
SENATE BILL 5895

State of Washington

59th Legislature

2005 Regular Session

By Senators Fraser, Poulsen, Morton, Regala, Pridemore, Jacobsen and Kohl-Welles

Read first time 02/11/2005. Referred to Committee on Water, Energy & Environment.

1 AN ACT Relating to increased coordination between the Puget Sound
2 action team and other governmental entities; amending RCW 90.71.005,
3 90.71.010, 90.71.020, 90.71.030, 90.71.040, 90.71.050, 90.71.060,
4 90.71.070, 90.71.080, and 90.71.900; adding new sections to chapter
5 90.71 RCW; creating a new section; and decodifying RCW 90.71.902.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature intends to improve the
8 overall efforts to conserve and recover Puget Sound by enhancing
9 coordination and integration of the planning, budgeting, and program
10 activities of entities with responsibilities under the Puget Sound
11 conservation and recovery management plan. The goals of this act are
12 to:

13 (a) Foster and improve overall coordination and implementation of
14 Puget Sound conservation and recovery efforts among all levels of
15 government and the private sector, in part through developing and
16 implementing the Puget Sound conservation and recovery management plan
17 and biennial work plans;

18 (b) Improve the coordination among federal, state, local, and

1 tribal agencies and initiatives in order to better set priorities,
2 adopt and implement work plans for protecting and restoring Puget
3 Sound, and allocate resources for these purposes;

4 (c) Adopt performance measures and improve accountability for
5 results and expenditures in plan implementation;

6 (d) Prepare a budget that is scaled to appropriate timelines for
7 achieving Puget Sound conservation, recovery, and prevention of further
8 degradation, and ensure that this budget is considered when adopting
9 state biennial budgets;

10 (e) Revitalize a Sound-wide planning and implementation framework
11 that integrates all state agency activities with other Puget Sound
12 protection and restoration activities;

13 (f) Increase citizen involvement and oversight; and

14 (g) Increase representation of nonstate agency interests and
15 organized Puget Sound restoration programs on the Puget Sound council.

16 (2) The legislature also finds that the counties, cities, and
17 special purpose units of local government have major responsibilities
18 regarding the management, protection, and cleanup of surface waters
19 draining to Puget Sound, and other land use planning, habitat
20 protection, infrastructure, and public health and safety
21 responsibilities that form the foundation for the comprehensive and
22 coordinated strategy set forth in the 2000 Puget Sound water quality
23 management plan. The Puget Sound water quality action team is
24 presently composed of ten state agency representatives and only two
25 local government representatives, and does not adequately reflect the
26 major responsibilities for water quality and habitat protection carried
27 out by local governments. Therefore it is the purpose of this act to
28 strengthen the local government membership on the Puget Sound water
29 quality action team, and to expand the assistance that the team
30 provides to local governments carrying out elements of the Puget Sound
31 plan.

32 **Sec. 2.** RCW 90.71.005 and 1998 c 246 s 13 are each amended to read
33 as follows:

34 (1) The legislature finds that:

35 (a) Puget Sound and related inland marine waterways of Washington
36 state represent a unique and unparalleled resource. A rich and varied
37 range of marine organisms, comprising an interdependent, sensitive

1 communal ecosystem reside in these sheltered waters. Residents of this
2 region enjoy a way of life centered around the waters of Puget Sound,
3 featuring accessible recreational opportunities, world-class port
4 facilities and water transportation systems, harvest of marine food
5 resources, shoreline-oriented life styles, water-dependent industries,
6 tourism, irreplaceable aesthetics, and other activities, all of which
7 to some degree depend upon a clean and healthy marine resource;

8 (b) The Puget Sound (~~(water quality authority)~~) action team has
9 done an excellent job in developing a comprehensive plan to identify
10 actions to restore and protect the biological health and diversity of
11 Puget Sound;

