

SHB 2157 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

ADOPTED 04/10/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Washington has made significant investments in watershed-based
5 activities, including the establishment of water resource inventory
6 area (WRIA) planning units and lead agencies, lead entities, and
7 regional salmon recovery organizations across the state. Washington
8 watersheds have developed subbasin plans under the Northwest power and
9 conservation council and national oceanic and atmospheric
10 administration-approved regional salmon recovery plans that include
11 locally prioritized salmon recovery projects;

12 (2) The governor's salmon recovery office was established to
13 support the development and implementation of regional salmon recovery
14 plans, to assist local governments in obtaining federal assurances, and
15 to issue a biennial state of the salmon report;

16 (3) The salmon recovery funding board provides grants for salmon
17 recovery and the forum on monitoring salmon recovery and watershed
18 health works to provide greater coordination on monitoring.
19 Administrative support for the board and the forum are provided by the
20 recreation and conservation office;

21 (4) Lead entity funding to support infrastructure and capacity
22 needs is provided through the recreation and conservation office, which
23 contracts with the department of fish and wildlife to implement the
24 program. Funding for WRIA planning units and lead agencies to develop
25 and implement watershed-based plans under RCW 90.82.040 is provided by
26 the department of ecology; and

27 (5) Currently, state watershed and salmon recovery-based programs
28 are split among several state agencies or offices. Efficient
29 implementation of these efforts will be enhanced by promoting
30 consolidation and integration of their activities and programs. In

1 addition, consolidation of reporting benefits the public and decision
2 makers regarding watershed health, which includes salmon recovery. It
3 is also the intent of the legislature, in cooperation with local and
4 regional officials, and respecting the ability of local citizens and
5 officials to organize in ways best suited to address local needs, to
6 encourage the development of incentives that consolidate existing
7 processes and promote more effective implementation of salmon recovery
8 plans and watershed planning and implementation.

9 **Sec. 2.** RCW 77.85.030 and 2007 c 444 s 3 are each amended to read
10 as follows:

11 (1) The governor's salmon recovery office (~~((is created within the~~
12 ~~office of the governor to))~~ shall coordinate state strategy to allow
13 for salmon recovery to healthy sustainable population levels with
14 productive commercial and recreational fisheries. (~~The~~) A primary
15 purpose of the office is to coordinate and assist in the development,
16 implementation, and revision of regional salmon recovery plans as an
17 integral part of a statewide strategy developed consistent with the
18 guiding principles and procedures under RCW 77.85.150.

19 (2) The governor's salmon recovery office is also responsible for
20 maintaining the statewide salmon recovery strategy to reflect
21 applicable provisions of regional recovery plans, habitat protection
22 and restoration plans, water quality plans, and other private, local,
23 regional, state agency and federal plans, projects, and activities that
24 contribute to salmon recovery.

25 (3) (~~The governor's salmon recovery office shall also gather~~
26 ~~regional recovery plans from regional recovery organizations and submit~~
27 ~~the plans to the federal fish services for adoption as federal recovery~~
28 ~~plans.)) The governor's salmon recovery office shall also work with
29 regional salmon recovery organizations on salmon recovery issues in
30 order to ensure a coordinated and consistent statewide approach to
31 salmon recovery(~~(. The governor's salmon recovery office))~~ and shall
32 work with federal agencies to accomplish implementation of federal
33 commitments in the recovery plans.~~

34 (4) The governor's salmon recovery office may also:

35 (a) Assist state agencies, local governments, landowners, and other
36 interested parties in obtaining federal assurances that plans,

1 programs, or activities are consistent with fish recovery under the
2 federal endangered species act;

3 (b) Act as liaison to local governments, the state congressional
4 delegation, the United States congress, federally recognized tribes,
5 and the federal executive branch agencies for issues related to the
6 state's salmon recovery plans;

7 (c) Provide periodic reports pursuant to RCW 77.85.020;

8 (d) Provide, as appropriate, technical and administrative support
9 to ~~((the independent))~~ science panels ~~((or other science-related~~
10 ~~panels))~~ on issues pertaining to salmon recovery;

11 (e) In cooperation with the regional recovery organizations,
12 prepare a timeline and implementation plan that, together with a
13 schedule and recommended budget, identifies specific actions in
14 regional recovery plans for state agency actions and assistance
15 necessary to implement local and regional recovery plans; and

16 (f) As necessary, provide recommendations to the legislature that
17 would further the success of salmon recovery, including recommendations
18 for state agency actions in the succeeding biennium and state financial
19 and technical assistance for projects and activities to be undertaken
20 in local and regional salmon recovery plans. The recommendations may
21 include:

22 (i) The need to expand or improve nonregulatory programs and
23 activities; and

24 (ii) The need for state funding assistance to recovery activities
25 and projects.

