

P-15	Create Office of Watershed Protection	Rachel Kurtz McAlaine, On behalf of Standing for Washington	Article 9, XXX
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Very extensively worded environmental activist proposal creating new offices for environmental administration.

Sponsor of Proposal

Rachel Kurtz-McAlaine, On behalf of Standing for Washington

Brief Summary of Proposal:

This proposal would add a new section to Article 9 of the Pierce County Charter establishing a county watershed stewardship duty and an independent Office of Watershed Stewardship. Together, these create a governing standard for how Pierce County carries out its own functions with respect to watershed health, and a permanent independent office to assess, report on, and make publicly visible the condition and trajectory of watershed health across the County.

Pierce County’s watersheds are shaped by decisions and activities occurring across county departments, cities, tribal governments, state and federal agencies, watershed councils, nonprofit organizations, academic institutions, and private actors. Cumulative effects cross jurisdictional boundaries and unfold over time. Pierce County spans multiple major watershed systems and Watershed Resource Inventory Areas, and already devotes significant public resources to river management, stormwater, habitat, and flood risk. That makes Pierce County unusually dependent on coordination across watershed systems, jurisdictions, and long-term infrastructure and flood-management decisions. Yet no single independent entity is charged with bringing together available information across those efforts, evaluating what it means, and reporting publicly on whether watershed conditions across the County appear to be improving or worsening.

This proposal addresses that problem directly. The stewardship duty establishes a county standard. The office provides the transparency and public-reporting mechanism that makes that standard visible, trackable, and publicly meaningful. The office would monitor watershed conditions shaped by all actors across the County; assess

how major county decisions may affect long-term watershed health; receive and respond to public concerns; and issue reports and recommendations to which the County Council and County Executive must respond publicly. The accountability mechanism operates through transparency, not through regulation or litigation.

The proposal does not duplicate existing operational programs, change permit standards, create a

private right of action, or interfere with existing legal processes.

Article 9 is the Charter's existing home for countywide governance provisions such as public disclosure, ethics, information management, nondiscrimination, and eminent domain, and is the appropriate place for this amendment.

Proposed Charter Amendment:

New Section in Article 9

Section 9.XXX Office of Watershed Stewardship

(1) Purpose.

The people of Pierce County depend upon healthy, functioning watersheds. Actions affecting watershed health occur across jurisdictions, sectors, and time, including decisions, projects, and programs undertaken by county government, cities, tribal governments, state and federal agencies, watershed councils, nonprofit organizations, academic institutions, and private actors. Yet no single county entity is charged with independently bringing together available information to assess and publicly report on the overall condition and trajectory of watershed health across the County.

The purpose of this section is to establish a county watershed stewardship duty and an independent office within county government to provide transparency, public reporting, and advisory recommendations regarding Pierce County's watersheds. The office shall gather, evaluate, interpret, and synthesize available information; assess cumulative effects across actors and over time; assess how major county legislative, planning, capital, land-management, and policy decisions may affect long-term watershed health; receive and respond to public concerns; and make recommendations that help the County, its partners, and the public make better-informed decisions and strengthen long-term watershed health.

(2) County Stewardship Duty.

In exercising its lawful powers, Pierce County shall carry out its planning, ordinances, capital programming, public works, land

management, natural-resource management, and other county actions in a manner that conserves, protects, and, where degraded, restores the health, resilience, and hydrological and ecological functions of the County's watersheds for the benefit of present and future generations. This duty is not self-executing and shall be implemented through the office established by this section, through ordinance, and through the County's planning, budgeting, reporting, and management processes.

This duty shall be implemented in harmony with the Constitution and laws of the State of Washington and the United States, and nothing in this section shall be construed to diminish or modify the treaty rights of any federally recognized Indian tribe.

(3) Office Required.

The County Council shall establish by ordinance an independent Office of Watershed Stewardship, headed by a Director of the Office of Watershed Stewardship appointed by the County Executive and confirmed by the County Council. The office shall be structured to preserve its independence, impartiality, and ability to communicate directly with the public, the County Council, the County Executive, and county departments and agencies.

(4) Core Functions of the Office.

The Office of Watershed Stewardship shall, at a minimum:

- (a) gather, evaluate, interpret, and publicly report, in forms accessible and understandable to the public, on hydrological, ecological, and other indicators, trends, and conditions relating to the health of Pierce County's watersheds, using county, watershed-council, tribal, city, state, federal, academic, nonprofit, and other reliable data and information sources, and assess whether the cumulative effects of activities within the County appear to be improving, sustaining, or degrading watershed health over time;
- (b) review and make public recommendations on major county legislative, planning, capital, land-management, and policy actions, as further defined by ordinance, that may have substantial long-term effects on watersheds, water quality, habitat, flood risk, climate resilience, open space, public health, or future generations;
- (c) monitor and report on the County's implementation of adopted plans, programs, and policies relating to watershed health, habitat protection and restoration, floodplain management, sustainability, climate resilience, and consultation or partnership with tribal governments, as one component of the office's broader assessment of watershed condition and trajectory;
- (d) receive, review, and respond to public concerns, inquiries, and

information relating to the health of Pierce County's watersheds, and maintain an accessible process for residents to raise such concerns;