12 (c) While much excellent work has been done around the Puget Sound
13 to protect and restore its resources, the scale of the efforts is not
14 yet commensurate with the scale of the challenges, and heightened and
15 improved efforts are needed if the long-term viability of Puget Sound
16 is to be ensured;

17 (d) The large number of federal, state, and local governmental
18 entities that (~~(now)~~) have management, infrastructure, and regulatory
19 programs and initiatives affecting the water quality of Puget Sound and
20 its habitats have diverse interests and limited jurisdictions that
21 (~~(cannot adequately)~~) require coordination to address the cumulative,
22 wide-ranging impacts that contribute to the degradation of Puget Sound;
23 and

24 (~~(d)~~) (e) Coordination of (~~(the regulatory)~~) these programs and
25 initiatives, at the state, federal, and local levels, is best
26 accomplished through the development of an interagency mechanism(~~(s)~~),
27 including representatives of local governments within the Puget Sound
28 basin, that allow these entities to transcend their diverse interests
29 and limited jurisdictions.

30 (2)(a) It is therefore the policy of the state of Washington to
31 coordinate the activities of state, federal, and local agencies by
32 establishing a partnership for Puget Sound with the following goals:
33 To protect and restore Puget Sound's water quality; to protect and
34 restore habitat for all native species in Puget Sound; and to protect
35 the biological resources of Puget Sound and recover species at risk.
36 The partnership shall develop and update as necessary the Puget Sound
37 conservation and recovery management plan, a comprehensive and
38 inclusive plan for Puget Sound that describes the problems and priority

1 areas for action and describes the roles and responsibilities of the
2 various federal, state, and local agencies in undertaking the necessary
3 actions as provided in section 4 of this act.

4 (b) To implement the plan, the partnership shall develop and
5 implement a biennial work plan that clearly delineates state and
6 ((local)) other actions at the level of effort necessary to protect and
7 restore the biological health and diversity of Puget Sound. It is
8 further the policy of the state to implement that work plan and the
9 Puget Sound ((water quality)) conservation and recovery management plan
10 to the maximum extent possible. To further the policy of the state,
11 ((a recovery)) any water quality cleanup plan, fish or wildlife
12 recovery plan, or other watershed health plan or plans developed under
13 ((the)) federal ((endangered species act)), state, or local authority
14 for a portion or all of the Puget Sound shall be considered for
15 inclusion into the Puget Sound ((water quality)) conservation and
16 recovery management plan.

17 **Sec. 3.** RCW 90.71.010 and 1996 c 138 s 2 are each amended to read
18 as follows:

19 Unless the context clearly requires otherwise, the definitions in
20 this section apply throughout this chapter.

21 (1) "Action team" means the ((Puget Sound water quality action
22 team)) staff to the partnership.

23 (2) "Chair" means the chair of the partnership, who also serves as
24 the executive director of the staff of the action team.

25 (3) "Council" means the Puget Sound council created in RCW
26 90.71.030.

27 (4) "Partnership" means the Puget Sound conservation and recovery
28 partnership described in RCW 90.71.020.

29 (5) "Plan" or "Puget Sound conservation and recovery management
30 plan" means the ((1994)) 2000 Puget Sound water quality management plan
31 ((as it exists June 30, 1996, and)) described in section 4 of this act,
32 as subsequently amended by the ((action team)) partnership.

33 ((5) "Support staff" means the staff to the action team.))

34 (6) "Puget Sound" means all salt waters of the state of Washington
35 inside the international boundary line between Washington and British
36 Columbia, and lying east of 123° 24' west longitude, which is east of
37 Port Angeles.

1 (2)(a) The council shall work with the partnership to incorporate
2 into the Puget Sound conservation and recovery management plan overall
3 timeline goals for accomplishing all elements of the plan. Except for
4 conditions that involve an extraordinary degradation or complexity in
5 restoration, the goals shall establish a restoration timeline of not
6 more than twenty years from the effective date of this section.

