

5610-S AMH BUCK OLSE 088

SSB 5610 - H AMD TO H COMM AMD (5610-S AMH APP H2968.1)
By Representative Buck

Strike everything after the enacting clause and insert the following:

1 **"Sec. 1.** RCW 77.85.005 and 1999 sp.s. c 13 s 1 are each
2 amended to read as follows:

3 The legislature finds that repeated attempts to improve
4 salmonid fish runs throughout the state of Washington have failed
5 to avert listings of salmon and steelhead runs as threatened or
6 endangered under the federal endangered species act (16 U.S.C. Sec.
7 1531 et seq.). These listings threaten the sport, commercial, and
8 tribal fishing industries as well as the economic well-being and
9 vitality of vast areas of the state. It is the intent of the
10 legislature to begin activities required for the recovery of salmon
11 stocks as soon as possible, although the legislature understands
12 that successful recovery efforts may not be realized for many years
13 because of the life cycle of salmon and the complex array of
14 natural and human-caused problems they face.

15 The legislature finds that it is in the interest of the
16 citizens of the state of Washington for the state to retain primary
17 responsibility for managing the natural resources of the state,
18 rather than abdicate those responsibilities to the federal
19 government, and that the state may best accomplish this objective
20 by integrating local and regional recovery activities into a
21 statewide ((~~plan~~)) strategy that can make the most effective use of
22 provisions of federal laws allowing for a state lead in salmon
23 recovery. The legislature also finds that a statewide salmon
24 recovery ((~~plan~~)) strategy must be developed and implemented
25 through an active public involvement process in order to ensure
26 public participation in, and support for, salmon recovery. The
27 legislature also finds that there is a substantial link between the
28 provisions of the federal endangered species act and the federal
29 clean water act (33 U.S.C. Sec. 1251 et seq.). The legislature

1 further finds that habitat restoration is a vital component of
2 salmon recovery efforts. Therefore, it is the intent of the
3 legislature to specifically address salmon habitat restoration in
4 a coordinated manner and to develop a structure that allows for the
5 coordinated delivery of federal, state, and local assistance to
6 communities for habitat projects that will assist in the recovery
7 and enhancement of salmon stocks. Strong watershed-based locally
8 implemented plans are essential for local, regional, and statewide
9 salmon recovery.

10 The legislature also finds that credible scientific review and
11 oversight is essential for any salmon recovery effort to be
12 successful.

13 The legislature further finds that it is important to monitor
14 the overall health of the salmon resource to determine if recovery
15 efforts are providing expected returns. It is important to monitor
16 salmon habitat projects and salmon recovery activities to determine
17 their effectiveness in order to secure federal acceptance of the
18 state's approach to salmon recovery. Adaptive management cannot
19 exist without monitoring. For these reasons, the legislature
20 believes that a coordinated and integrated monitoring ((process))
21 system should be developed and implemented.

22 The legislature therefore finds that a coordinated framework
23 for responding to the salmon crisis is needed immediately. To that
24 end, the salmon recovery office should be created within the
25 governor's office to provide overall coordination of the state's
26 response; an independent science panel is needed to provide
27 scientific review and oversight; a coordinated state funding
28 process should be established through a salmon recovery funding
29 board; the appropriate local or tribal government should provide
30 local leadership in identifying and sequencing habitat projects to
31 be funded by state agencies; habitat projects should be implemented
32 without delay; and a strong locally based effort to restore salmon
33 habitat should be established by providing a framework to allow
34 citizen volunteers to work effectively.

35 **Sec. 2.** RCW 77.85.010 and 2002 c 210 s 1 are each amended to
36 read as follows:

37 The definitions in this section apply throughout this chapter
38 unless the context clearly requires otherwise.

1 (1) "Adaptive management" means reliance on scientific methods
2 to test the results of actions taken so that the management and
3 related policy can be changed promptly and appropriately.

4 (2) "Critical pathways methodology" means a project scheduling
5 and management process for examining interactions between habitat
6 projects and salmonid species, prioritizing habitat projects, and
7 assuring positive benefits from habitat projects.

