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**SUBSTITUTE HOUSE BILL 1653**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** House State Government & Tribal Relations (originally sponsored by Representatives Lekanoff, Chapman, Ryu, Ramel, and Pollet)

AN ACT Relating to improving statewide coordination in support of anadromous fish recovery; amending RCW 77.85.005; adding a new section to chapter 77.85 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that in recognition of the cultural, treaty, economic, recreational, and legal importance of salmon in Washington, many state agencies' role is to implement policy and laws, and they devote significant program attention and resources to supporting the recovery, viability, and protection of anadromous fish. Further, the legislature recognizes the importance of a coordinated approach to statewide salmon recovery not just between state agencies, but also in partnership with the state's tribal comanagers. The legislature intends to ensure that all pertinent state agencies share in and support the mission of recovering and protecting salmon in Washington by creating a venue through which state agencies and tribes can come together to review overall progress towards salmon recovery. However, the legislature does not intend to reallocate among state agencies any existing programs or responsibilities related to salmon recovery in Washington through this act.

**Sec.**  RCW 77.85.005 and 2009 c 345 s 9 are each amended to read as follows:

(1) The legislature finds that repeated attempts to improve salmonid fish runs throughout the state of Washington have failed to ((~~avert listings of~~)) recover salmon and steelhead runs that are listed as threatened or endangered under the federal endangered species act (16 U.S.C. Sec. 1531 et seq.). These ((~~listings~~)) continued declines threaten the sport, commercial, and tribal fishing industries as well as the economic well-being and vitality of vast areas of the state. It is the intent of the legislature to ((~~begin~~)) strengthen activities required for the recovery of salmon stocks as soon as possible, although the legislature understands that successful recovery efforts may not be realized for many years because of the life cycle of salmon and the complex array of natural and human-caused problems they face.

(2) The legislature finds that it is in the interest of the citizens of the state of Washington for the state to retain primary responsibility for managing the natural resources of the state, rather than abdicate those responsibilities to the federal government, and that the state may best accomplish this objective by ((~~integrating~~)) improved integration of local and regional recovery activities into a statewide strategy that can make the most effective use of provisions of federal laws allowing for a state lead in salmon recovery, delivered through implementation activities consistent with regional and watershed recovery plans.

(3) The legislature also ((~~finds that a~~)) supports the statewide salmon recovery strategy ((~~must be developed and implemented through an~~)) and recognizes the state's active public involvement process in order to ensure public participation in, and support for, salmon recovery.

(4) The legislature also finds that there is a substantial link between the provisions of the federal endangered species act and the federal clean water act (33 U.S.C. Sec. 1251 et seq.).

(5) The legislature further finds that effective habitat protection and restoration is a vital component of salmon recovery efforts. With amplified climate change effects and human population growth, the legislature must protect what the state currently has and will have in the future, and thus must vastly increase the scope and scale of restoration, also including investments and inclusion of salmon recovery in the growth management act. Therefore, it is the intent of the legislature to specifically address salmon habitat protection and restoration for properly functioning watershed conditions for salmon in a coordinated manner and to develop a structure that allows for the coordinated delivery of federal, state, and local assistance to communities for habitat projects that will assist in the recovery and enhancement of salmon stocks. A strong watershed-based locally implemented plan is essential for local, regional, and statewide salmon recovery.

(6) The legislature also finds that credible scientific review and oversight is essential for any salmon recovery effort to be successful.

(7) The legislature further finds that it is important to monitor the overall health of the salmon resource to determine if recovery efforts are providing expected returns. It is important to monitor salmon habitat projects and salmon recovery activities in a coordinated manner to determine their effectiveness in order to ((~~secure~~)) maintain federal acceptance of the state's approach to salmon recovery. Adaptive management ((~~cannot exist without monitoring~~)) can only occur when the state has identified a baseline, from which it can then monitor the benefits of its actions and how the salmon and steelhead are responding to improved watershed functions. For these reasons, the legislature believes that a coordinated and integrated monitoring system should be ((~~developed and implemented~~)) expanded.

(8) The legislature therefore finds that a coordinated framework and enhanced leadership for responding to the salmon crisis is needed immediately. To that end, the governor's salmon recovery office ((~~should be created to~~)) provides overall coordination of the state's response; an independent science panel ((~~is needed to~~)) provides scientific review and oversight; a coordinated state funding process ((~~should be established~~)) is implemented through a salmon recovery funding board and the fish passage barrier removal board; the appropriate local or tribal government ((~~should~~)) provides local leadership in identifying and sequencing habitat restoration and acquisition projects to be funded by state agencies; habitat projects should be implemented without delay; and a strong partnership between state, tribal, and locally based efforts to restore salmon habitat ((~~should be established by providing~~)) provides a framework to allow citizen volunteers to work effectively.

(9) Furthermore, the legislature declares it to be the goal of the state to support the recovery and enhancement of salmon and steelhead stocks in order to support Washington's tribal treaty obligations, support nontribal commercial and recreational fisheries, and achieve the delisting and recovery of threatened or endangered salmon and steelhead runs under the federal endangered species act. State agencies should strive to apply the laws of the state of Washington, and the rules and policies of the agency, to advance the goal established in this section.

NEW SECTION. **Sec.**  A new section is added to chapter 77.85 RCW to read as follows:

(1) The salmon advisory cabinet is established to improve the coordination and understanding of the habitat, harvest, hydro, hatcheries, predation, and other factors that influence salmon and steelhead recovery. The cabinet also shall consider existing efforts and needs in all areas that influence salmon and steelhead recovery, in order to identify gaps; receive and discuss monitoring adaptive management needs; and develop recommendations to be submitted to the governor and the legislature regarding agency actions, legislation, and budget priorities to enhance salmon and steelhead recovery.

(2) The salmon advisory cabinet includes the following members:

(a) The director of the governor's office of Indian affairs, or the director's designee;

(b) Tribal leaders with interests and treaty rights in Washington;

(c) The director, or the director's designee, of the following agencies:

(i) The department of fish and wildlife;

(ii) The department of natural resources;

(iii) The department of ecology;

(iv) The Puget Sound partnership;

(v) The department of transportation;

(vi) The department of archaeology and historic preservation;

(vii) The recreation and conservation office;

(viii) The state conservation commission;

(ix) The department of agriculture;

(x) The parks and recreation commission; and

(xi) The department of health;

(d) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(e) One member from each of the two largest caucuses of the senate, appointed by the president of the senate; and

(f) Two representatives of cities and counties, appointed by the governor.

(3) The salmon advisory cabinet must be chaired by the representative of the governor's office of Indian affairs.

(4) The salmon advisory cabinet shall convene at least twice per year.

(5) The governor's office of Indian affairs shall provide staff support to the salmon advisory cabinet.

(6) Legislative members of the salmon advisory cabinet are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) The salmon advisory cabinet shall provide semiannual reports in accordance with RCW 43.01.036 on its activities including any recommendations on agency actions, potential legislation, and budget priorities to enhance salmon and steelhead recovery to the governor and the appropriate fiscal and policy committees of the legislature. The first report is due by October 1, 2022, and subsequent reports are due by June 1st and December 1st of each year.

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