26 (5) ~~((This section expires June 30, 2015.))~~ For administrative
27 purposes, the governor's salmon recovery office is located within the
28 recreation and conservation office.

29 **Sec. 3.** RCW 77.85.050 and 2005 c 309 s 6 are each amended to read
30 as follows:

31 (1)(a) Counties, cities, and tribal governments must jointly
32 designate, by resolution or by letters of support, the area for which
33 a habitat project list is to be developed and the lead entity that is
34 to be responsible for submitting the habitat project list. No project
35 included on a habitat project list shall be considered mandatory in
36 nature and no private landowner may be forced or coerced into

1 participation in any respect. The lead entity may be a county, city,
2 conservation district, special district, tribal government, regional
3 recovery organization, or other entity.

4 (b) The lead entity shall establish a committee that consists of
5 representative interests of counties, cities, conservation districts,
6 tribes, environmental groups, business interests, landowners, citizens,
7 volunteer groups, regional fish enhancement groups, and other habitat
8 interests. The purpose of the committee is to provide a citizen-based
9 evaluation of the projects proposed to promote salmon habitat.

10 (c) The committee shall compile a list of habitat projects,
11 establish priorities for individual projects, define the sequence for
12 project implementation, and submit these activities as the habitat
13 project list. The committee shall also identify potential federal,
14 state, local, and private funding sources.

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

22 (3) The lead entity shall submit the habitat project list to the
23 (~~{salmon recovery funding}~~) salmon recovery funding board in
24 accordance with procedures adopted by the board.

25 (4) The recreation and conservation office shall administer funding
26 to support the functions of lead entities.

27 **Sec. 4.** RCW 77.85.020 and 2007 c 444 s 2 are each amended to read
28 as follows:

29 (1) (~~No later than January 31, 2009, and every odd-numbered year~~
30 ~~until and including 2015, the governor's salmon recovery office shall~~
31 ~~submit a biennial state of the salmon report to the legislature and the~~
32 ~~governor regarding the implementation of the state's salmon recovery~~
33 ~~strategy. The report must include the following:~~

34 ~~(a) A summary of habitat projects including but not limited to:~~

35 ~~(i) A summary of accomplishments in removing barriers to salmon~~
36 ~~passage and an identification of existing barriers;~~

1 ~~(ii) A summary of salmon restoration efforts undertaken in the past~~
2 ~~two years;~~

3 ~~(iii) A summary of the role which private volunteer initiatives~~
4 ~~contribute in salmon habitat restoration efforts; and~~

5 ~~(iv) A summary of efforts taken to protect salmon habitat;~~

6 ~~(b) A summary of harvest and hatchery management activities~~
7 ~~affecting salmon recovery;~~

8 ~~(c) A summary of the number and types of violations of existing~~
9 ~~laws pertaining to salmon. The summary may include information about~~
10 ~~the types of sanctions imposed for these violations.~~

11 ~~(2) The report may include the following:~~

12 ~~(a) A description of the amount of in-kind financial contributions,~~
13 ~~including volunteer, private, state, federal, tribal, as available, and~~
14 ~~local government funds directly spent on salmon recovery in response to~~
15 ~~endangered species act listings; and~~

16 ~~(b) Information on the estimated carrying capacity of new habitat~~
17 ~~created pursuant to chapter 246, Laws of 1998.~~

18 ~~(3) The report shall summarize the monitoring data coordinated by~~
19 ~~the forum on monitoring salmon recovery and watershed health. The~~
20 ~~summary may include but is not limited to data and analysis related to:~~

21 ~~(a) Measures of progress in fish recovery;~~

22 ~~(b) Measures of factors limiting recovery as well as trends in such~~
23 ~~factors; and~~

