



Legislation Text

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AN ORDINANCE directing the development of a work program; expansion of water quality monitoring programs and scientific studies; and analysis of options to reorganize the office of the county executive or department of natural resources and parks to support the work of the Puget Sound Partnership and meet King County's responsibilities for the implementation of Washington State Engrossed Senate Bill 5372.

STATEMENT OF FACTS:

1. The Washington state Legislature, in creating the Puget Sound Partnership has found that:

(a) Puget Sound, including Hood Canal, and the waters that flow to it are a national treasure and a unique resource. Residents enjoy a way of life centered around these waters that depends upon clean and healthy marine and freshwater resources;

(b) Puget Sound is in serious decline, and Hood Canal is in a serious crisis. This decline is indicated by loss of and damage to critical habit, rapid decline in species populations, increases in aquatic nuisance species, numerous toxics contaminated sites, urbanization and attendant storm water drainage, closure of beaches to shellfish harvest due to disease risks, low-dissolved oxygen levels causing death of marine life, and other phenomena. If left unchecked, these conditions will worsen;

(c) Puget Sound must be restored and protected in a more coherent and effective manner. The current system is highly fragmented. Immediate and concerted action is necessary by all levels

of government working with the public, nongovernmental organizations, and the private sector to ensure a thriving natural system that exists in harmony with a vibrant economy; and

(d) Leadership, accountability, government transparency, thoughtful and responsible spending of public funds and public involvement will be integral to the success of efforts to restore and protect Puget Sound.

2. The legislature has therefore created a new agency entitled Puget Sound Partnership to coordinate and lead the effort to restore and protect Puget Sound, and intends that all governmental entities, including federal and state agencies, tribes, cities, counties, ports and special purpose districts, support and help implement the partnership's restoration efforts. The legislature further intends that the partnership will:

(a) Define a strategic action agenda prioritizing necessary actions, both basin-wide and within specific areas, and creating an approach that addresses all of the complex connections among the land, water, web of species and human needs. The action agenda will be based on science and include clear, measurable goals for the recovery of Puget Sound by 2020;

(b) Determine accountability for performance, oversee the efficiency and effectiveness of money spent, educate and engage the public and track and report results to the legislature, the governor and the public; and

(c) Not have regulatory authority and not have authority to transfer the responsibility for, or implementation of, any state regulatory program, unless otherwise specifically authorized by the legislature.

3. It is the goal of the state that the health of Puget Sound be restored by 2020.

4. The Puget Sound Partnership is intended to have a leadership council that will allocate funds for Puget Sound recovery, including making grants to governmental and nongovernmental entities, providing progress and other reports, setting strategic priorities and benchmarks and

adopting and applying accountability measures.

5. The Puget Sound Partnership will create subcommittees and advisory committees as appropriate to assist and advise it in carrying out its mission.

6. The Puget Sound Partnership will promote extensive public awareness, education, and participation in Puget Sound protection and recovery.

7. The legislature has directed the Puget Sound Partnership to work closely with existing organizations and all levels of government to ensure that its action agenda and its implementation are scientifically sound and efficient and achieves the necessary results to accomplish recovery of the Puget Sound to health by 2020 and further directs it to support, engage, and foster collaboration among watershed groups.

8. The Puget Sound Partnership is directed to form an ecosystem coordination board no later than October 1, 2007, that will include representatives from designated action areas and representatives of general business interests, environmental interests, tribal governments, state agencies, federal agencies and the state legislature and one representative each from counties, cities and port districts within the Puget Sound basin for the purpose of advising and assisting the Puget Sound Partnership leadership council in developing and implementing the action agenda.

9. The Puget Sound Partnership is directed to develop the action agenda in part based upon the foundation of existing watershed programs that address or contribute to the health of Puget Sound.

10. The Puget Sound Partnership is directed to create a science panel to provide independent, nonrepresentational scientific advice to the leadership council and expertise in identifying environmental indicators and benchmarks for incorporation into the action agenda.

11. The success of the Puget Sound Partnership will require the coordination of many

governmental entities, including federal and state agencies, counties, ports and special purpose districts. King County will be a key partner as the plan moves forward.

12. King County via its metropolitan function is responsible for water pollution abatement including the conveyance and treatment of wastewater throughout most of King County and parts of Snohomish county.

13. King County and its cities have consistently lead the state and modeled programs and laws to address the public interests of life, health and safety in protecting its fresh and salt water resources by addressing wastewater treatment needs, regulating surface and stormwater runoff, and creating groundwater protection programs.

14. King County and its cities have also provided leadership, funding and expertise in the development of watershed plans for WRIs 7, 8 and 9. The watershed plans have been coordinated via the Shared Strategy Plan and approved by federal agencies as the Puget Sound Salmon Recovery Plan.

15. King County's environmental laboratory provides quality field, laboratory, information technology services and advisory services in support of King County and other publicly-sponsored programs that protect and enhance water quality. The laboratory has been accredited and cited as "exemplary" by the Washington state Department of Ecology.

16. In an average year, the environmental laboratory serves more than one hundred fifty King County projects, analyzes fifteen thousand samples and produces close to four hundred thousand data points for use in environmental studies and decision-making. This information forms a database that is used to: monitor trends in regional waters; design and operate wastewater treatment plants; enforce industrial waste regulations; formulate plans and action programs to protect and enhance local water bodies; monitor recycled products such as biosolids and reclaimed water; protect public health; and participate in cooperative studies with other

governmental and research agencies.