7 (b) The council shall also work with the partnership to incorporate
8 into the plan timeline goals to achieve program and activity levels by
9 each state agency carrying out responsibilities under the plan
10 sufficient to maintain Puget Sound water quality and protect and
11 restore habitat, considering population increases, changes in land use
12 patterns, and other demographic and natural changes projected for the
13 Puget Sound region.

14 **Sec. 5.** RCW 90.71.020 and 1998 c 246 s 14 are each amended to read
15 as follows:

16 (1) The Puget Sound (~~(action team)~~) conservation and recovery
17 partnership is created. The (~~(action team)~~) partnership shall define,
18 coordinate, and implement the state's conservation and recovery agenda
19 for Puget Sound. The partnership shall consist of: The directors of
20 the departments of ecology; agriculture; natural resources; fish and
21 wildlife; and community, trade, and economic development; the
22 (~~(secretaries)~~) secretary or designee of the department(~~(s)~~) of health
23 (~~(and transportation; the director of the parks and recreation~~
24 ~~commission; the director of the interagency committee for outdoor~~
25 ~~recreation; the administrative officer of the conservation commission~~
26 ~~designated in RCW 89.08.050; one person)); the administrative officer
27 of the conservation commission; two people representing cities,
28 appointed by the governor; one person representing special purpose
29 governments, appointed by the governor; two people representing
30 counties, appointed by the governor; (~~(one person)~~) two people
31 representing federally recognized tribes, appointed by the governor;
32 and the (~~(chair)~~) executive director of the action team, who shall also
33 serve as the chair of the partnership. In making the appointments for
34 city, county, and special purpose government representatives, the
35 governor is encouraged to select individuals with experience in local
36 government and expertise in the areas of water quality, habitat, growth
37 management, public health, and transportation, as they relate to~~

1 conditions and activities affecting the water quality and habitat of
2 Puget Sound. The ~~((action team))~~ partnership shall also ~~((include))~~
3 invite the following ex officio nonvoting members, among others as
4 deemed appropriate in the future: The regional director of the United
5 States environmental protection agency; the regional administrator of
6 the national marine fisheries service; ~~((and))~~ the regional supervisor
7 of the United States fish and wildlife service; the Seattle district
8 commander of the United States army corps of engineers; the regional
9 administrator of the United States geological survey; the executive
10 director of the northwest straits commission; the chair of the Puget
11 Sound shared strategy; and the executive director of the Hood Canal
12 coordinating council. The members representing cities ~~((and))~~,
13 counties, and special purpose governments shall each be reimbursed for
14 travel expenses as provided in RCW 43.03.050 and 43.03.060.

15 (2) The ~~((action team))~~ partnership shall:

16 (a) Periodically update and amend the Puget Sound conservation and
17 recovery management plan, in consultation with and upon approval of the
18 council;

19 (b) Prepare a Puget Sound work plan and budget ~~((for inclusion in~~
20 ~~the governor's biennial budget))~~, in consultation with and upon
21 approval of the council;

22 ~~((b))~~ (c) Coordinate actions, programs, and initiatives across
23 and among the partner agencies to achieve the objectives of the plan;

24 (d) Coordinate monitoring and research programs ~~((as provided in~~
25 ~~RCW 90.71.060))~~;

26 ~~((e))~~ (e) Consult with local governments in implementing the
27 Puget Sound conservation and recovery management plan and biennial work
28 plans, and prioritize attention by the action team upon assisting local
29 governments in obtaining state and federal funding for carrying out
30 local government programs and in effectively coordinating local
31 government programs with those of neighboring local governments and
32 state and federal programs;

33 (f) Work ~~((under the direction of))~~ in cooperation with the
34 ~~((action team))~~ partnership chair ~~((as provided in RCW 90.71.040))~~;

35 ~~((d))~~ (g) Coordinate permitting requirements as necessary to
36 expedite permit issuance for any local watershed plan or habitat plan
37 developed pursuant to rules adopted under this chapter under chapter