8 (3) "Habitat project list" is the list of projects resulting
9 from the critical pathways methodology under RCW 77.85.060(2).
10 Each project on the list must have a written agreement from the
11 landowner on whose land the project will be implemented. Projects
12 include habitat restoration projects, habitat protection projects,
13 habitat projects that improve water quality, habitat projects that
14 protect water quality, habitat-related mitigation projects, and
15 habitat project maintenance and monitoring activities.

16 (4) "Habitat work schedule" means those projects from the
17 habitat project list that will be implemented during the current
18 funding cycle. The schedule shall also include a list of the
19 entities and individuals implementing projects, the start date,
20 duration, estimated date of completion, dates for future monitoring
21 activities, estimated cost, and funding sources for the projects.

22 (5) "Limiting factors" means conditions that limit the ability
23 of habitat to fully sustain populations of salmon. These factors
24 are primarily fish passage barriers and degraded estuarine areas,
25 riparian corridors, stream channels, and wetlands.

26 (6) "Project sponsor" is a county, city, special district,
27 tribal government, state agency, a combination of such governments
28 through interlocal or interagency agreements, a nonprofit
29 organization, regional fisheries enhancement group, or one or more
30 private citizens. A project sponsored by a state agency may be
31 funded by the board only if it is included on the habitat project
32 list submitted by the lead entity for that area and the state
33 agency has a local partner that would otherwise qualify as a
34 project sponsor.

35 (7) "Regional recovery organization" or "regional salmon
36 recovery organization" means an entity formed for the purpose of
37 recovering salmon, which is recognized in statute.

38 (8) "Salmon" includes all species of the family Salmonidae
39 which are capable of self-sustaining, natural production.

1 ~~((+8))~~ (9) "Salmon recovery plan" means a ~~((state))~~ subbasin
2 or regional plan developed in response to a proposed or actual
3 listing under the federal endangered species act that addresses
4 limiting factors including, but not limited to harvest, hatchery,
5 hydropower, habitat, and other factors of decline.

6 ~~((+9))~~ (10) "Salmon recovery region" means a geographic area
7 of the state designated under RCW 77.85.090 that encompasses groups
8 of watersheds with common stocks of salmon to be identified in the
9 statewide salmon recovery strategy, and that generally are
10 consistent with the geographic areas within the state identified by
11 the national oceanic and atmospheric administration or the United
12 States fish and wildlife service for activities under the federal
13 endangered species act.

14 (11) "Salmon recovery strategy" means the compilation of all
15 subbasin and regional salmon recovery plans developed in response
16 to a proposed or actual listing under the federal endangered
17 species act along with state hatchery, harvest, and hydropower
18 plans compiled in accordance with RCW 77.85.150.

19 (12) "Tribe" or "tribes" means federally recognized Indian
20 tribes.

21 ~~((+10))~~ (13) "WRIA" means a water resource inventory area
22 established in chapter 173-500 WAC as it existed on January 1,
23 1997.

24 ~~((+11))~~ (14) "Owner" means the person holding title to the
25 land or the person under contract with the owner to lease or manage
26 the legal owner's property.

27 **Sec. 3.** RCW 77.85.020 and 1998 c 246 s 4 are each amended to
28 read as follows:

29 ~~((Beginning in))~~ (1) By December ~~((2000))~~ 1, 2006, December 1,
30 2008, December 1, 2010, and December 1, 2012, the governor shall
31 submit a ~~((biennial state of the salmon))~~ report to the legislature
32 ~~((during the first week of December))~~ regarding the implementation
33 of the state's salmon recovery strategy. The report may include
34 the following:

35 ~~((+1))~~ (a) A description of the amount of in-kind and
36 financial contributions, including volunteer, private, and state,
37 federal, tribal as available, and local government money directly

1 spent on salmon recovery in response to actual, proposed, or
2 expected endangered species act listings;

3 ~~((+2))~~ (b) A summary of habitat projects including but not
4 limited to:

5 ~~((+a))~~ (i) A summary of accomplishments in removing barriers
6 to salmon passage and an identification of existing barriers;

