PUGET SOUND PARTNERSHIP
LEGISLATIVE UPDATE, WEEK 4

FEBRUARY 2, 2015 | DAY 22 OF THE 105-DAY LEGISLATIVE SESSION

The Puget Sound Partnership’s Legislative Update highlights issues related to our region’s work to protect and restore the health of Puget Sound.

WATER POLLUTION AND HABITAT RESTORATION TAKE CENTER STAGE AT COMMITTEE HEARINGS

The third week of the 2015 Legislative Session featured public hearings on bills concerning the financing of stormwater, floodplain, and water supply projects; limiting habitat restoration on farmland; improving the management of forage fish resources; reducing greenhouse gas emissions; and protecting waterways from plastic microbead pollution.

- The Senate Ways & Means Committee conducted a public hearing Monday, Jan. 26, for SB 5628, which would establish, via referendum, the Washington Waters Act. The act would create a water infrastructure account funded by a statewide annual special benefit assessment that would be used to reduce stormwater pollution, reduce the risk of flooding, protect against damage caused by floods, protect and restore naturally functioning areas where floods occur and improve the availability and reliability of water supplies for instream flows and out-of-stream uses. Puget Sound Partnership Executive Director Sheida Sahandy testified at this hearing about the high-priority need for investment in stormwater management. She noted that the Partnership’s established system and processes for setting priorities and ranking potential projects could greatly benefit the act, if it were to pass. A recording of the public hearing is available on TVW.

- On Tuesday, Jan. 27, the Senate Committee on Agriculture, Water & Rural Economic Development and the House Committee on Local Government held hearings on a number of bills that would preclude restoration of agricultural land to tidal inundation, wetlands, or fish habitat. The Puget Sound Partnership testified in opposition to SB 5168, 5169, 5170, and 5013, as well as on HB 1629 and 1630. A summary of the testimony is included in this Update. Recordings of the public hearings are available on TVW.

- Also on Tuesday, Jan. 27, the House Committee on Agriculture & Natural Resources conducted a public hearing on HB 1152, which concerns the management of forage fish resources. This is the

2015 LEGISLATIVE SESSION

- The 2015 Legislative Session is scheduled from Jan. 12 to April 26, 2015.

- Puget Sound Legislative Updates are posted at: http://www.psp.wa.gov/legislative_updates.php

- For up-to-date legislative information, visit: www.leg.wa.gov

- Watch or listen to hearings and work sessions on: www.tvw.org

- Connect with PSP for breaking news and other events affecting Puget Sound on Twitter @PSPartnership and Facebook: www.facebook.com/PugetSoundPartnership

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Two bills that address invasive species will receive a public hearing this week. At 8 a.m. on Wednesday, Feb. 4, the House Committee on Agriculture & Natural Resources will hear HB 1654, controlling noxious weeds while still supporting pollen-rich forage plant communities for honey bees. On Thursday, Feb. 5, at 8 a.m., the Senate Committee on Agriculture, Water & Rural Economic Development will hear SB 5273, concerning native and reclamation seeds. Both of these bills encourage the use of native plants for habitat restoration projects.
On Thursday, Feb. 5, the Senate Ways & Means Committee will hear public testimony regarding Governor Inslee’s capital budget request. The request includes money for the Puget Sound Acquisition and Restoration fund, one of the prime mechanisms making grants available for projects that protect or restore salmon habitat in Puget Sound; floodplain management grants through the Department of Ecology’s Floodplains by Design program; and stormwater management grants to help local governments undertake projects to address stormwater pollution.

Other important hearings that we’ll be closely following this week include SJM 8007, asking Congress to provide the National Oceanic and Atmospheric Administration fisheries with sufficient resources to expedite review of Puget Sound hatchery and genetic management plans; HB 1571, concerning paint stewardship; SB 5366, limiting the enforcement of Department of Ecology policies; and SB 5604, addressing the review and evaluation of countywide planning policies under the Growth Management Act.

For the most current information about legislative committee activities, including meeting agendas, times and locations, go to www.leg.wa.gov. Many committee meetings are broadcast live on the State Capitol’s public service television station, TVW. For a schedule, go to www.tvw.org.