1 90.82 or 77.85 RCW, or other comprehensive watershed plan developed to
2 address water quality or habitat protection or restoration;

3 ~~((e))~~ (h) Identify and resolve any policy or rule conflicts that
4 may exist between one or more agencies represented ~~((on the action~~
5 ~~team))~~ in the partnership;

6 ~~((f) Periodically amend the Puget Sound management plan;~~

7 ~~(g))~~ (i) Appoint advisory committees as needed to manage efforts
8 on particular issues in Puget Sound and to obtain information regarding
9 conservation efforts around Puget Sound;

10 (j) Enter into, amend, and terminate contracts and grants with
11 individuals, corporations, or research institutions for the purposes of
12 this chapter;

13 ~~((h))~~ (k) Receive such gifts, grants, and endowments, in trust or
14 otherwise, for the use and benefit of the purposes of ~~((the action~~
15 ~~team))~~ this chapter. The ~~((action team))~~ partnership may expend the
16 same or any income therefrom according to the terms of the gifts,
17 grants, or endowments;

18 ~~((i))~~ (l) Promote extensive public participation, and otherwise
19 seek to broadly disseminate information concerning Puget Sound;

20 ~~((j))~~ (m) Receive and expend funding from other public agencies;
21 and

22 ~~((k) To reduce costs and improve efficiency, review by December 1,~~
23 ~~1996, all requirements for reports and documentation from state~~
24 ~~agencies and local governments specified in the plan for the purpose of~~
25 ~~eliminating and consolidating reporting requirements; and~~

26 ~~(l) Beginning in December 1998, and every two years thereafter,))~~
27 (n) Submit a biennial report to the appropriate policy ~~((and fiscal))~~
28 committees of the legislature that provides an update on the overall
29 health of Puget Sound and describes and evaluates the ~~((successes and~~
30 ~~shortcomings of))~~ efforts and actions of the partnership in
31 implementing the current work plan ~~((relative to the priority problems~~
32 ~~identified for each geographic area of Puget Sound))~~ and recommends
33 responsive actions needed to be taken by the legislature.

34 (3) ~~((By July 1, 1996, the action team shall begin developing its~~
35 ~~initial work plan, which shall include the coordination of necessary~~
36 ~~support staff))~~ The partnership may appoint from among its members an
37 executive committee to serve as an ongoing management team for the
38 collaborative work of the partnership.

1 (4) The ((~~action team~~)) partnership shall incorporate, to the
2 maximum extent possible, the recommendations of the Puget Sound council
3 regarding amendments to the Puget Sound management plan and the work
4 plan.

5 (5) All proceedings of the ((~~action team~~)) partnership are subject
6 to the open public meetings act under chapter 42.30 RCW.

7 **Sec. 6.** RCW 90.71.030 and 1999 c 241 s 3 are each amended to read
8 as follows:

9 (1) There is established the Puget Sound council composed of
10 ((~~eleven~~)) thirteen members. ((~~Seven~~)) Nine members shall be appointed
11 by the governor. In making these appointments, the governor shall
12 include representation from business, the environmental community,
13 agriculture, the shellfish industry, counties, cities, and the tribes.
14 Two members shall be members of the senate selected by the president of
15 the senate with one member selected from each caucus in the senate, and
16 two members shall be members of the house of representatives selected
17 by the speaker of the house of representatives with one member selected
18 from each caucus in the house of representatives. The legislative
19 members shall be nonvoting members of the council. The executive
20 director of the action team shall be an ex officio, nonvoting member.
21 Appointments to the council shall reflect geographical balance and the
22 diversity of population within the Puget Sound basin. Nonlegislative
23 members shall serve four-year terms, and not more than two terms. ((~~Of~~
24 ~~the initial members appointed to the council, two shall serve for two~~
25 ~~years, two shall serve for three years, and two shall serve for four~~
26 ~~years. Thereafter members shall be appointed to four-year terms.~~))
27 Vacancies shall be filled by appointment in the same manner as the
28 original appointment for the remainder of the unexpired term of the
29 position being vacated. Nonlegislative members shall be reimbursed for
30 travel expenses as provided in RCW 43.03.050 and 43.03.060.
31 Legislative members shall be reimbursed as provided in RCW 44.04.120.