24 ~~(c) The status of implementation of projects and activities.~~

25 ~~(4)) Beginning December 2010, the recreation and conservation~~
26 ~~office shall produce a biennial report on the statewide status of~~
27 ~~salmon recovery and watershed health, summarize projects and programs~~
28 ~~funded by the salmon recovery funding board, and summarize progress as~~
29 ~~measured by high-level indicators and state agency compliance with~~
30 ~~applicable protocols established by the forum for monitoring salmon~~
31 ~~recovery and watershed health. The report must be a consolidation of~~
32 ~~the current reporting activities, including the salmon recovery funding~~
33 ~~board and the forum on monitoring salmon recovery and watershed health,~~
34 ~~on the status of salmon recovery and watershed health in Washington~~
35 ~~state, in accordance with RCW 77.85.250(8). The report shall also~~
36 ~~include a high-level status report on watershed planning efforts under~~
37 ~~chapter 90.82 RCW as summarized by the department of ecology and on~~
38 ~~salmon recovery and watershed planning as summarized by the Puget Sound~~

1 partnership. The report's introduction must include a list of high-
2 level questions related to the status of watershed health and salmon
3 recovery to help decision makers and the public respond to salmon
4 recovery and watershed health management needs.

5 (2) The department, the department of ecology, the department of
6 natural resources, and the state conservation commission(~~(, and the~~
7 ~~forum on monitoring salmon recovery and watershed health)) shall~~
8 provide to the (~~(governor's salmon recovery))~~ recreation and
9 conservation office information requested by the office necessary to
10 prepare the (~~(state of the salmon report and other reports produced by~~
11 ~~the office))~~ consolidated report on salmon recovery and watershed
12 health.

13 **Sec. 5.** RCW 77.85.250 and 2007 c 444 s 8 are each amended to read
14 as follows:

15 (1) (~~The legislature finds that pursuant to chapter 298, Laws of~~
16 ~~2001, and acting upon recommendations of the state's independent~~
17 ~~science panel, the monitoring oversight committee developed~~
18 ~~recommendations for a comprehensive statewide strategy for monitoring~~
19 ~~watershed health, with a focus upon salmon recovery, entitled *The*~~
20 ~~*Washington Comprehensive Monitoring Strategy and Action Plan for*~~
21 ~~*Watershed Health and Salmon Recovery.* The legislature further finds~~
22 ~~that funding to begin implementing the strategy and action plan was~~
23 ~~provided in the 2003-2005 biennial budget, and that executive order 04-~~
24 ~~03 was issued to coordinate state agency implementation activities. It~~
25 ~~is therefore the purpose of this section to adopt the strategy and~~
26 ~~action plan and to provide guidance to ensure that the coordination~~
27 ~~activities directed by executive order 04-03 are effectively carried~~
28 ~~out.~~

29 (2)) The forum on monitoring salmon recovery and watershed health
30 is created to implement the Washington Comprehensive Monitoring
31 Strategy and Action Plan for Watershed Health and Salmon Recovery. For
32 administrative purposes, the forum is located within the recreation and
33 conservation office. The governor shall appoint a person with
34 experience and expertise in natural resources and environmental quality
35 monitoring to chair the forum. The chair shall serve four-year terms
36 and may serve successive terms. The forum shall include

1 representatives of the following state agencies and regional entities
2 that have responsibilities related to monitoring of salmon recovery and
3 watershed health:

4 (a) Department of ecology;

5 (b) Salmon recovery funding board;

6 (c) Governor's salmon recovery office;

7 (d) Department of fish and wildlife;

8 (e) Department of natural resources;

9 (f) Puget Sound (~~action team, or a successor state agency~~)
10 partnership;

11 (g) Conservation commission;

12 (h) Department of agriculture;

13 (i) Department of transportation; and

14 (j) Each of the regional salmon recovery organizations.

15 ~~((+3))~~ (2) The forum on monitoring salmon recovery and watershed
16 health shall provide a multiagency venue for coordinating technical and
17 policy issues and actions related to monitoring salmon recovery and
18 watershed health.

19 ~~((+4))~~ (3) The forum on monitoring salmon recovery and watershed
20 health shall recommend a set of ~~((measures))~~ high-level indicators for
21 use ~~((by the governor's salmon recovery office))~~ in the ~~((state of the~~
22 ~~salmon report))~~ consolidated report on salmon recovery and watershed
23 health required by RCW 77.85.020 to convey results and progress on
24 salmon recovery and watershed health in ways that are easily understood
25 by the general public.

