

MEMORANDUM

Date: January 04, 2019
To: Chehalis Basin Board
From: Andrea McNamara Doyle, Director, Office of Chehalis Basin
Re: 2019 Legislative Session Planning

Background

Since the Chehalis Basin Board adopted its budget recommendation for the 2019-2021 biennium at the October Board meeting, and provided guidance to OCB staff in November regarding messages and materials to support the Board's budget recommendation, preparations for the upcoming legislative session have been underway. This memorandum summarizes those efforts and highlights some key issues that require additional Board discussion and direction to develop a legislative strategy with the best chance of obtaining the necessary legislative support for the Board's Chehalis Basin Strategy priorities.

At the January Board meeting, Board members will have an opportunity to provide additional guidance and direction to OCB staff on the Board's desired engagement during the legislative session on budget and policy matters affecting the Chehalis Basin Strategy and Office of Chehalis Basin. Additionally, expectations and approaches for coordinating between the Board's and the Department of Ecology's legislative efforts will be discussed.

Pre-Session Preparation

Based on the Board direction at the October and November meetings, OCB staff has prepared materials in support the Board's capital budget recommendation, including the Board's letter to Governor Inslee, a 1-page budget talking points handout, and an update to the Chehalis Basin Strategy brochure.

OCB staff is in the process of collecting letters or resolutions of support for the Board's 2019-21 capital budget recommendation from several entities involved with the Chehalis Basin Strategy. To date, representatives from the following organizations have agreed to prepare letters or resolutions of support:

- Chehalis Tribe
- Quinault Indian Nation
- Lewis County Flood Control Zone District
- Grays Harbor County
- Lewis County Conservation District
- Grays Harbor Conservation District
- Washington State Dairy Federation
- City of Hoquiam

All voting Board members are planning to participate in briefings with legislators and have indicated their willingness to testify at hearings as needed. The OCB Director is briefing key legislative staff members about the Board's budget recommendation, and OCB staff is working to schedule the legislator meetings for the Director and Board members. The initial focus is on meeting with legislators serving on capital budget committees, and with the newly elected legislators serving on either capital budget or relevant policy committees such as the House Rural Development, Agriculture & Natural Resources Committee and the Senate Agriculture, Water, Natural Resources & Parks Committee. Staff will be coordinating Board member attendance at these meetings as they are scheduled.

OCB staff is also coordinating with the Governor's Boards & Commissions Office to submit the necessary paperwork to re-start confirmation proceedings for the two Governor-appointed Board members (Malloch and Van Der Stoep) and will seek confirmation hearings with the appropriate Senate Committee.

The OCB Director is reviewing all pre-filed bills and will review new bills introduced throughout session to identify legislation that may impact the Board's work on the Chehalis Basin Strategy. As such bills are identified, staff will monitor their status and, once the Board establishes its preferred approach, will communicate with the Board about potential impacts to determine whether and how the Board may elect to respond to such legislative proposals.

The OCB Director is also exploring opportunities for regular check-ins during session to coordinate with Ecology's and other agencies' legislative liaisons and partner organizations' lobbyists.

At the January 10 Board meeting, Board members will receive refresher training on public agency lobbying restrictions, Public Disclosure Commission (PDC) reporting requirements, and federal communications protocols. The Board will also have an opportunity to discuss legislative strategy and communication protocol options. As part of the discussion, you may decide it would be helpful to adopt principles or policies to guide OCB staff's efforts in monitoring and evaluating legislation and/or to use in guiding the Board's future decisions about whether to support or oppose particular legislative proposals.

Legislative Strategy Considerations

One of the key strategic considerations the Board needs to address is how you want to communicate about the difference between a \$50 million and a \$73.2 million capital budget appropriation for next biennium. What is the compelling need that would not be met with the lower appropriation, and why is the additional funding important for aggressively pursuing the Board's mission?

You may also want to consider as part of the Board's legislative strategy whether there are other organizations that could be supportive of your budget recommendation, and what support the Board may provide for other related programs or legislative proposals to garner support.

Additionally, since it is likely that legislation will be introduced this session that could directly or significantly impact the Chehalis Basin Board, Chehalis Basin Strategy, or Office of Chehalis Basin, the Board—or individual Board members—may be interested in engaging on policy issues beyond the Board's capital budget recommendation. Engagement could take the form of actively supporting or opposing legislation, or being part of negotiations to amend legislative proposals. Before this occurs, however, it is important for the Board to consider how it will evaluate whether to engage on particular issues, and how it will make decisions about those engagements.

When is a proposal's potential impact direct or significant enough to justify weighing in? How will the Board, as part of an office within the Department of Ecology, coordinate its actions with the agency to minimize conflict, inconsistency, or confusion.

Communications Protocol Options

Because legislative activity is often very dynamic, unpredictable, and fast moving, policy and budget developments may occur in between regular monthly Board meetings and before the Board has an opportunity to consider options or take action at public meeting. This necessitates development of a shared understanding regarding roles and expectations for communications between OCB staff, individual Board members, and the Board as a body.

Some options for addressing this situation include:

- Scheduling a series of special Board meetings at strategic points during the legislative session that can be cancelled if not needed but available for the Board to consider emerging developments;
- Creating a Legislative Committee comprised of Board members with authority to meet regularly with the OCB Director during session;
- Delegating a small group of Board members to be available for time-sensitive consultations with the Director on an ad hoc basis;
- Adopting a set of legislative principles that can be used by a Legislative Committee, ad hoc group of Board member advisors, or the OCB Director to respond quickly to emerging issues that arise before the full Board can take action.

These and other options will be discussed at the January Board meeting, and the Board will have the opportunity to provide direction to staff regarding both the legislative strategy and communications protocols.