- (e) identify recurring patterns, cumulative effects, gaps in available information, or disconnects between reported activities and observed watershed conditions, and recommend improved coordination, public transparency, additional data collection, or policy reform;
- (f) publish at least one public report each year on the condition and trajectory of Pierce County's watersheds, summarizing the office's findings regarding major trends, cumulative effects, recurring public concerns, county implementation where relevant, recommendations, and any responses received from county agencies and officials;
- (g) make public recommendations to the County Council and County Executive regarding policies, programs, investments, data practices, intergovernmental coordination, and institutional reforms that would improve watershed stewardship, transparency, and long-term health; and
- (h) seek, receive, and incorporate information, to the extent feasible and consistent with applicable law, from other jurisdictions, tribal governments, special districts, nonprofit entities, academic institutions, and private actors whose activities affect watershed health within Pierce County.

(5) Required Public Response.

The County Council and County Executive shall provide a public written response to the office's annual report within ninety days of its issuance.

The office may also issue special reports concerning county legislative, planning, capital, or land-management actions. When the office issues such a special report, the relevant county decision-making body or official shall provide a public written response within a reasonable time established by ordinance.

(6) Access to Information.

County departments and agencies shall cooperate with the office and provide timely access to records and information necessary for the office to perform its duties, subject to applicable law.

(7) Qualifications, Appointment, and Removal.

The Director of the Office of Watershed Stewardship shall serve a term established by ordinance and may be removed only for cause. The establishing ordinance shall provide for qualifications, additional standards of independence, procedures for appointment and removal, and any other provisions necessary to implement this

section. The ordinance shall require that the Director have demonstrated experience or expertise in one or more of the following: watershed science, hydrology, environmental data analysis or monitoring, ecology or fisheries biology, environmental policy or planning, intergovernmental environmental coordination, public administration involving watershed stewardship, or a related field.

(8) Limits on Authority.

This section does not:

- (a) create a private right of action;
- (b) alter the substantive or procedural standards otherwise applicable to permits, quasi-judicial proceedings, enforcement matters, or adjudicative decisions under county, state, or federal law;
- (c) authorize the office to approve, deny, stay, overturn, adjudicate, or direct any individual permit, enforcement action, other quasi-judicial matter, or other county action except as otherwise provided by law;
- (d) supersede the authority of the courts, the Prosecuting Attorney, the Hearing Examiner, the Ethics Commission, or any county department or agency acting within its lawful authority;
- (e) expand county authority beyond that authorized by the Constitution and laws of the State of Washington and the United States; or
- (f) make the office anything other than advisory and recommendatory in nature.

(1) Implementation.

Within one hundred eighty days of the effective date of this section, the County Council shall adopt an ordinance implementing this section, including the office's organizational structure, staffing, budget, procedures, reporting requirements, and methods for receiving and responding to public concerns.

Nothing in this section requires expenditures except through the ordinary budget and appropriation process.

Rationale for Proposal:

No single entity in Pierce County currently brings together scattered watershed information, evaluates what it means, and publicly reports on the overall condition and trajectory of the County's watersheds. This proposal fills that gap by establishing a county watershed stewardship duty and an independent Office of Watershed Stewardship. A duty without the office risks becoming symbolic. An office without the duty lacks a county-facing normative anchor. Paired together, they give Pierce County both a standard and a mechanism for making that standard visible.

The office is advisory and recommendatory only, but that is the source of its durability, not a weakness. Its practical force comes from independent analysis, public reporting, and required public written responses from county leadership. The accountability mechanism operates through transparency, not through regulation or litigation.

Why this proposal is needed:

Pierce County's watersheds are shaped by activities occurring across many actors: county departments, cities, tribal governments, state and federal agencies, watershed councils, nonprofit organizations, academic institutions, and private activities. Pierce County spans multiple major watershed systems and Watershed Resource Inventory Areas, and already devotes significant public resources to river management, stormwater, habitat, and flood risk. That makes Pierce County unusually dependent on coordination across watershed systems, jurisdictions, and

long-term infrastructure and flood-management decisions. Cumulative effects cross jurisdictional boundaries and unfold over time. Existing programs do important work within their own areas, but no single office is responsible for bringing together available information across those efforts and helping the public, county leadership, and partner entities understand the bigger picture.

Without an independent office to track trends, interpret what scattered information means, and make that information visible and understandable to the public, county decision-makers, and the many actors whose activities affect watershed health, Pierce County is more likely to remain reactive than preventive in responding to long-term watershed decline. The office's reports should be not only public but understandable, presenting information in forms accessible to residents, community groups, and decision-makers so they can act on it.

