
HOUSE BILL 3028

State of Washington

56th Legislature

2000 Regular Session

By Representatives Mastin and Grant

Read first time 01/26/2000. Referred to Committee on Natural Resources.

1 AN ACT Relating to a program for the recovery of fish runs listed
2 under the federal endangered species act; adding a new section to
3 chapter 75.46 RCW; creating a new section; and providing an expiration
4 date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes the need to
7 address listings under the federal endangered species act (16 U.S.C.
8 Sec. 1531 et seq.) in a way that will make the most efficient use of
9 existing efforts. The legislature finds that the principle of adaptive
10 management requires that different models should be tried so that the
11 lessons learned from these models can be put to use throughout the
12 state. It is the intent of the legislature to create a program for
13 southeastern Washington that addresses the recent listings of salmon
14 and takes full advantage of all state and local efforts at habitat
15 restoration in that area to date.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.46 RCW
17 to read as follows:

1 (1) A program for the recovery of salmon is established in Walla
2 Walla, Columbia, Garfield, and Asotin counties within the habitat area
3 designated as the Snake river salmon recovery region by the salmon
4 recovery office established under RCW 75.46.040. The lead entity
5 created under subsection (2) of this section is responsible for
6 developing and implementing the habitat portion of a salmon recovery
7 plan and is empowered to receive and disburse funds for this purpose,
8 including block grants from the salmon recovery funding board.

9 (2) A lead entity consisting of fifteen voting members is created
10 within the Snake river salmon recovery region. The voting members
11 shall consist of two citizen members from each of the four counties in
12 the Snake river salmon recovery region; one representative each from
13 the Nez Perce and Umatilla tribes, appointed by the tribes; and one
14 representative from each of the following agencies: The United States
15 natural resource conservation service, the United States fish and
16 wildlife service, the United States forest service, the Washington
17 department of ecology, and the Washington department of fish and
18 wildlife. The nonvoting members shall consist of the district manager
19 or designee from each of the four conservation districts serving the
20 four counties in the recovery region. The lead entity may appoint
21 additional persons as needed. In making appointments under this
22 subsection, the conservation districts shall consider recommendations
23 of interested parties. Vacancies shall be filled in the same manner as
24 the original appointments were selected. No action may be brought or
25 maintained against any lead entity member, the lead entity, or any of
26 its agents, officers, or employees for any noncontractual acts or
27 omissions in carrying out the purposes of this section.

28 (3)(a) In developing the habitat portion of a recovery plan, the
29 lead entity shall consider local watershed efforts and activities, as
30 well as any habitat conservation plans that may exist. Any of the
31 participating counties may continue its own efforts for restoring
32 salmon habitat. This section does not limit the authority of units of
33 local government to enter into interlocal agreements under chapter
34 39.34 RCW or any other provision of law.

35 (b) The lead entity shall prioritize as appropriate and approve
36 habitat projects and programs related to the recovery of Snake river
37 salmon runs, including the funding of those projects and programs, and
38 coordinate local government efforts.

1 (4)(a) The program administrator for the lead entity shall be
2 selected from among the four conservation districts participating in
3 the lead entity.

4 (b) The lead entity has the authority to hire and fire staff,
5 including an executive director, enter into contracts, accept grants
6 and other moneys, disburse funds, make recommendations to cities and
7 counties about potential code changes and the development of programs
8 and incentives upon request, pay all necessary expenses, and may choose
9 a fiduciary agent.

10 (5) This section expires July 1, 2005.

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