26 ~~((+5))~~ (4) The forum on monitoring salmon recovery and watershed
27 health shall invite the participation of federal, tribal, regional, and
28 local agencies and entities that carry out salmon recovery and
29 watershed health monitoring, and work toward coordination and
30 standardization of measures used.

31 ~~((+6))~~ (5) The forum on monitoring salmon recovery and watershed
32 health shall periodically report to the governor and the appropriate
33 standing committees of the senate and house of representatives on the
34 forum's activities and recommendations for improving monitoring
35 programs by state agencies~~((, coordinating with the governor's salmon~~
36 ~~recovery office biennial report as))~~. This information must be
37 included within the consolidated report on salmon recovery and
38 watershed health required by RCW 77.85.020.

1 ~~((7))~~ (6) The forum on monitoring salmon recovery and watershed
2 health shall review pilot monitoring programs including those that
3 integrate (a) data collection, management, and access; and (b)
4 information regarding habitat projects and project management.

5 ~~((8))~~ (7) The forum on monitoring salmon recovery and watershed
6 health shall review and make recommendations to the office of financial
7 management and the appropriate legislative committees on agency budget
8 requests related to monitoring salmon recovery and watershed health.
9 These recommendations must be made no later than September 15th of each
10 year. The goal of this review is to prioritize and integrate budget
11 requests across agencies.

12 ~~((9))~~ (8)(a) The forum on monitoring salmon recovery and
13 watershed health shall adopt general high-level indicators for salmon
14 recovery and watershed health in Washington by December 1, 2009. By
15 July 1, 2010, the forum shall also adopt the protocols for monitoring
16 these high-level indicators that will enable state-conducted or state-
17 funded monitoring efforts to be capable of reporting results that will
18 ensure reporting consistency and agency compliance under the
19 consolidated reporting requirement of RCW 77.85.020. The forum on
20 monitoring salmon recovery and watershed health shall indicate how the
21 general high-level indicators are consistent with, and complement, the
22 more detailed regional and local metrics used to measure watershed
23 health and salmon recovery.

24 (b) High-level indicators shall inform a nontechnical summary of
25 key metrics that indicate the state of salmon recovery and provide an
26 index of watershed health in Washington.

27 (9) This section expires June 30, ~~((2015))~~ 2011.

28 NEW SECTION. Sec. 6. (1) By December 1, 2009, the recreation and
29 conservation office, in consultation with the department of ecology,
30 the department of fish and wildlife, regional fisheries enhancement
31 groups, lead entities, planning units and lead agencies, and regional
32 salmon recovery organizations shall provide an assessment to the
33 governor on additional coordination and incentive opportunities with
34 lead entities, regional salmon recovery organizations, lead agencies,
35 and WRIA planning units, and shall include any additional coordination
36 and incentive opportunities for those organizations that exist and

1 operate within a shared watershed boundary or portions of a shared
2 watershed boundary.

3 (2) By December 1, 2009, the recreation and conservation office and
4 the office of regulatory assistance, working in coordination with the
5 departments of ecology and fish and wildlife, must identify and
6 recommend one pilot project outside of Puget Sound that will
7 effectively integrate salmon recovery and watershed planning missions
8 and objectives. The pilot project's purpose is to demonstrate ways to
9 achieve efficient permitting processes to implement projects identified
10 in local or regional salmon recovery or WRIA-based watershed plans.

11 (3) This section expires December 31, 2009.

12 NEW SECTION. **Sec. 7.** (1) By December 1, 2009, the department of
13 ecology must provide recommendations to the legislature on grant
14 programs related to restoration and protection of water quality and for
15 increases, augmentation, or conservation of water quantity supplies
16 that may be more effectively and efficiently funded through the salmon
17 recovery funding board. The recommendations should include ways to
18 integrate salmon recovery data into reporting of watershed health.

19 (2) This section expires December 31, 2009.

20 **Sec. 8.** RCW 77.85.140 and 2007 c 241 s 22 are each amended to read
21 as follows:

22 (1) Habitat project lists shall be submitted to the salmon recovery
23 funding board for funding at least once a year on a schedule
24 established by the board. The board shall provide the legislature with
25 a list of the proposed projects and a list of the projects funded by
26 October 1st of each year for informational purposes. Project sponsors
27 who complete salmon habitat projects approved for funding from habitat
28 project lists and have met grant application deadlines will be paid by
29 the salmon recovery funding board within thirty days of project
30 completion.

