
SUBSTITUTE HOUSE BILL 2895

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Doumit, Buck, Regala, Hatfield, Kessler, Ericksen, Rockefeller, DeBolt, Stensen, Anderson, Eickmeyer, O'Brien, Constantine, Cody, Kenney, Edwards, Linville, Ogden, Lantz, Conway, Kagi, Haigh, Lovick, Santos and Hurst)

Read first time 02/04/2000. Referred to Committee on .

1 AN ACT Relating to creating a program for employing affected
2 natural resource workers in habitat restoration and enhancement; adding
3 new sections to chapter 43.21J RCW; repealing RCW 43.21J.005,
4 43.21J.010, 43.21J.020, 43.21J.030, 43.21J.040, 43.21J.050, 43.21J.060,
5 43.21J.070, 43.21J.800, 43.21J.900, 43.21J.901, 43.21J.902, 43.21J.903,
6 and 43.21J.904; making an appropriation; and providing an effective
7 date.

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

9 NEW SECTION. **Sec. 1.** (1) The legislature finds that the jobs for
10 the environment program has successfully provided family-wage jobs to
11 dislocated natural resource workers while completing important
12 conservation projects. It is important that this program be updated
13 for continued operation in the twenty-first century. This is
14 especially true because the jobs for the environment program has been
15 operated solely through omnibus appropriations bills since its
16 inception, and requires policy guidance.

17 (2) Therefore, the watershed restoration and jobs program is
18 created, with the dual purpose of employing dislocated natural resource

1 workers and completing crucial watershed restoration and conservation
2 projects.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Affected natural resource worker" means those workers eligible
6 to receive wages and benefits through the watershed restoration and
7 jobs program, including:

8 (a) Workers previously employed under the jobs for the environment
9 program;

10 (b) Workers in a qualified natural resource training program, such
11 as a state-approved apprenticeship program;

12 (c) Dislocated forest products workers and dislocated salmon
13 fishing workers as defined in RCW 50.70.010; and

14 (d) Other workers from fisheries and timber-dependent communities
15 who have at least a two-year work history in such a community.

16 (2) "Conservation" means activities that support the sustainability
17 of critical watershed functions, including activities such as field
18 assessment of conditions prior to initiating restoration work, and
19 field and mapping functions related to stream typing.

20 (3) For the purposes of determining eligibility as a direct
21 applicant to the watershed restoration and jobs program, "private for-
22 profit" means a small business, as defined under RCW 19.85.020. Any
23 for-profit business is eligible to receive funds as a subcontractor to
24 a locally funded project, regardless of the business size.

25 (4) "Task force" means the watershed restoration and jobs program
26 task force created under section 4 of this act.

27 (5) "Watershed restoration" means altering current conditions in
28 measurable ways to provide water quality and habitat adequate to
29 contribute to the sustainability of healthy, diverse populations of
30 fish and wildlife within a watershed.

31 NEW SECTION. **Sec. 3.** An amount not to exceed fifteen percent of
32 the funds available for the watershed restoration and jobs program may
33 be expended on agency administrative costs and technical assistance
34 provided by the department of fish and wildlife and department of
35 ecology as provided under section 6 of this act. Except for essential
36 administrative, supervisory, and technical assistance purposes, funds
37 may not be used for hiring permanent state employees.

1 Funds may not be used for:
2 (1) Administrative rule making;
3 (2) Community outreach;
4 (3) Acquisition of real property;
5 (4) Mitigation work required under state or federal permits;
6 (5) Incentives or bonuses to salaried employees; or
7 (6) Marketing studies or research.

8 NEW SECTION. **Sec. 4.** The watershed restoration and jobs program
9 task force is created within the department of natural resources. The
10 purpose of the task force is to provide a coordinated and comprehensive
11 approach to the implementation of this chapter. The task force
12 consists of the following representatives or their designees:

- 13 (1) The commissioner of public lands;
14 (2) The director of the department of fish and wildlife;
15 (3) The director of the department of ecology;
16 (4) The director of the work force training and education
17 coordinating board;
18 (5) The governor's rural community assistance team coordinator;
19 (6) A tribal representative;
20 (7) A federal agency representative from among participating
21 federal agencies; and
22 (8) At least nine but no more than eleven public members, selected
23 at large, representing community and nongovernmental interests.

24 The public members shall include at least one representative from:
25 (a) State-wide rural community economic development organizations;
26 (b) Conservation districts;
27 (c) Small business interests;
28 (d) Fishing and shellfish industry;
29 (e) Organized labor;
30 (f) The timber industry;
31 (g) The construction industry;
32 (h) State-wide environmental organizations; and
33 (i) Community-based private nonprofit organizations with a focus on
34 watershed restoration or conservation.

35 The representatives of the tribal, federal, and public members
36 shall serve three-year terms, except for one-third who shall serve an
37 initial term of one year, and one-third who shall serve an initial term
38 of two years. The task force may seek the advice of other agencies and

1 organizations as needed. The commissioner of public lands shall
2 appoint the chair and public members. The governor shall appoint the
3 governmental members of the task force. A task force quorum for
4 meetings consists of at least one-half of the government and at least
5 one-half plus one of the community, tribal, and public members. All
6 members shall serve without additional pay, except that public
7 representatives may have travel costs reimbursed. Participation in the
8 work of the committee by agency members is considered performance of
9 their employment. The department of natural resources shall provide
10 staff and administrative support to the task force and shall solicit
11 the participation of agency personnel to assist the task force as
12 needed.

