

CHAPTER 48

[Engrossed Senate Bill No. 2242]

COLUMBIA RIVER GORGE COMMISSION

AN ACT Relating to state government; amending section 43.97.020, chapter 8, Laws of 1965 and RCW 43.97.020; amending section 43.97.030, chapter 8, Laws of 1965 and RCW 43.97.030; amending section 43.97.040, chapter 8, Laws of 1965 and RCW 43.97.040; adding new sections to chapter 43.97 RCW; repealing section 43.97.050, chapter 8, Laws of 1965 and RCW 43.97.050; and declaring an emergency.

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

Section 1. Section 43.97.020, chapter 8, Laws of 1965 and RCW 43.97.020 are each amended to read as follows:

There is hereby created a nonpartisan and nonsalaried commission to be known as the Columbia River Gorge commission consisting of ~~((three))~~ six members ~~((who))~~ three of whom are residents of Skamania~~((, Klickitat and Clark counties respectively))~~ county, two of whom are residents of Klickitat county, and one of whom is a resident of Clark county, to be appointed by the governor for six year terms and who shall be removable at his pleasure. The term of office shall commence January 1st of the year of appointment; ~~provided ((the first members shall be appointed, one for two years, one for four years, and one for six years))~~ original terms shall be of such length as to require appointment of one member to the commission annually: PROVIDED, That the terms of any present members of the commission shall not be reduced because of the provisions of this 1975 amendatory act. Vacancies shall be filled for the unexpired term in the same manner as other appointments are made.

Sec. 2. Section 43.97.030, chapter 8, Laws of 1965 and RCW 43.97.030 are each amended to read as follows:

For the purpose of preserving, developing and protecting~~((, the recreational, scenic and historic areas))~~ the scenic, historical and geological qualities of the Columbia River Gorge~~((, the commission is directed to prepare a comprehensive plan including boundaries for the proposed conservation area, proposed acquisition and administration of land, proposed zoning, regulations and other features necessary to accomplish the transition of the Columbia River Gorge to a state recreational area. Said plan shall first be submitted to the governor for his consideration and approval))~~ in a manner which provides for environmental protection and for economic utilization within the Gorge, the commission shall be responsible for preparation of a plan to accomplish the purpose of this chapter. In carrying out this responsibility, the commission is directed to act as an advisory and coordinating body for the involvement of affected local, state and federal agencies and of private entities for the development of the plan, which shall be submitted to the governor for his consideration and approval. The plan may then be implemented by local government ordinances and by the services of existing state agencies acting within their respective areas of normal responsibility.

Sec. 3. Section 43.97.040, chapter 8, Laws of 1965 and RCW 43.97.040 are each amended to read as follows:

The commission shall have the following duties and powers:

(1) To acquire land in the name of the state by purchase, exchange, transfer, gift, or devise, but shall not have the right of eminent domain.

(2) To make expenditures, from available funds(;) for the development, protection, and maintenance of land and property under its control.

(3) To enter into such contracts as are necessary to carry out the provisions of this chapter.

(4) To assist, coordinate, and cooperate with other agencies and political subdivisions of the state, state agencies and political subdivisions of the state of Oregon, the federal government, special purpose districts, private organizations and individuals to the extent necessary to carry out the provisions of this chapter.

(5) To receive any gifts, either inter vivos or testamentary in character.

(6) To review and comment on all environmental impact statements regarding developments within the Columbia River Gorge as defined in this chapter.

NEW SECTION. Sec. 4. There is added to chapter 43.97 RCW a new section to read as follows:

The legislature finds that a portion of the Columbia River Gorge is among the most valuable of the state's natural resources and that there is great concern throughout the state relating to its utilization, protection, preservation and restoration. The legislature, therefore, declares that portion of the Columbia River Gorge beginning at the western-most boundary of the Columbia River Gorge as described in section 8 of this 1975 amendatory act and extending easterly to include all of Section 17 and the west halves of sections 9 and 4 in Township 2 North, Range 13 East, to be an area of state-wide significance, wherein preference shall be given to uses which:

- (1) Recognize and protect the state-wide interest.
- (2) Result in long term rather than short term benefit.
- (3) Protect the resources and ecology of the Gorge.
- (4) Increase public access to publicly owned areas.
- (5) Increase recreational opportunities for the public.
- (6) Explore economic utilization.

The legislature further declares that all agencies of state and local government, shall, in their planning and management, give full consideration to the environmental protection and economic utilization of the Columbia River Gorge, and the best interests of the state and people in general, in conformity with the plan to be prepared pursuant to section 2 of this 1975 amendatory act.

NEW SECTION. Sec. 5. There is added to chapter 43.97 RCW a new section to read as follows:

Members of the commission shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the commission as provided for state officials and employees generally in chapter 43.03 RCW.

NEW SECTION. Sec. 6. There is added to chapter 43.97 RCW a new section to read as follows:

All environmental impact statements relating to projects within the Columbia River Gorge as defined in this chapter shall be filed with the commission.