7 ~~((+b))~~ (ii) A summary of salmon restoration efforts undertaken
8 in the past two years;

9 ~~((+c))~~ (iii) A summary of the role which private volunteer
10 initiatives contribute in salmon habitat restoration efforts; and

11 ~~((+d))~~ (iv) A summary of efforts taken to protect salmon
12 habitat;

13 ~~((+3))~~ (c) A summary of collaborative efforts undertaken with
14 adjoining states or Canada;

15 ~~((+4))~~ (d) A summary of harvest and hatchery management
16 activities affecting salmon recovery;

17 ~~((+5))~~ (e) A summary of information regarding impediments to
18 successful salmon recovery efforts;

19 ~~((+6))~~ (f) A summary of the number and types of violations of
20 existing laws pertaining to: ~~((+a))~~ (i) Water quality; and
21 ~~((+b))~~ (ii) salmon. The summary shall include information about
22 the types of sanctions imposed for these violations;

23 ~~((+7))~~ (g) Information on the estimated carrying capacity of
24 new habitat created pursuant to chapter 246, Laws of 1998; and

25 ~~((+8))~~ (h) Recommendations to the legislature that would
26 further the success of salmon recovery. The recommendations may
27 include:

28 ~~((+a))~~ (i) The need to expand or improve nonregulatory
29 programs and activities; ~~((and~~

30 ~~+b))~~ (ii) The need to expand or improve state and local laws
31 and regulations;

32 (iii) Recommendations for state funding assistance to recovery
33 activities and projects;

34 (iv) Measures of progress in fish recovery;

35 (v) Measures of factors limiting recovery as well as trends in
36 such factors; and

37 (vi) The status of implementation of projects and activities.

1 **Sec. 4.** RCW 77.85.030 and 2000 c 107 s 93 are each amended to
2 read as follows:

3 (1) The salmon recovery office is created within the office of
4 the governor to coordinate state strategy to allow for salmon
5 recovery to healthy sustainable population levels with productive
6 commercial and recreational fisheries. The primary purpose of the
7 office is to coordinate and assist in the development of salmon
8 recovery plans ~~((for evolutionarily significant units,))~~ for
9 regions and to submit those plans to the appropriate ~~((tribal~~
10 ~~governments and))~~ federal agencies as an integral part of a
11 statewide strategy developed consistent with the guiding principles
12 and procedures under RCW 77.85.150. The governor's salmon recovery
13 office ~~((may also:~~

14 ~~(a))~~ shall gather regional recovery plans from regional
15 recovery organizations and submit the plans to the federal fish
16 services for adoption as federal recovery plans. The governor's
17 salmon recovery office may also:

18 (a) Assist state agencies, local governments, landowners, and
19 other interested parties in obtaining federal assurances that
20 plans, programs, or activities are consistent with fish recovery
21 under the federal endangered species act;

22 (b) Act as liaison to local governments, the state
23 congressional delegation, the United States congress, federally
24 recognized tribes, and the federal executive branch agencies for
25 issues related to the state's endangered species act salmon
26 recovery plans; ((and

27 ~~(b))~~ (c) Work with the department of fish and wildlife to
28 provide standards for lead entities to use for monitoring and
29 evaluating projects to report their success; and

30 (d) Provide ((the biennial state of the salmon report to the
31 legislature)) periodic reports pursuant to RCW 77.85.020.

32 (2) This section expires June 30, ~~((2006))~~ 2015.

33 **Sec. 5.** RCW 77.85.040 and 2000 c 107 s 94 are each amended to
34 read as follows:

35 (1) The governor shall request the national academy of
36 sciences, the American fisheries society, or a comparable
37 institution to screen candidates to serve as members on the
38 independent science panel. The institution that conducts the

1 screening of the candidates shall submit a list of the nine most
2 qualified candidates to the governor, the speaker of the house of
3 representatives, and the majority leader of the senate. The
4 candidates shall reflect expertise in habitat requirements of
5 salmon, protection and restoration of salmon populations,
6 artificial propagation of salmon, hydrology, or geomorphology.

