act, the ocean policy review commission shall:

1 (a) Review and summarize the condition of Washington's coastal and
2 ocean resources and their contribution to the state's character,
3 quality of life, and economic vitality;

4 (b) Review and summarize the various interests, roles, and
5 responsibilities of public entities, tribal interests, and other
6 stakeholders in the protection and management of Washington's coastal
7 and ocean resources;

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

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

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

16 (f) Identify and recommend ways to improve coordination of
17 scientific and technological information and capabilities within the
18 state;

19 (g) Identify and recommend ways to finance coastal and ocean
20 protection, management, and development programs; and

21 (h) Review all existing laws, regulations, and programs for
22 conserving, protecting, and restoring fisheries.

23 (2) In carrying out this section, the ocean policy review
24 commission shall provide for extensive public participation. The
25 commission shall schedule its meetings in locations throughout the
26 state, including meetings in at least five different coastal locations.
27 Additionally, the commission shall attempt to schedule its meetings in
28 locations and at times convenient for public attendance.

29 (3) The ocean policy review commission shall report these findings
30 and recommendations to the governor and the appropriate policy and
31 fiscal committees of the senate and house of representatives by
32 December 31, 2006.

33 NEW SECTION. **Sec. 5.** The ocean policy review commission and its
34 powers and duties terminate June 30, 2007.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.143 RCW
36 to read as follows:

1 The coastal and ocean resources account is created in the custody
2 of the state treasurer. All receipts from gifts or grants to the
3 account, or legislative appropriations to the account, must be
4 deposited in the account. Expenditures from the account may only be
5 used for coastal and ocean resources programs or activities. Only the
6 governor or the governor's designee may authorize expenditures from the
7 account. The account is subject to allotment procedures under chapter
8 43.88 RCW, but an appropriation is not required for expenditures.

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

13 (2) The governor or the governor's designee, with participation by
14 the members of the ocean policy review commission, shall represent the
15 state in coastal and ocean resources discussions with the federal
16 government, other states, and tribal and local governments during the
17 existence of the ocean policy review commission.

18 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and takes effect
21 June 1, 2005."

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