
SENATE BILL 6187

State of Washington

63rd Legislature

2014 Regular Session

By Senators Sheldon and McCoy

Read first time 01/17/14. Referred to Committee on Energy, Environment & Telecommunications.

1 AN ACT Relating to local integrating organizations; amending RCW
2 90.71.010, 90.71.200, 90.71.230, 90.71.240, 90.71.260, 90.71.310,
3 90.71.330, and 90.71.340; and adding new sections to chapter 90.71 RCW.

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

5 **Sec. 1.** RCW 90.71.010 and 2007 c 341 s 2 are each amended to read
6 as follows:

7 (~~Unless the context clearly requires otherwise,~~) The definitions
8 in this section apply throughout this chapter unless the context
9 clearly requires otherwise.

10 (1) "Action agenda" means the comprehensive schedule of projects,
11 programs, and other activities designed to achieve a healthy Puget
12 Sound ecosystem that is authorized and further described in RCW
13 90.71.300 and 90.71.310.

14 (2) "Action area" means the geographic areas delineated as provided
15 in RCW 90.71.260.

16 (3) "Benchmarks" means measurable interim milestones or
17 achievements established to demonstrate progress towards a goal,
18 objective, or outcome.

19 (4) "Board" means the ecosystem coordination board.

1 (5) "Council" means the leadership council.

2 (6) "Environmental indicator" means a physical, biological, or
3 chemical measurement, statistic, or value that provides a proximate
4 gauge, or evidence of, the state or condition of Puget Sound.

5 (7) "Implementation strategies" means the strategies incorporated,
6 including regional ecosystem recovery strategies, on a biennial basis
7 in the action agenda developed under RCW 90.71.310.

8 (8) "Nearshore" means the area beginning at the crest of coastal
9 bluffs and extending seaward through the marine photics zone, and to
10 the head of tide in coastal rivers and streams. "Nearshore" also means
11 both shoreline and estuaries.

12 (9) "Panel" means the Puget Sound science panel.

13 (10) "Partnership" means the Puget Sound partnership.

14 (11) "Puget Sound" means Puget Sound and related inland marine
15 waters, including all salt waters of the state of Washington inside the
16 international boundary line between Washington and British Columbia,
17 and lying east of the junction of the Pacific Ocean and the Strait of
18 Juan de Fuca, and the rivers and streams draining to Puget Sound as
19 mapped by water resource inventory areas 1 through 19 in WAC
20 173-500-040 as it exists on July 1, 2007.

21 (12) "Puget Sound partner" means an entity that has been recognized
22 by the partnership, as provided in RCW 90.71.340, as having
23 consistently achieved outstanding progress in implementing the 2020
24 action agenda.

25 (13) "Watershed groups" means all groups sponsoring or
26 administering watershed programs, including but not limited to local
27 integrating organizations, local governments, private sector entities,
28 watershed planning units, watershed councils, shellfish protection
29 areas, regional fishery enhancement groups, marine ((resource{s}))
30 resources committees including those working with the Northwest straits
31 commission, nearshore groups, and watershed lead entities.

32 (14) "Watershed programs" means and includes all regional ecosystem
33 recovery strategies, watershed-level plans, programs, projects, and
34 activities that relate to or may contribute to the protection or
35 restoration of Puget Sound waters. Such programs may include
36 jurisdiction-wide programs regardless of whether more than one
37 watershed is addressed.

1 (15) "Local integrating organizations" include committees of
2 counties, tribes, cities, special purpose districts, nongovernmental
3 organizations, or citizens approved by the Puget Sound partnership
4 leadership council for the purpose of coordinating local watershed
5 input to the partnership for inclusion into the action agenda. Local
6 integrating organizations may be informal forums or formal regional
7 alliances as provided for in section 6 of this act.

8 (16) "Puget Sound technical review team" means the committee formed
9 by the partnership to review, advise, and comment on draft regional
10 ecosystem recovery strategies prepared by regional alliances. The
11 Puget Sound technical review team may include federal, state, tribal,
12 local, and nongovernmental organizations having fisheries, water
13 quality, storm water, and other relevant ecosystems expertise.

14 (17) "Regional ecosystem recovery strategies" means the
15 comprehensive schedule of projects, programs, and other activities
16 developed by regional alliances provided in RCW 90.71.260 that are
17 incorporated into the action agenda described in RCW 90.71.300 and
18 90.71.310.

19 **Sec. 2.** RCW 90.71.200 and 2007 c 341 s 1 are each amended to read
20 as follows:

21 (1) The legislature finds that:

22 (a) Puget Sound, including Hood Canal, and the waters that flow to
23 it are a national treasure and a unique resource. Residents enjoy a
24 way of life centered around these waters that depends upon clean and
25 healthy marine and freshwater resources.