7 (2) The speaker of the house of representatives and the
8 majority leader in the senate may each remove one name from the
9 nomination list. The governor shall consult with tribal
10 representatives and the governor shall appoint five scientists from
11 the remaining names on the nomination list.

12 (3) The members of the independent science panel shall serve
13 four-year terms. Vacant positions on the panel shall be filled in
14 the same manner as the original appointments. Members shall serve
15 no more than two full terms. The independent science panel members
16 shall elect the chair of the panel among themselves every two
17 years. Based upon available funding, the governor's salmon
18 recovery office may contract for services with members of the
19 independent science panel for compensation under chapter 39.29 RCW.

20 (4) The independent science panel shall be governed by
21 generally accepted guidelines and practices governing the
22 activities of independent science boards such as the national
23 academy of sciences. The purpose of the independent science panel
24 is to help ensure that sound science is used in salmon recovery
25 efforts. The governor's salmon recovery office (~~shall~~) may
26 request review of regional salmon recovery plans by the science
27 review panel. The science panel does not have the authority to
28 review individual projects or habitat project lists developed under
29 RCW 77.85.050(~~(7)~~) or 77.85.060(~~(7, and 75.46.080)~~) or to make
30 policy decisions. The panel shall periodically submit its findings
31 and recommendations under this subsection to the legislature and
32 the governor.

33 ~~((5) The independent science panel, in conjunction with the
34 technical review team, shall recommend standardized monitoring
35 indicators and data quality guidelines for use by entities involved
36 in habitat projects and salmon recovery activities across the
37 state.~~

38 ~~(6) The independent science panel, in conjunction with the
39 technical review team, shall also recommend criteria for the~~

1 systematic and periodic evaluation of monitoring data in order for
2 the state to be able to answer critical questions about the
3 effectiveness of the state's salmon recovery efforts.

4 ~~(7) The recommendations on monitoring as required in this
5 section shall be provided in a report to the governor and to the
6 legislature by the independent science panel, in conjunction with
7 the salmon recovery office, no later than December 31, 2000. The
8 report shall also include recommendations on the level of effort
9 needed to sustain monitoring of salmon projects and other recovery
10 efforts, and any other recommendations on monitoring deemed
11 important by the independent science panel and the technical review
12 team. The report may be included in the biennial state of the
13 salmon report required under RCW 77.85.020.)~~)

14 **Sec. 6.** RCW 77.85.050 and 1999 sp.s. c 13 s 11 are each
15 amended to read as follows:

16 (1)(a) Counties, cities, and tribal governments must jointly
17 designate, by resolution or by letters of support, the area for
18 which a habitat project list is to be developed and the lead entity
19 that is to be responsible for submitting the habitat project list.
20 No project included on a habitat project list shall be considered
21 mandatory in nature and no private landowner may be forced or
22 coerced into participation in any respect. The lead entity may be
23 a county, city, conservation district, special district, tribal
24 government, regional fisheries enhancement group, regional recovery
25 organization, or other entity.

26 (b) The lead entity shall establish a committee that consists
27 of representative interests of counties, cities, conservation
28 districts, tribes, environmental groups, business interests,
29 landowners, citizens, volunteer groups, regional fish enhancement
30 groups, and other habitat interests. The purpose of the committee
31 is to provide a citizen-based evaluation of the projects proposed
32 to promote salmon habitat. ~~((The technical review team may provide
33 the lead entity with organizational models that may be used in
34 establishing the committees.))~~

35 (c) The committee shall compile a list of habitat projects,
36 establish priorities for individual projects, define the sequence
37 for project implementation, and submit these activities as the

1 habitat project list. The committee shall also identify potential
2 federal, state, local, and private funding sources.

3 (2) The area covered by the habitat project list must be based,
4 at a minimum, on a WRIA, combination of WRIsAs, or any other area as
5 agreed to by the counties, cities, and tribes in resolutions or in
6 letters of support meeting the requirements of this subsection.
7 Preference will be given to projects in an area that contain a
8 salmon species that is listed or proposed for listing under the
9 federal endangered species act.