NEW SECTION. Sec. 7. There is added to chapter 43.97 RCW a new section to read as follows:

The office of planning and community affairs is hereby authorized to provide certain staff services from its existing personnel as are feasible and necessary to assist the commission to perform its duties and powers as set forth in the provisions of this chapter.

NEW SECTION. Sec. 8. There is added to chapter 43.97 RCW a new section to read as follows:

As used in this chapter unless the context requires otherwise, the Washington portion of the Columbia River Gorge means the eighty-four mile strip along the Washington shore of the Columbia river, and including the islands in the Washington portion of the Columbia river, incorporating the visual basin, consisting of the area falling within the approximate line of sight from interstate highway 80 North to the hillcrests running along the course of the Columbia river between Reed Island and Miller Island, and including all the area between state road No. 14 and the river bank, including all islands and portions thereof lying within the Washington portion of the Columbia river between Reed Island and Miller Island in Klickitat county.

The area over which the Columbia River Gorge commission shall have jurisdiction as set forth in this chapter, shall be particularly described as follows:

All islands and portions thereof lying within the Washington portion of the Columbia river beginning with and including Reed Island in the west, and running to Miller Island in the east as well as the mainland portion of the Washington portion of the Columbia River Gorge which is an area described as follows:

In township 1 north, range 4 east: All of section 21, township 1 north, range 4 east, lying east of Cottonwood Point on the bank of the Columbia; that portion of section 16 lying to the east of a line beginning at Cottonwood Point and running north for approximately five-eighths of a mile, and thence east for approximately one-eighth of a mile, and thence north to the north section line of section 16; all of section 22; all of section 15; all of section 23; all of section 14; all of section 24; and all of section 13.

In township 1 north, range 5 east: All of section 19, township 1 north, range 5 east; The southern half and the northwest quarter of section 18; all of section 20; all of section 17; all of section 16; the southern half and the northeast quarter of section 9; all of section 15; all of section 10; the southeast quarter of section 3; all of section 11; all of section 2; all of section 12; and all of section 1.

In township 2 north, range 5 east: The southern half and the northeast quarter of section 36, township 2 north, range 5 east.

In township 1 north, range 6 east: All of section 6, township 1 north, range 6 east; all of section 5; all of section 4; and all of section 3.

In township 2 north, range 6 east: All of section 31, township 2 north, range 6 east; the southeast quarter of section 30; all of section 32; the southern half and the northeast quarter of section 29; all of section 33; the southern half and the northwest quarter of section 28; all of section 34; the southern half of section 27; all of section 35; all of section 26; the eastern half of section 23; the southeast quarter of section 14; all of section 36; all of section 25; all of section 24; and the southern half of section 13.

In township 2 north, range 7 east: All of section 30, township 2 north, range 7 east; all of section 19; all of section 18; all of section 29; all of section 20; all of section 17; the southeast quarter of section 18; all of section 21; all of section 16; all of section 22; the southern half of section 15; all of section 14; all of section 11; all of section 2; and all of section 1.

In township 3 north, range 7 east: The southeast quarter of section 35, township 3 north, range 7 east; all of section 36; and the southeast quarter of section 25.

In township 3 north, range 7 1/2 east: All of section 36, township 3 north, range 7 1/2 east; and the southern half of section 25.

In township 3 north, range 8 east: All of section 31, township 3 north, range 8 east; the southern half and the northeast quarter of section 30; all of section 32; all of section 29; all of section 28; all of section 34; the southern half and the northwest quarter of section 27; all of section 35; the southern half of section 26; all of section 36; and the southwest quarter of section 25.

In township 3 north, range 9 east: All of section 31, township 3 north, range 9 east; the southeast quarter of section 30; all of section 32; the southern half and the northeast quarter of section 29; all of section 33; all of section 28; the southern half of section 21; all of section 34; all of section 27; the southern half of section 22; all of section 35; all of section 26; the southern half of section 23; all of section 36; and all of section 25.

In township 3 north, range 10 east: All of section 30, township 3 north, range 10 east; the southern half of section 19; all of section 29; the southern half and the northeast quarter of section 20; the eastern half of section 17; the southeast quarter of section 8; all of section 28; all of section 21; all of section 16; the southern half of section 9; all of section 22; all of section 15; the southern half of section 10; all of section 23; all of section 14; the southern half of section 11; all of section 25; and the southern half and the northwest quarter of section 24.

In township 3 north, range 11 east: All of section 31, township 3 north, range 11 east, all of section 30; the southern half and the northeast quarter of section 19; all of section 32; all of section 29; all of section 20; the southwest quarter of section 17; all of section 33; the southern half and the northwest quarter of section 28; all of section 34; all of section 35; the southeast quarter of section 26; all of section 36; and the southern half of section 25.

In township 2 north, range 12 east: All of section 3, township 2 north, range 12 east; all of section 2; all of section 12; and all of section 1.

In township 3 north, range 12 east: All of section 31, township 3 north, range 12 east; the southern half of section 30; all of section 32; the southern half of section 29; all of section 33; the southeast quarter of section 28; all of section 34; the southwest quarter of section 27; and the southern half of section 35.