32 (2) The council shall:

33 (a) Recommend to the ((~~action team~~)) partnership priorities,
34 projects, and activities for inclusion in the biennial work plan;

35 (b) Recommend to the ((~~action team~~)) partnership coordination of
36 work plan activities with other relevant activities, including but not
37 limited to, agencies' activities other than those funded through the

1 plan, (~~local~~) plan (~~initiatives~~) elements being implemented by
2 local governments, and governmental and nongovernmental watershed
3 restoration and protection activities; (~~and~~)

4 (c) Recommend to the (~~action team~~) partnership proposed
5 amendments to the Puget Sound management plan; and

6 (d) Oversee the implementation of the elements of the work plan
7 that receive funding through appropriations by the legislature, monitor
8 progress of the partnership agencies in carrying out the work plan, and
9 produce an annual report to the legislature on progress.

10 (3) (~~The chair of the action team shall convene the council at~~
11 ~~least four times per year and shall jointly convene the council and the~~
12 ~~action team at least two times per year~~) The executive director of the
13 action team shall provide staff support of at least one full-time
14 equivalent to the council to meet these requirements. The council
15 shall select a chair from among its voting members who will convene the
16 council at least four times a year. Two of these meetings shall be
17 planned in conjunction with the chair of the partnership and shall
18 coincide with meetings of the partnership. The chair of the council
19 shall serve a two-year term, renewable for one term if selected by the
20 council.

21 **Sec. 7.** RCW 90.71.040 and 1996 c 138 s 5 are each amended to read
22 as follows:

23 (1) (~~By June 1, 1996,~~) The governor shall appoint a person (~~in~~
24 the governor's office) to chair the partnership and serve as the
25 executive director of the action team. The chair shall serve at the
26 pleasure of the governor.

27 (2) The chair shall be responsible for:

28 (a) (~~Organizing~~) Working with the chair of the council to
29 organize the development of the council recommendations;

30 (b) Organizing the development of the work plan required under RCW
31 90.71.050;

32 (c) Presenting a work plan and budget (~~recommendations~~) to the
33 governor and the legislature; and

34 (d) Overseeing the implementation of the elements of the work plan
35 that receive funding (~~through appropriations~~) by the legislature(~~+~~
36 and

37 (~~e) Serving as chair of the council~~)).

1 (3) The chair of the (~~action team~~) partnership shall be a full-
2 time employee responsible for the administration of all functions of
3 the action team (~~and the council, including~~). Responsibilities
4 include hiring and terminating support staff, budget preparation,
5 contracting, coordinating with the governor, the legislature, and other
6 state and local entities, and the delegation of responsibilities as
7 deemed appropriate. The salary of the chair shall be fixed by the
8 governor, subject to RCW 43.03.040.

9 **Sec. 8.** RCW 90.71.050 and 1998 c 246 s 15 are each amended to read
10 as follows:

11 (1)(a) Each biennium, the (~~action team~~) partnership shall prepare
12 a Puget Sound work plan (~~and budget for inclusion in the governor's~~
13 ~~biennial budget~~). The work plan shall (~~prescribe~~) describe the
14 conservation and restoration priorities in Puget Sound and describe the
15 necessary federal, state, and local actions to maintain and enhance
16 Puget Sound water quality, (~~including but not limited to, enhancement~~
17 ~~of recreational opportunities, and restoration~~) protect and restore
18 important habitat and ensure the viability of a balanced population of
19 indigenous shellfish, fish, and wildlife. The work plan (~~and budget~~)
20 shall include specific actions and projects pertaining to salmon
21 recovery plans.