10 (3) The lead entity shall submit the habitat project list to
11 the (~~technical review team~~) salmon recovery funding board in
12 accordance with procedures adopted by the salmon recovery funding
13 board.

14 **Sec. 7.** RCW 77.85.090 and 2000 c 107 s 99 are each amended to
15 read as follows:

16 (1) The southwest Washington salmon recovery region, whose
17 boundaries are provided in chapter 60, Laws of 1998, is created.

18 (2) The Puget Sound salmon recovery region is created.

19 (3) The Yakima basin salmon recovery region is created.

20 (4) The upper Columbia salmon recovery region is created.

21 (5) The Snake river salmon recovery region is created.

22 (6) The legislature, with the assistance of the governor's
23 salmon recovery office, may designate additional salmon recovery
24 regions that generally are consistent with the areas within the
25 state designated by the federal fish services for federal recovery
26 planning.

27 **Sec. 8.** RCW 77.85.130 and 2000 c 107 s 102 and 2000 c 15 s 1
28 are each reenacted and amended to read as follows:

29 (1) The salmon recovery funding board shall develop procedures
30 and criteria for allocation of funds for salmon habitat projects
31 and salmon recovery activities on a statewide basis to address the
32 highest priorities for salmon habitat protection and restoration.
33 The allocation of funds for projects to acquire a fee simple
34 interest in land requires legislative approval consistent with
35 subsection (3) of this section. To the extent practicable the
36 board shall adopt an annual allocation of funding. The allocation
37 should address both protection and restoration of habitat, and

1 should recognize the varying needs in each area of the state on an
2 equitable basis. The board has the discretion to partially fund,
3 or to fund in phases, salmon habitat projects. The board may
4 annually establish a maximum amount of funding available for any
5 individual project, subject to available funding. No projects
6 required solely as a mitigation or a condition of permitting are
7 eligible for funding.

8 (2)(a) In evaluating, ranking, and awarding funds for projects
9 and activities the board shall give preference to projects that:

10 (i) Are based upon the limiting factors analysis identified
11 under RCW 77.85.060;

12 (ii) Provide a greater benefit to salmon recovery based upon
13 the stock status information contained in the department of fish
14 and wildlife salmonid stock inventory (SASSI), the salmon and
15 steelhead habitat inventory and assessment project (SSHIAP), and
16 any comparable science-based assessment when available;

17 (iii) Will benefit listed species and other fish species;
18 ((and))

19 (iv) Will preserve high quality salmonid habitat; and

20 (v) Are included in a regional or watershed-based salmon
21 recovery plan that accords the project, action, or area a high
22 priority for funding.

23 (b) In evaluating, ranking, and awarding funds for projects and
24 activities the board shall also give consideration to projects
25 that:

26 (i) Are the most cost-effective;

27 (ii) Have the greatest matched or in-kind funding; ((and))

28 (iii) Will be implemented by a sponsor with a successful record
29 of project implementation; and

30 (iv) Are part of a regionwide list developed by lead entities.

31 (3) The board may reject, but not add, projects from a habitat
32 project list submitted by a lead entity for funding. For projects
33 to acquire a fee simple interest in land, the salmon recovery
34 funding board shall submit a prioritized list of projects to be
35 funded to the legislature for the legislature's approval. The
36 prioritized list must be submitted to the appropriate fiscal
37 committees of the legislature by November 1st each year.

38 ~~(4) ((For fiscal year 2000, the board may authorize the~~
39 ~~interagency review team to evaluate, rank, and make funding~~

1 ~~decisions for categories of projects or activities or from funding~~
2 ~~sources provided for categories of projects or activities. In~~
3 ~~delegating such authority the board shall consider the review~~
4 ~~team's staff resources, procedures, and technical capacity to meet~~
5 ~~the purposes and objectives of this chapter. The board shall~~
6 ~~maintain general oversight of the team's exercise of such~~
7 ~~authority.~~