13 NEW SECTION. **Sec. 5.** The task force shall evaluate and recommend
14 proposals for funding watershed restoration and conservation projects
15 that employ affected natural resource workers. The task force shall
16 give priority consideration to projects from the habitat project lists
17 created pursuant to RCW 75.46.060 that create temporary jobs providing
18 family wages and benefits to affected natural resource workers. The
19 task force may fund other watershed restoration and conservation
20 projects on a secondary basis. Jobs that avoid redislocating natural
21 resource workers from the watershed restoration and jobs program must
22 be given added consideration over those that do not. Priority must be
23 given to the workers listed in section 2(1) (a) through (c) of this
24 act.

25 In making funding recommendations, the task force shall consider
26 whether projected improvements in water or habitat quality and quantity
27 are quantifiable. The task force shall also consider whether the
28 project is sponsored or cosponsored by tribes or private for-profits to
29 provide funds, equipment time, materials, or technical expertise,
30 including training, to match state or federal funds. The watershed
31 restoration and jobs program shall strongly promote training that is
32 offered through a state-approved natural resource apprenticeship
33 program, whenever practicable, in the area.

34 The task force shall submit to the appropriate standing committees
35 of the legislature a biennial report summarizing the benefits created
36 by the projects funded under this chapter and shall make
37 recommendations for improving the watershed restoration and jobs
38 program.

1 NEW SECTION. **Sec. 6.** (1) The department of natural resources
2 shall implement and administer the watershed restoration and jobs
3 program.

4 (2) The department of fish and wildlife shall provide technical
5 assistance and expertise in addressing fish and wildlife issues.

6 (3) The department of ecology shall provide technical assistance
7 and expertise in addressing water quality issues.

8 NEW SECTION. **Sec. 7.** The employment security department shall
9 refer eligible affected natural resource workers to employers hiring
10 under the watershed restoration and jobs program. Recipients of funds
11 must consider the list of workers developed by the employment security
12 department before conducting interviews or making hiring decisions for
13 workers entering the program.

14 NEW SECTION. **Sec. 8.** On or before January 1, 2002, the department
15 of natural resources shall prepare a report to the legislature
16 evaluating the implementation of this chapter. The following
17 indicators of success must be reported:

18 (1) The number of affected natural resource workers employed by
19 each project;

20 (2) The number of previously affected natural resource workers
21 employed and trained through the watershed restoration and jobs program
22 who have found long-term employment;

23 (3) Active use by sponsors of one or more training curriculum for
24 watershed restoration workers that promote effective and consistent
25 skills needed by restoration workers;

26 (4) Whether project design guidelines have been prepared and
27 applied that are based on generally accepted standards and techniques;

28 (5) The number of funded projects underway in a timely manner;

29 (6) The number of projects started versus successfully completed
30 and effectively documented; and the completion of a credible program
31 review allowing the program to learn from individual project strengths
32 and weaknesses;

33 (7) Whether the program's local match requirements are achieving
34 the expected results of promoting strong local support;

35 (8) The effectiveness and quantity of on-the-ground
36 accomplishments, for example, miles of stream bed or riparian area
37 restored, miles of forest roads impacting water quality that are

1 decommissioned, and the effectiveness of stream bank projects to reduce
2 sedimentation; and

3 (9) Whether local watershed health indicators have been established
4 and are being adequately monitored and reported on to determine area-
5 wide progress in meeting watershed health goals.

6 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act are each
7 added to chapter 43.21J RCW.

8 NEW SECTION. **Sec. 10.** The following acts or parts of acts are
9 each repealed:

- 10 (1) RCW 43.21J.005 (Legislative findings) and 1993 c 516 s 1;
- 11 (2) RCW 43.21J.010 (Intent--Purpose--Definitions) and 1995 c 226 s
12 26 & 1993 c 516 s 2;
- 13 (3) RCW 43.21J.020 (Environmental and forest restoration account)
14 and 1993 c 516 s 3;
- 15 (4) RCW 43.21J.030 (Environmental enhancement and job creation task
16 force) and 1998 c 245 s 60, 1994 c 264 s 17, & 1993 c 516 s 5;
- 17 (5) RCW 43.21J.040 (Environmental enhancement and restoration
18 project proposals--Evaluation--Award of funds) and 1993 c 516 s 4;
- 19 (6) RCW 43.21J.050 (Training or employment) and 1993 c 516 s 8;
- 20 (7) RCW 43.21J.060 (Unemployment compensation benefits--Training)
21 and 1993 c 516 s 9;
- 22 (8) RCW 43.21J.070 (Unemployment compensation benefits--Special
23 base year and benefit year) and 1993 c 516 s 10;
- 24 (9) RCW 43.21J.800 (Joint legislative audit and review committee
25 report) and 1996 c 288 s 36 & 1993 c 516 s 11;
- 26 (10) RCW 43.21J.900 (Short title--1993 c 516) and 1993 c 516 s 15;
- 27 (11) RCW 43.21J.901 (Section captions and part headings--1993 c
28 516) and 1993 c 516 s 16;
- 29 (12) RCW 43.21J.902 (Severability--1993 c 516) and 1993 c 516 s 17;
- 30 (13) RCW 43.21J.903 (Conflict with federal requirements--1993 c
31 516) and 1993 c 516 s 19; and
- 32 (14) RCW 43.21J.904 (Effective date--1993 c 516) and 1993 c 516 s
33 20.

34 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act take
35 effect July 1, 2000.

1 NEW SECTION. **Sec. 12.** The sum of three million three hundred
2 thirty thousand dollars, or as much thereof as may be necessary, is
3 appropriated for the biennium ending June 30, 2001, from the salmon
4 recovery account to the department of natural resources for the
5 purposes of this act.

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