31 (2) The recreation and conservation office shall track all funds
32 allocated for salmon habitat projects and salmon recovery activities on
33 behalf of the board, including both funds allocated by the board and
34 funds allocated by other state or federal agencies for salmon recovery
35 or water quality improvement.

1 (~~(3) Beginning in December 2000, the board shall provide a~~
2 ~~biennial report to the governor and the legislature on salmon recovery~~
3 ~~expenditures. This report shall be coordinated with the state of the~~
4 ~~salmon report required under RCW 77.85.020.)~~)

5 **Sec. 9.** RCW 77.85.005 and 2005 c 309 s 1 are each amended to read
6 as follows:

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

19 The legislature finds that it is in the interest of the citizens of
20 the state of Washington for the state to retain primary responsibility
21 for managing the natural resources of the state, rather than abdicate
22 those responsibilities to the federal government, and that the state
23 may best accomplish this objective by integrating local and regional
24 recovery activities into a statewide strategy that can make the most
25 effective use of provisions of federal laws allowing for a state lead
26 in salmon recovery, delivered through implementation activities
27 consistent with regional and watershed recovery plans. The legislature
28 also finds that a statewide salmon recovery strategy must be developed
29 and implemented through an active public involvement process in order
30 to ensure public participation in, and support for, salmon recovery.
31 The legislature also finds that there is a substantial link between the
32 provisions of the federal endangered species act and the federal clean
33 water act (33 U.S.C. Sec. 1251 et seq.). The legislature further finds
34 that habitat restoration is a vital component of salmon recovery
35 efforts. Therefore, it is the intent of the legislature to
36 specifically address salmon habitat restoration in a coordinated manner
37 and to develop a structure that allows for the coordinated delivery of

1 federal, state, and local assistance to communities for habitat
2 projects that will assist in the recovery and enhancement of salmon
3 stocks. A strong watershed-based locally implemented plan is essential
4 for local, regional, and statewide salmon recovery.

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

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

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

29 **Sec. 10.** RCW 77.85.090 and 2007 c 444 s 5 and 2007 c 341 s 49 are
30 each reenacted and amended to read as follows:

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

33 (2) Lead entities within a salmon recovery region that agree to
34 form a regional salmon recovery organization may be recognized by the
35 governor's salmon recovery office created in RCW 77.85.030(~~(, during~~
36 ~~the time it is constituted,)~~) as a regional recovery organization. The
37 regional recovery organization may plan, coordinate, and monitor the

1 implementation of a regional recovery plan in accordance with RCW
2 77.85.150. Regional recovery organizations existing as of July 24,
3 2005, that have developed draft recovery plans approved by the
4 governor's salmon recovery office by July 1, 2005, may continue to
5 plan, coordinate, and monitor the implementation of regional recovery
6 plans.

7 (3) Beginning January 1, 2008, the leadership council, created
8 under chapter 90.71 RCW, shall serve as the regional salmon recovery
9 organization for Puget Sound salmon species, except for the program
10 known as the Hood Canal summer chum evolutionarily significant unit
11 area, which the Hood Canal coordinating council shall continue to
12 administer under chapter 90.88 RCW.

13 **Sec. 11.** RCW 77.85.150 and 2007 c 444 s 6 are each amended to read
14 as follows:

15 (1) The governor shall, with the assistance of the governor's
16 salmon recovery office, (~~during the time it is constituted,~~) maintain
17 and revise, as appropriate, a statewide salmon recovery strategy.

18 (2) The governor and the governor's salmon recovery office shall be
19 guided by the following considerations in maintaining and revising the
20 strategy:

21 (a) The strategy should identify statewide initiatives and
22 responsibilities with regional recovery plans and local watershed
23 initiatives as the principal means for implementing the strategy;

24 (b) The strategy should emphasize collaborative, incentive-based
25 approaches;

26 (c) The strategy should address all factors limiting the recovery
27 of Washington's listed salmon stocks, including habitat and water
28 quality degradation, harvest and hatchery management, inadequate
29 streamflows, and other barriers to fish passage. Where other limiting
30 factors are beyond the state's jurisdictional authorities to respond
31 to, such as some natural predators and high seas fishing, the strategy
32 shall include the state's requests for federal action to effectively
33 address these factors;