What the office does:

The office performs two complementary functions. First, it monitors watershed conditions across the County as a whole, drawing on information from county programs, cities, tribal governments, state and federal agencies, watershed councils, academic institutions, nonprofit entities, and private actors. This is the broader assessment function: evaluating the cumulative picture of watershed health shaped by everyone's activities, not only the county's. Second, it reviews the county's own major legislative, planning, capital, land-management, and policy actions for their long-term watershed effects. The charter can direct the county to examine its own decisions; the office's

broader monitoring function captures the effects of actions by other actors across the County.

The office also monitors whether the county is following through on its own adopted plans, programs, and policies relating to watershed health. If the county adopts a salmon recovery plan and then does not fund it, or if adopted floodplain commitments are not being implemented, the office should be able to say so in its public reporting. This implementation monitoring is one component of the office's broader assessment of watershed condition and trajectory.

Why the stewardship duty and the office are paired:

The stewardship duty is a directive standard for how Pierce County carries out its own functions. The office is the transparency and reporting mechanism through which the public, county decision-makers, and partner entities can see whether the cumulative trajectory of watershed health across the County appears to be consistent with that standard. Because subsection 8 expressly provides that this section does not create a private right of action, the stewardship duty operates through monitoring, reporting, and required public response rather than through private litigation. Accountability comes through transparency, not through regulation or enforcement.

Why this belongs in the charter:

This proposal is written to fit the legal framework for a Washington charter county. The charter is the right place for an independent office of this kind because the charter establishes the County's governing framework and allocates core county functions. Article 9 already includes countywide governance provisions such as public disclosure, veterans' policy, ethics, information management, nondiscrimination, and eminent domain. Ordinance should implement the office, but the charter should require that it exist, define its essential functions, and preserve its independence.

How this differs from existing county programs:

Pierce County already carries out substantial watershed and environmental work through Surface Water Management, Floodplains & Watershed Services, Environmental Permitting, watershed councils, salmon recovery planning, and sustainability work. Those are operational programs or partnership structures with specific regulatory, planning, management, or implementation roles. The Office of Watershed Stewardship would not duplicate those functions.

The office would do something none of those programs currently does in one place: independently gather, evaluate, interpret, and publicly report on information across those efforts and across the many public, tribal, state, federal, nonprofit, academic, and private activities that affect watershed health in Pierce County. It would ask a question that no single program currently answers: based on available

reliable information, what does the current condition and overall trajectory of watershed health in Pierce County appear to be?

Information from outside county government:

A central reason for this office is that watershed conditions are shaped by many actors, not only county government. Individual actions by cities, developers, state agencies, and private landowners create cumulative watershed effects that no single actor currently tracks. The office would use county records, publicly available information, watershed-council reports and monitoring, and other information it is able to obtain or request, to the extent feasible and consistent with applicable law, from partner jurisdictions, tribal governments, agencies, academic institutions, nonprofit entities, and private actors. The office would draw on watershed council action agendas and reporting as one input among many, without replacing, supervising, or conflicting with existing councils. The implementing ordinance may address coordination with watershed councils and other existing county-supported structures.

The intent is not to create new regulatory authority over outside actors, but to assemble a cumulative picture of watershed conditions using the best available information, so the public and decision-makers across jurisdictions can better understand how distributed activities interact and affect long-term watershed health.

How the office's review authority would work:

The office's review authority over county actions applies to major county legislative, planning, capital, land-management, and policy actions with substantial long-term effects. The charter establishes the basic authority, while subsection 9 directs the County Council to adopt an implementing ordinance. That ordinance is the appropriate place to define thresholds, procedures, timelines, and criteria for determining which actions fall within that review. This keeps the charter at the level of principle and structure while leaving operational detail to ordinance.

How this proposal relates to permits and legal process:

This proposal does not change permit standards, create new permit

appeals, or interfere with adjudicative processes. The office would not approve, deny, stay, overturn, or adjudicate individual permits or quasi-judicial matters. It remains advisory and recommendatory only. This keeps the office focused on watershed-level assessment, public reporting, and transparency, and avoids overlap with existing legal and administrative processes.

Staffing, budget, and implementation:

This proposal does not require immediate full operational buildout. The 180-day timeline requires adoption of the implementing ordinance, not full launch of the office. The timeline is intended to ensure prompt action while allowing adequate time for the Council to address organizational structure, staffing, budget, procedures, coordination, and reporting requirements in a deliberate way. The proposal expressly provides that implementation remains subject to the ordinary budget and appropriation process.

Summary Points

Submit written testimony

By Email: katey.hobbs@piercecounitywa.gov

By Web Form: <https://www.piercecounitywa.gov/FormCenter/Charter-Review-41/Provide-Written-Public-Comment-893>

Submitted public testimony

Names in **RED** = CON

Names in **GREEN** = PRO

As of 3-27-26 = **0 CON** ~ **0 PRO**