In township 2 north, range 13 east: All of section 7, township 2 north, range 13 east; all of section 6; all of section 17; all of section 8; all of section 5; the western half of section 9; and the western half of section 4.

In township 2 north, range 6 east: The eastern half of section 4, township 2 north, range 6 east; the eastern half of section 15; the southeastern quarter and the northern half of section 10; all of section 3; the western half of section 23; the

southwestern quarter and the northern half of section 14; all of section 11; all of section 2; the northern half of section 13; all of section 12; and all of section 1.

In township 3 north, range 6 east: The southwestern quarter of section 34, township 3 north, range 6 east; all of section 36; and the southeastern quarter of section 25.

In township 2 north, range 7 east: All of section 7, township 2 north, range 7 east; all of section 6; the southwestern quarter and the northern half of section 8; all of section 5; all of section 9; all of section 4; the northern half of section 15; all of section 10; and all of section 3.

In township 3 north, range 7 east: All of section 31, township 3 north, range 7 east; all of section 30; all of section 32; the southern half and the northwest quarter of section 29; all of section 33; the southern half and the northeastern quarter of section 28; the southeastern quarter of section 21; all of section 34; all of section 27; the southern half of section 22; the southwestern quarter and the northern half of section 35; all of section 26; the southern half of section 23; the southwestern quarter and the northern half of section 25; and the southern half of section 24.

In township 3 north, range 8 east: The southeastern quarter of section 21, township 3 north, range 8 east; the northeastern quarter of section 27; all of section 22; the southern half of section 15; the northern half of section 26; all of section 23; the southeastern quarter and the northern half of section 25; all of section 24; and the southern half of section 13.

In township 3 north, range 9 east: The southwestern quarter and the northern half of section 30, township 3 north, range 9 east; all of section 19; all of section 18; the southern half of section 7; the northwestern quarter of section 29; the western half of section 20; and the western half of section 17.

In township 3 north, range 11 east: The northeastern quarter of section 28, township 3 north, range 11 east; the southeastern quarter of section 21; all of section 27; the southern half and the northeastern quarter of section 22; the southwestern quarter and the northern half of section 26; all of section 23; the southeastern quarter of section 14; the northern half of section 25; all of section 24; and the southern half of section 13.

In township 3 north, range 12 east: The northern half of section 30, township 3 north, range 12 east; all of section 19; all of section 18; the northwestern quarter of section 29; all of section 20; and the southern half and the northwestern quarter of section 17.

In township 2 north, range 13 east: All of section 33, township 2 north, range 13 east; all of section 28; all of section 21; all of section 16; the eastern half of section 9; the eastern half of section 4; all of section 34; all of section 27; all of section 22; all of section 15; all of section 10; all of section 3; all of section 35; all of section 26; all of section 23; all of section 14; all of section 11; all of section 2; all of section 36; all of section 25; all of section 24; all of section 13; all of section 12; and all of section 1.

In township 3 north, range 13 east: The southern half of section 34, township 3 north, range 13 east; the southern half and the northeastern quarter of section 35; and all of section 36.

In township 2 north, range 14 east: All of section 30, township 2 north, range 14 east; all of section 19; all of section 18; all of section 7; all of section 6; all of section 20; all of section 17; all of section 8; all of section 5; all of section 16; all of section 9; all of section 4; all of section 15; all of section 10; all of section 3; all of section 14; all of section 11; all of section 2; all of section 13; all of section 12; and all of section 1.

In township 3 north, range 14 east: All of section 31, township 3 north, range 14 east; all of section 32; and the southern half of section 33.

In township 2 north, range 15 east: All of section 18, township 3 north, range 15 east; all of section 7; all of section 6; all of section 17; all of section 8; the southern half and the northwestern quarter of section 5; all of section 16; all of section 9; the southern half of section 4; all of section 22; all of section 15; all of section 10; the southern half of section 3; all of section 23; all of section 14; all of section 11; and the southern half and the northeastern quarter of section 2.

NEW SECTION. Sec. 9. Section 43.97.050, chapter 8, Laws of 1965 and RCW 43.97.050 are each hereby repealed.

NEW SECTION. Sec. 10. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 13, 1975.

Passed the House May 9, 1975.

Approved by the Governor May 16, 1975.

Filed in Office of Secretary of State May 16, 1975.

CHAPTER 49

[Senate Bill No. 2297]

SUPERIOR COURT JUDGES—WHATCOM COUNTY

AN ACT Relating to superior courts; and amending section 5, chapter 125, Laws of 1951 as last amended by section 2, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.063.

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

Section 1. Section 5, chapter 125, Laws of 1951 as last amended by section 2, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.063 are each amended to read as follows:

There shall be in the county of Lincoln one judge of the superior court; in the county of Skagit, two judges of the superior court; in the county of Walla Walla, two judges of the superior court; in the county of Whitman, one judge of the superior court; in the county of Yakima five judges of the superior court; in the