34 (d) The strategy should identify immediate actions necessary to
35 prevent extinction of a listed salmon stock, establish performance
36 measures to determine if restoration efforts are working, recommend

1 effective monitoring and data management, and recommend to the
2 legislature clear and certain measures to be implemented if performance
3 goals are not met;

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

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

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

13 (3) If the strategy is updated, an active and thorough public
14 involvement process, including early and meaningful opportunity for
15 public comment, must be utilized. In obtaining public comment, the
16 governor's salmon recovery office shall work with regional salmon
17 recovery organizations throughout the state and shall encourage
18 regional and local recovery planning efforts to ensure an active public
19 involvement process.

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

24 **Sec. 12.** RCW 43.41.270 and 2007 c 444 s 7 and 2007 c 241 s 5 are
25 each reenacted and amended to read as follows:

26 (1) The office of financial management shall assist natural
27 resource-related agencies in developing outcome-focused performance
28 measures for administering natural resource-related and environmentally
29 based grant and loan programs. These performance measures are to be
30 used in determining grant eligibility, for program management and
31 performance assessment.

32 (2) The office of financial management and the (~~governor's salmon~~
33 ~~recovery~~) recreation and conservation office(~~(, during the time it is~~
34 ~~constituted,~~) shall assist natural resource-related agencies in
35 developing recommendations for a monitoring program to measure outcome-
36 focused performance measures required by this section. The

1 recommendations must be consistent with the framework and coordinated
2 monitoring strategy developed by the monitoring oversight committee
3 established in RCW 77.85.210.

4 (3) Natural resource agencies shall consult with grant or loan
5 recipients including local governments, tribes, nongovernmental
6 organizations, and other interested parties, and report to the office
7 of financial management on the implementation of this section.

8 (4) For purposes of this section, "natural resource-related
9 agencies" include the department of ecology, the department of natural
10 resources, the department of fish and wildlife, the state conservation
11 commission, the recreation and conservation funding board, the salmon
12 recovery funding board, and the public works board within the
13 department of community, trade, and economic development.

14 (5) For purposes of this section, "natural resource-related
15 environmentally based grant and loan programs" includes the
16 conservation reserve enhancement program; dairy nutrient management
17 grants under chapter 90.64 RCW; state conservation commission water
18 quality grants under chapter 89.08 RCW; coordinated prevention grants,
19 public participation grants, and remedial action grants under RCW
20 70.105D.070; water pollution control facilities financing under chapter
21 70.146 RCW; aquatic lands enhancement grants under RCW 79.105.150;
22 habitat grants under the Washington wildlife and recreation program
23 under RCW 79A.15.040; salmon recovery grants under chapter 77.85 RCW;
24 and the public works trust fund program under chapter 43.155 RCW. The
25 term also includes programs administered by the department of fish and
26 wildlife related to protection or recovery of fish stocks which are
27 funded with moneys from the capital budget.

28 **Sec. 13.** RCW 79A.25.240 and 2007 c 241 s 57 are each amended to
29 read as follows:

30 The recreation and conservation office shall provide necessary
31 grants and loan administration support to the salmon recovery funding
32 board as provided in RCW 77.85.120. The office shall also be
33 responsible for tracking salmon recovery expenditures under RCW
34 77.85.140. The office shall provide all necessary administrative
35 support to the salmon recovery funding board, and the salmon recovery
36 funding board shall be located with the office. ~~((The office shall
37 provide necessary coordination with the salmon recovery office.))~~

1 NEW SECTION. **Sec. 14.** Nothing in this act is intended to amend
2 chapter 90.71 RCW.

3 NEW SECTION. **Sec. 15.** RCW 77.85.100 (Work group--Evaluation of
4 mitigation alternatives) and 2000 c 107 s 100 & 1998 c 246 s 16 are
5 each repealed."

SHB 2157 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

ADOPTED 04/10/2009

6 On page 1, line 2 of the title, after "office;" strike the
7 remainder of the title and insert "amending RCW 77.85.030, 77.85.050,
8 77.85.020, 77.85.250, 77.85.140, 77.85.005, 77.85.150, and 79A.25.240;
9 reenacting and amending RCW 77.85.090 and 43.41.270; creating new
10 sections; repealing RCW 77.85.100; and providing expiration dates."

--- END ---