8 ~~(5) The board shall seek the guidance of the technical review~~
9 ~~team to ensure that scientific principles and information are~~
10 ~~incorporated into the allocation standards and into proposed~~
11 ~~projects and activities. If the technical review team determines~~
12 ~~that a habitat project list complies with the critical pathways~~
13 ~~methodology under RCW 77.85.060, it shall provide substantial~~
14 ~~weight to the list's project priorities when making determinations~~
15 ~~among applications for funding of projects within the area covered~~
16 ~~by the list.~~

17 ~~(6))~~ The board shall establish criteria for determining when
18 block grants may be made to a lead entity ~~((or other recognized~~
19 ~~regional recovery entity consistent with one or more habitat~~
20 ~~project lists developed for that region. Where a lead entity has~~
21 ~~been established pursuant to RCW 77.85.050,))~~. The board may
22 provide block grants to the lead entity to ~~((assist in carrying out~~
23 ~~lead entity functions under this chapter,))~~ implement habitat
24 project lists developed under RCW 77.85.050, subject to available
25 funding. The board shall determine an equitable minimum amount of
26 project funds for each recovery region, and shall distribute the
27 remainder of funds on a competitive basis. The board may also
28 provide block grants to the lead entity or regional recovery
29 organization to assist in carrying out functions described under
30 this chapter. Block grants must be expended consistent with the
31 priorities established for the board in subsection (2) of this
32 section. Lead entities or regional recovery organizations
33 receiving block grants under this subsection shall provide an
34 annual report to the board summarizing how funds were expended for
35 activities consistent with this chapter, including the types of
36 projects funded, project outcomes, monitoring results, and
37 administrative costs.

38 ~~((+7))~~ (5) The board may waive or modify portions of the
39 allocation procedures and standards adopted under this section in

1 the award of grants or loans to conform to legislative
2 appropriations directing an alternative award procedure or when the
3 funds to be awarded are from federal or other sources requiring
4 other allocation procedures or standards as a condition of the
5 board's receipt of the funds. The board shall develop an
6 integrated process to manage the allocation of funding from federal
7 and state sources to minimize delays in the award of funding while
8 recognizing the differences in state and legislative appropriation
9 timing.

10 ((+8)) (6) The board may award a grant or loan for a salmon
11 recovery project on private or public land when the landowner has
12 a legal obligation under local, state, or federal law to perform
13 the project, when expedited action provides a clear benefit to
14 salmon recovery, and there will be harm to salmon recovery if the
15 project is delayed. For purposes of this subsection, a legal
16 obligation does not include a project required solely as a
17 mitigation or a condition of permitting.

18 ((+9)) (7) The board may condition a grant or loan to include
19 the requirement that property may only be transferred to a federal
20 agency if the agency that will acquire the property agrees to
21 comply with all terms of the grant or loan to which the project
22 sponsor was obligated. Property acquired or improved by a project
23 sponsor may be conveyed to a federal agency, but only if the agency
24 agrees to comply with all terms of the grant or loan to which the
25 project sponsor was obligated.

26 **Sec. 9.** RCW 77.85.150 and 1999 sp.s. c 13 s 9 are each amended
27 to read as follows:

28 (1) ((By September 1, 1999,)) The governor, with the assistance
29 of the salmon recovery office, shall ((submit a statewide salmon
30 recovery strategy to the appropriate federal agencies administering
31 the federal endangered species act)) maintain and revise a
32 statewide salmon recovery strategy. The strategy shall be
33 consistent with the forests and fish report in RCW 76.09.370.

34 (2) The ((governor and the)) salmon recovery office shall be
35 guided by the following considerations in ((developing))
36 maintaining and revising the strategy:

37 (a) The strategy should identify statewide initiatives and
38 responsibilities with regional recovery plans and local watershed

1 initiatives as the principal (~~mechanism~~) means for implementing
2 the strategy;

3 (b) The strategy should emphasize collaborative, incentive-
4 based approaches;

5 (c) The strategy should address all factors limiting the
6 recovery of Washington's listed salmon stocks, including habitat
7 and water quality degradation, harvest and hatchery management,
8 inadequate streamflows, and other barriers to fish passage. Where
9 other limiting factors are beyond the state's jurisdictional
10 authorities to respond to, such as some natural predators and high
11 seas fishing, the strategy shall include the state's requests for
12 federal action to effectively address these factors;