22 (b) In developing a work plan, the (~~action team~~) partnership
23 shall meet the following objectives:

24 (i) Use the plan elements of the Puget Sound management plan to
25 prioritize (~~local and~~) state actions necessary to restore and protect
26 the biological health and diversity of Puget Sound;

27 (ii) (~~Consider the problems and priorities identified in local~~
28 ~~plans~~) Represent all activities of the state agencies that contribute
29 to Puget Sound conservation and recovery; and

30 (iii) Coordinate the work plan activities with other relevant
31 activities, including but not limited to, agencies' activities that
32 have not been funded through the plan, local plans, and governmental
33 and nongovernmental watershed restoration activities.

34 (~~(c) In developing a budget, the action team shall identify:~~

35 ~~(i) The total funds to implement local projects originating from~~
36 ~~the planning process developed for nonpoint pollution; and~~

1 ~~((ii) The total funds to implement any other projects designed~~
2 ~~primarily to restore salmon habitat.))~~

3 (2) In addition to the requirements identified under RCW
4 90.71.020(2)~~((a))~~ (b), the work plan and budget shall:

5 (a) Identify and prioritize ~~((the local and))~~ state actions
6 necessary to address ~~((the))~~ Puget Sound's water quality problems ~~((in~~
7 ~~the following locations:~~

8 ~~(i) Area 1: Island and San Juan counties;~~

9 ~~(ii) Area 2: Skagit and Whatcom counties;~~

10 ~~(iii) Area 3: Clallam and Jefferson counties;~~

11 ~~(iv) Area 4: Snohomish, King, and Pierce counties; and~~

12 ~~(v) Area 5: Kitsap, Mason, and Thurston counties;~~

13 ~~(b) Provide sufficient~~), habitat protection and restoration, and
14 species recovery;

15 (b) Identify funding ~~((to characterize local watersheds, provide~~
16 ~~technical assistance, and implement state responsibilities identified~~
17 ~~in the work plan. The number and qualifications of staff assigned to~~
18 ~~each region shall be determined by the types of problems identified~~
19 ~~pursuant to (a) of this subsection))~~ needed to address high priority
20 problems;

21 ~~((Provide sufficient))~~ Recommend actions to local governments;

22 (d) Identify funding ~~((to implement))~~ needs for implementation and
23 ~~((coordinate))~~ coordination of the Puget Sound ambient monitoring plan
24 pursuant to RCW 90.71.060; and

25 ~~((d) Provide funds to assist local jurisdictions to implement~~
26 ~~elements of the work plan assigned to local governments and to develop~~
27 ~~and implement local plans;~~

28 ~~(e) Provide sufficient funding to provide support staff for the~~
29 ~~action team; and~~

30 ~~((f))~~ (e) Describe any proposed amendments to the Puget Sound
31 management plan.

32 (3) The work plan shall be submitted to the governor by September
33 15th of each even-numbered year and to the appropriate policy ~~((and~~
34 ~~fiscal))~~ committees of the legislature by December 20th of each even-
35 numbered year.

36 (4) The work plan shall be implemented consistent with the
37 legislative provisos of the biennial appropriation acts.

1 **Sec. 9.** RCW 90.71.060 and 1996 c 138 s 7 are each amended to read
2 as follows:

3 In addition to other powers and duties specified in this chapter,
4 the ~~((action team))~~ partnership shall ensure implementation and
5 coordination of the Puget Sound ambient monitoring program established
6 in the Puget Sound management plan. The program shall include, at a
7 minimum:

8 (1) A research program, including but not limited to methods to
9 provide current research information to managers and scientists, and to
10 establish priorities based on the needs of the partnership members and
11 the action team;