PARTNERSHIP TESTIFIES ON THE IMPORTANCE OF ESTUARY RESTORATION TO THE HEALTH OF PUGET SOUND

On Tuesday, Jan. 27, Todd Hass, a scientist with the Puget Sound Partnership, testified before the Senate Committee on Agriculture, Water & Rural Economic Development and the House Committee on Local Government opposing a series of bills that, if passed, would severely hinder Puget Sound recovery efforts. The Puget Sound Partnership supports efforts to protect working farms and agriculture. In particular, Strategy A3 in the Puget Sound Action Agenda urges that the region be creative and flexible when simultaneously trying to balance the needs of fish, floods and farms. However, the Puget Sound Partnership opposes a number of bills being considered by both houses of the Legislature this session taking an approach to farmland preservation that would preclude restoration of agricultural land to tidal inundation, wetlands, or fish habitat.

Over the past 100 years, Puget Sound has lost more than 75 percent of its historic tidally inundated estuaries because of development. Estuaries serve as habitat bridges between the rivers and salt water. As such, they offer critical nursery habitat for outbound juvenile salmon and other species. Estuary habitat cannot be gained except where river sediment meets and mixes with the tides. Only 16 major river estuaries provide this important function for the Sound.

Because estuaries are so vital to a healthy Puget Sound, a key recovery goal involves restoring, by the year 2020, more than 7,000 acres of tidal estuary habitat by 2020. This represents only a gain of 15 percent recovery toward the 75 percent of estuaries lost. The bills that would prevent estuary restoration include:

- **HB 1629 and 1630** preclude the restoration of tidal inundation to “designated agricultural land” for the purpose of creating wetland or fish habitat. These bills would thus effectively end regional progress on a pivotal Puget Sound Vital Sign – one for which advancement is a cornerstone for the recovery of critical ecosystem components, such as Chinook salmon and eelgrass.

- **SB 5168** precludes tidal inundation on actual or potential “agricultural land.”
SB 5169 and 5170 preclude tidal inundation on land designated as agricultural. Agricultural land could not be converted to wetland or fish habitat, nor could it be subjected to tidal inundation.

COMMITTEES CONSIDER LEGISLATION IMPORTANT TO PUGET SOUND RECOVERY

The Partnership is tracking a number of bills that could have an impact on the health and recovery of Puget Sound. A few priority bills that we’re following are listed below. For the most up-to-date status of the bills, check the legislative information website, www.leg.wa.gov.

- **HB 1409**, concerning the disclosure of vessel owner information. Sponsored by Rep. Walkinshaw and referred to the House Committee on Transportation, the bill would support efforts by local government and the Department of Natural Resources to identify the owner of derelict or lost vessels. Derelict vessels pose a pollution threat to Puget Sound. The Partnership supports this bill.
- **HB 1809**, establishing a minimum crew size on certain trains. Sponsored by Rep. Haler and referred to the House Labor Committee, the bill would improve the safety of hazardous material trains by increasing crew sizes. Train accidents that release hazardous materials into Puget Sound waterways pose a pollution threat to Puget Sound. The Partnership supports this bill.
- **HJR 4205**, requiring all revenues from any state taxes levied for the purpose of funding local government public infrastructure to be paid into the state treasury, deposited into the public works assistance account, and used exclusively for funding local government public works projects. Sponsored by Rep. Pike and referred to the House Appropriations Committee, the resolution would allow the voters to approve a constitutional amendment that adds language strengthening the base intent of RCW 53.155.050 (Public Works Assistance Account), which was created for the express purpose of financing public works projects through various mechanisms. Having a constitutional restriction on revenues deposited into the account dedicated for public works projects would add a level of reliability to the funding and ensure projects could be constructed every biennium. Adequate public infrastructure is key to resolving issues of stormwater pollution to Puget Sound. The Partnership supports this bill.
- **SB 5432**, concerning retail store carryout bags. Sponsored by Sen. Chase and referred to the Senate Committee on Energy, Environment & Telecommunications, the bill would establish financial incentives to reduce paper and plastic bag use. Plastic bags pose a serious pollution hazard to the marine environment, and the Partnership supports this bill, with certain changes.
- **SB 5614**, concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program. Sponsored by Sen. Benton and referred to the Senate Committee on Natural Resources & Parks, the bill would help to fund ongoing maintenance costs of land acquired through the Conservation Futures Program. The program has been a major source of local revenue to purchase important lands for habitat protection that benefits Puget Sound. The Partnership supports this legislation.