13 (d) The strategy should identify immediate actions necessary to
14 prevent extinction of a listed salmon stock, establish performance
15 measures to determine if restoration efforts are working, recommend
16 effective monitoring and data management, and recommend to the
17 legislature clear and certain measures to be implemented if
18 performance goals are not met;

19 (e) The strategy shall rely on the best scientific information
20 available and provide for incorporation of new information as it is
21 obtained;

22 (f) The strategy should seek a fair allocation of the burdens
23 and costs upon economic and social sectors of the state whose
24 activities may contribute to limiting the recovery of salmon; and

25 (g) The strategy should seek clear measures and procedures from
26 the appropriate federal agencies for removing Washington's salmon
27 stocks from listing under the federal act.

28 (3) Beginning on September 1, 2000, the strategy shall be
29 updated through an active public involvement process, including
30 early and meaningful opportunity for public comment. In obtaining
31 public comment, the salmon recovery office shall hold public
32 meetings throughout the state and shall encourage regional and
33 local recovery planning efforts to similarly ensure an active
34 public involvement process.

35 (4) This section shall apply prospectively only and not
36 retroactively. Nothing in this section shall be construed to
37 invalidate actions taken in recovery planning at the local,
38 regional, or state level prior to July 1, 1999.

1 **Sec. 10.** RCW 77.04.055 and 2000 c 107 s 204 are each amended
2 to read as follows:

3 (1) In establishing policies to preserve, protect, and
4 perpetuate wildlife, fish, and wildlife and fish habitat, the
5 commission shall meet annually with the governor to:

6 (a) Review and prescribe basic goals and objectives related to
7 those policies; and

8 (b) Review the performance of the department in implementing
9 fish and wildlife policies.

10 The commission shall maximize fishing, hunting, and outdoor
11 recreational opportunities compatible with healthy and diverse fish
12 and wildlife populations.

13 (2) The commission shall establish hunting, trapping, and
14 fishing seasons and prescribe the time, place, manner, and methods
15 that may be used to harvest or enjoy game fish and wildlife.

16 (3) The commission shall establish provisions regulating food
17 fish and shellfish as provided in RCW 77.12.047.

18 (4) The commission shall have final approval authority for
19 tribal, interstate, international, and any other department
20 agreements relating to fish and wildlife.

21 (5) The commission shall adopt rules to implement the state's
22 fish and wildlife laws.

23 (6) The commission shall have final approval authority for the
24 department's budget proposals.

25 (7) The commission shall select its own staff and shall appoint
26 the director of the department. The director and commission staff
27 shall serve at the pleasure of the commission.

28 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
29 each repealed:

30 (1) RCW 77.85.070 (Technical advisory groups) and 2000 c 107 s
31 97 & 1998 c 246 s 10; and

32 (2) RCW 77.85.210 (Monitoring activities--Monitoring oversight
33 committee--Legislative steering committee--Report to the
34 legislature--Monitoring strategy and action plan) and 2001 c 298 s
35 3."

Correct the title.

EFFECT: Extends the Governor's Salmon Recovery Office from June 30, 2007, until June 30, 2015. Removes a requirement for the Governor's biennial report on salmon to summarize monitoring data coordinated by the monitoring forum. Directs the Governor's Salmon Recovery Office to gather regional salmon recovery plans for submission to the federal government, rather than assist regional groups in submitting the plans. Directs the Governor's Salmon Recovery Office to work with the Department of Fish and Wildlife to provide standards for lead entities to use for project monitoring. Defines the term salmon recovery strategy as the compilation of all subbasin and regional salmon recovery plans developed in response to a proposed or actual listing under the federal Endangered Species Act. Adds Regional Fisheries Enhancement Groups as an organization that may be a lead entity. Requires the Salmon Recovery Funding Board to annually submit a prioritized list of projects to acquire a fee simple interest in land to the appropriate legislative fiscal committees for approval. Establishes criteria and reporting requirements for block grants awarded by the Salmon Recovery Funding Board.