12 (2) A monitoring program, including baselines, protocols,
13 guidelines, and quantifiable performance measures. In consultation
14 with state agencies, local and tribal governments, and other public and
15 private interests, the action team, working with the council, shall
16 develop and track quantifiable performance measures that can be used by
17 the governor and the legislature to assess the effectiveness over time
18 of programs and actions initiated under the plan to improve and protect
19 Puget Sound water quality, habitat, and biological resources. ~~((The~~
20 ~~performance measures shall be developed by June 30, 1997.))~~ The
21 performance measures shall include, but not be limited to a methodology
22 to track the progress of: Fish and wildlife habitat; sites with
23 sediment contamination; wetlands; shellfish beds; and other key
24 indicators of Puget Sound's health. State agencies shall, and local
25 governments are encouraged to, assist the action team in the
26 development and tracking of these performance measures. The
27 performance measures may be limited to a selected geographic area.

28 NEW SECTION. **Sec. 10.** A new section is added to chapter 90.71 RCW
29 to read as follows:

30 The council shall conduct a review of the partnership's biennial
31 work plan in October of each even-numbered year and shall include a
32 budget review and recommendation cover letter to the document when it
33 is presented to the appropriate policy and fiscal committees of the
34 legislature in December. This letter shall specify, among other items,
35 the council's recommendations on appropriate allocations among
36 priorities in the work plan, on the overall levels of funding proposed,

1 and on their adequacy in meeting the timelines established in section
2 4 of this act.

3 NEW SECTION. **Sec. 11.** A new section is added to chapter 90.71 RCW
4 to read as follows:

5 (1) From moneys specifically appropriated to the council for this
6 purpose, the council shall make the final decision on the award of
7 grants for implementing programs or activities included within the
8 Puget Sound management plan. This grant program, to be known as the
9 priorities of the Puget Sound program, shall be identified in the
10 council's biennial budget. The budget shall identify activities that
11 may be funded under the program and carried out by private, public
12 nonprofit, or governmental entities. The grants shall be awarded on a
13 competitive basis.

14 (2) It is the intent of this chapter that each biennial operating
15 appropriations act beginning with the 2005-07 biennium include funding
16 for this program in an amount of five million dollars or more.

17 **Sec. 12.** RCW 90.71.070 and 1996 c 138 s 8 are each amended to read
18 as follows:

19 (1) Local governments are (~~required~~) encouraged to implement
20 local elements of the biennial work plan (~~(subject to the availability~~
21 ~~of appropriated funds or other funding sources))~~ and management plan.

22 (2) The council shall review the progress of work plan
23 implementation(~~(. Where prescribed actions have not been accomplished~~
24 ~~in accordance with the work plan, the))~~ and work cooperatively with
25 responsible (~~(agency shall submit to the council written explanations~~
26 ~~for the shortfalls, together with proposed remedies))~~ local governments
27 and state agencies to address delays or shortfalls in plan
28 implementation.

29 **Sec. 13.** RCW 90.71.080 and 1996 c 138 s 9 are each amended to read
30 as follows:

31 The chairs of the (~~action team~~) partnership and council shall
32 jointly hold public hearings to solicit public comment on the work
33 plan.

1 **Sec. 14.** RCW 90.71.900 and 1996 c 138 s 15 are each amended to
2 read as follows:

3 This ((act)) chapter may be known and cited as the Puget Sound
4 ((~~water quality protection~~)) conservation and recovery partnership act.

5 NEW SECTION. **Sec. 15.** A new section is added to chapter 90.71 RCW
6 to read as follows:

7 The powers, duties, and functions of the Puget Sound action team
8 are transferred to the Puget Sound conservation and recovery
9 partnership. All references to the chair of the action team or the
10 action team in the Revised Code of Washington shall be construed to
11 mean the chair of the partnership, who is also the executive director
12 of the action team, when referring to the functions transferred in this
13 section.

14 NEW SECTION. **Sec. 16.** RCW 90.71.902 is decodified.

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