17. King County currently has two departments and numerous divisions that are responsible for various and sometimes overlapping functions related to the protection of land and water resources through the implementation of plans, programs and regulations.

18. King County, as an effective steward of its resources and an advocate for the protection and restoration of Puget Sound must be internally consistent in its plans, programs, regulations, priorities and investments and work with its other partner agencies, cities, ports and tribes to effectively coordinate actions and communicate regarding these efforts.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The executive and the department of natural resources and parks is directed to develop a work program to address the manner in which King County will coordinate with cities and other governmental agencies in the county to assess the role and responsibilities that local governments will have under chapter 90.71 RCW and other laws of Washington 2007 as stipulated in Engrossed Senate Bill 5372, including potentially responsibilities to participate in and expand the functions of local watershed groups. The work program shall include, but not limited to, the following:

A. A public information or communication plan for local elected leadership and appropriate staff within the agencies and departments of cities, ports and tribes regarding Puget Sound activities;

B. A strategy for the assembly of elected officials, agencies and experts in King County to share information and research regarding Puget Sound and its tributaries; including planning for a gathering of the membership of the WRIA forums in King County and other elected officials and staff in the fall, 2007 to share an assessment and inventory of actions already completed or underway; and

C. A proposal or options for coordinating and identifying countywide priorities for action and funding from available state, federal and private resources to support implementation of plans, specific projects and programs that contribute to the health and restoration of Puget Sound.

D. A preliminary plan identifying the organizations, agencies, and individuals, together with potential funding sources, that have the availability and capacity to research the role which aquatic reserves can play in the Puget Sound Partnership's work to protect and restore Puget Sound, including identifying activities that are appropriate within such an aquatic reserve.

E. A preliminary work program required by this section shall be due by September 16, 2007; a final version shall be prepared and submitted to the council, together with a motion for council approval, by January 1, 2008.

SECTION 2. A. The executive and department of natural resources and parks should report to the council how King County and other local agencies will be coordinating and conducting adequate testing, monitoring and studies to support the science-based, ecosystem-wide approach to protecting and restoring the health of Puget Sound.

B. The department of natural resources and parks will prepare and submit to the council:

1. An assessment of King County's current role and responsibilities for monitoring, modeling, data management and research with regard to its water pollution abatement and water quality management responsibilities;

2. A preliminary plan for working with state and federal agencies to identify additional monitoring, modeling, data management and research required to systematically monitor and measure cumulative changes to ecosystem components and their interactions;

3. A preliminary plan identifying the steps, investments and potential funding sources necessary to expand the current water quality monitoring network within King County that is sufficiently integrated into the Puget Sound assessment and monitoring under the auspices of the Puget Sound Partnership and based upon King County's current sampling and field data collection including: water column sampling in marine and fresh water; sediment sampling in Puget Sound and Lake Washington; storm sampling of combined sewer overflows, rivers and streams; wastewater sampling at the sewage treatment plants, groundwater well sampling,

surface water sampling at biosolids forest application sites, and other samplings for taxonomic identification;

4. A preliminary plan for working with state and federal agencies to identify potential science gaps and recommend research priorities for uplands and waters within King County; and

5. A preliminary list of potential projects to be nominated for inclusion in the state-sponsored Puget Sound science program and Puget Sound science activities of federal agencies, that can be part of an integrated research agenda and Puget Sound science work plan.

C. A preliminary version of those assessments, plans and lists required in subsection B. 1. through 5. of this section shall be due by September 16, 2007; a final version shall be prepared and submitted to the council, together with a motion for council approval, by January 1, 2008.

SECTION 3. A. The executive shall analyze and propose options and recommendations for the reorganization either at the executive level or within the department of natural resources and parks to create an organizational unit or division that is tasked with being the internal coordinating agency for all King County activities related to improving and restoring the health of Puget Sound.

B. At a minimum, the analysis and options for the creation of a specialized organizational unit or division should address:

1. How King County can best manage its planning and regulatory functions across departments and divisions ensuring environmental stewardship and economic development concerns are balanced across utility and resource functions;

2. Whether strategic planning efforts should be consolidated within a new organizational unit or division to ensure: integration of land and water resource protection; coordination of groundwater, water reuse and water supply planning efforts; advances in wastewater, sewerage control and flood control; and stormwater and surface water control to prevent water quality and habitat degradation;

3. Whether a new organizational unit or division should be responsible for proposing or updating policies, or both, and ensuring the timely implementation of adopted policies, plans and programs relating to

water and land resources, open space and other natural resources, water quality and ground waters that impact the wide variety of species that are critical to the food web and ecosystem of Puget Sound;

4. Whether a new organizational unit or division should be responsible for: development of new funding approaches for resource protection; establishment of new partnerships and sharing information with businesses, community organizations and citizens; coordinating grant applications; and exchange of data and scientific studies with other governments; and

5. Whether a new organizational unit or division should be the local source of information regarding the Puget Sound Partnership actions, tracking proposed state or federal regulatory changes and potential impacts to local governments.

C. A preliminary version of the options and recommendations required in this section, including the executive's assessment of the budgetary impacts and benefits of reorganization, shall be due by September 16, 2007; a subsequent version shall be

prepared and submitted to the council, together with a motion for council approval, by January 1, 2008.