

commission, personnel board, personnel appeals board, (~~(board of prison terms and paroles)~~) indefinite sentence review board, public disclosure commission, (~~(public employees' retirement system board;)~~) public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, (~~(teachers' retirement system board of trustees;)~~) Central Washington University board of trustees, Eastern Washington University board of trustees, The Evergreen State College board of trustees, Western Washington University board of trustees, board of trustees of each community college, state housing finance commission, lottery commission, pollution control hearings board, shoreslines hearing board, state convention and trade center board of directors, hospital commission, state investment board, committee for deferred compensation, state employees' benefits board, oil and gas conservation committee, Washington public power supply system executive board, higher education coordinating board, Washington health care facilities authority, higher education facilities authority, pacific northwest electric power and conservation planning council, state health coordinating council, and the utilities and transportation commission.

**NEW SECTION.** Sec. 3. When section 2 of this act is codified, the code reviser shall arrange the names of the agencies in each subsection in alphabetical order.

**NEW SECTION.** Sec. 4. Persons identified as executive officers under RCW 42.17.2401(4), who were appointed to their positions before the effective date of this act, and who were not required to file a statement of financial affairs at the time of their appointment, are exempt from the requirements of RCW 42.17.240 until they are reappointed to such positions.

Passed the Senate March 14, 1989.

Passed the House April 12, 1989.

Approved by the Governor April 22, 1989.

Filed in Office of Secretary of State April 22, 1989.

## CHAPTER 159

[Second Substitute Senate Bill No. 5174]

### HYDROPOWER—COMPREHENSIVE STATE PLAN

AN ACT Relating to a comprehensive state hydropower plan; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. **LEGISLATIVE FINDINGS.** The legislature finds that the task force on hydroelectric development and resource protection has recommended that:

(1) The state adopt goals to direct future development of hydropower and protection of river-related resources;

(2) The state take steps to enhance the existing hydropower permit review process; and

(3) The state develop, in concert with appropriate interests, a comprehensive state hydropower plan.

**NEW SECTION.** Sec. 2. HYDRO TASK FORCE. (1) The Washington state energy office shall contract with an independent facilitator to reconvene and coordinate the task force assembled to implement section 301, chapter 7, Laws of 1987 1st ex. sess. The task force shall prepare by March 31, 1991, a state comprehensive hydropower plan to serve the broad public interest regarding development of cost-effective electricity and conservation of river-related environmental values. Task force meetings shall be open to the public. The facilitator shall assist the task force in appropriate efforts to inform the general public regarding project concepts and progress. Task force members shall make appropriate efforts to inform the interest groups they represent.

(2) By December 15, 1989, the task force shall engage in a midpoint review whereby participants can jointly appraise the progress of the project. If, in the opinion of the participants, a consensus to continue as a task force cannot be achieved, the executive agencies shall use their existing statutory authority to develop a plan, with the assistance of all affected parties and participating agencies, building upon the work that has been done by the task force.

(3) If the task force continues beyond December 15, 1989, it shall by July 1, 1990, recommend to the legislature a lead agency for implementation and management of the state comprehensive hydropower plan.

**NEW SECTION.** Sec. 3. POLICY GUIDELINES. Future development of hydropower and protection of river-related resources shall be guided by policies and programs which:

(1) Create opportunities for balanced development of cost-effective and environmentally sound hydropower projects by a range of development interests;

(2) Protect significant values associated with the state's rivers, including fish and wildlife populations and habitats, water quality and quantity, unique physical and botanical features, archeological sites, and scenic and recreational resources;

(3) Protect the interests of the citizens of the state regarding river-related economic development, municipal water supply, supply of electric energy, flood control, recreational opportunity, and environmental integrity;

(4) Fully utilize the state's authority in the federal hydropower licensing process.

**NEW SECTION.** Sec. 4. PLAN CONTENT. (1) At a minimum, the plan shall designate two categories of resource agreement areas: (a) Sensitive areas where hydropower development is likely to conflict with significant environmental values, and (b) less sensitive areas where development will not conflict with or may enhance environmental values. Some areas may remain unclassified due to lack of information or if they fall between the two categories. The plan shall integrate resource agreement area findings with existing state laws and programs including instream flow basin plans prepared by the department of ecology, watershed planning coordinated by the department of fisheries, watershed planning coordinated through the Puget Sound water quality authority, watershed planning for municipal water supply, the scenic rivers program administered by the parks and recreation commission, and the planning process developed through the joint select committee on water resources policy and any actions resulting from that process.

(2) At a minimum, the final plan report shall:

- (a) List applicable laws, rules, and policies;
- (b) Describe the waterways or basins covered by the plan;
- (c) Designate the categories of resource agreement area for each waterway or basin;
- (d) Describe, for each waterway where hydropower is to be affected, the significant resources that cause the waterway or basin to be so designated;
- (e) Identify goals, objectives, and recommendations for improving, developing, or conserving affected waterways;
- (f) Describe how the plan is to be integrated with other planning activities and policy initiatives and how the plan will be implemented and amended;
- (g) Assess the anticipated effect of the plan on hydropower development and resource protection; and
- (h) Describe the plan development process.

**NEW SECTION.** Sec. 5. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1989, in the omnibus appropriations act, this act shall be null and void.

Passed the Senate March 14, 1989.

Passed the House April 12, 1989.

Approved by the Governor April 22, 1989.

Filed in Office of Secretary of State April 22, 1989.