26 (b) Puget Sound is in serious decline, and Hood Canal is in a
27 serious crisis. This decline is indicated by loss of and damage to
28 critical habit, rapid decline in species populations, increases in
29 aquatic nuisance species, numerous toxics contaminated sites,
30 urbanization and attendant storm water drainage, closure of beaches to
31 shellfish harvest due to disease risks, low-dissolved oxygen levels
32 causing death of marine life, and other phenomena. If left unchecked,
33 these conditions will worsen.

34 (c) Puget Sound must be restored and protected in a more coherent
35 and effective manner. The current system is highly fragmented.
36 Immediate and concerted action is necessary by all levels of government

1 working with the public, nongovernmental organizations, and the private
2 sector to ensure a thriving natural system that exists in harmony with
3 a vibrant economy.

4 (d) By working at the local watershed level, customized solutions
5 to fit local environmental and community conditions can achieve the
6 immediate benefits of restoration.

7 (e) Leadership, accountability, government transparency, thoughtful
8 and responsible spending of public funds, and public involvement will
9 be integral to the success of efforts to restore and protect Puget
10 Sound.

11 (2) The legislature therefore creates a new Puget Sound partnership
12 to coordinate and lead the effort to restore and protect Puget Sound,
13 and intends that all governmental entities, including federal and state
14 agencies, tribes, cities, counties, ports, and special purpose
15 districts, support and help implement the partnership's restoration
16 efforts. The legislature further intends that the partnership will:

17 (a) Define a strategic action agenda prioritizing necessary
18 actions, both basin-wide and within specific action areas, and creating
19 an approach that addresses all of the complex connections among the
20 land, water, web of species, and human needs. The action agenda will
21 be based on science and include clear, measurable goals for the
22 recovery of Puget Sound by 2020;

23 (b) Determine accountability for performance, oversee the
24 efficiency and effectiveness of money spent, educate and engage the
25 public, and track and report results to the legislature, the governor,
26 and the public;

27 (c) Not have regulatory authority, nor authority to transfer the
28 responsibility for, or implementation of, any state regulatory program,
29 unless otherwise specifically authorized by the legislature.

30 (3) It is the goal of the state that the health of Puget Sound be
31 restored by 2020.

32 **Sec. 3.** RCW 90.71.230 and 2007 c 341 s 5 are each amended to read
33 as follows:

34 (1) The leadership council shall have the power and duty to:
35 (a) Provide leadership and have responsibility for the functions of
36 the partnership, including adopting, revising, and guiding the
37 implementation of the action agenda, allocating funds for Puget Sound

1 recovery, providing progress and other reports, setting strategic
2 priorities and benchmarks, adopting and applying accountability
3 measures, and making appointments to the board and panel;

4 (b) Adopt rules, in accordance with chapter 34.05 RCW;

5 (c) Create subcommittees and advisory committees as appropriate to
6 assist the council;

7 (d) Enter into, amend, and terminate contracts with individuals,
8 corporations, or research institutions to effectuate the purposes of
9 this chapter;

10 (e) Make grants to governmental and nongovernmental entities to
11 effectuate the purposes of this chapter;

12 (f) Receive such gifts, grants, and endowments, in trust or
13 otherwise, for the use and benefit of the partnership to effectuate the
14 purposes of this chapter;

15 (g) Promote extensive public awareness, education, and
16 participation in Puget Sound protection and recovery;

17 (h) Work collaboratively with the Hood Canal coordinating council
18 established in chapter 90.88 RCW on Hood Canal-specific issues;

19 (i) Maintain complete and consolidated financial information to
20 ensure that all funds received and expended to implement the action
21 agenda have been accounted for; and

22 (j) Take such other (~~((powers and duties))~~) actions as are necessary
23 and appropriate to carry out the provisions of this chapter.

24 (2) The council may delegate functions to the chair and to the
25 executive director, however the council may not delegate its decisional
26 authority regarding developing or amending the action agenda.

27 (3) The council shall work closely with existing organizations and
28 all levels of government to ensure that the action agenda and its
29 implementation are scientifically sound, efficient, and achieve
30 necessary results to accomplish recovery of Puget Sound to health by
31 2020.

32 (4) The council shall support, engage, and foster collaboration
33 among watershed groups to assist in the recovery of Puget Sound.

34 The council shall support and fund the incorporation of
35 regional ecosystem recovery strategies provided for in this chapter
36 into the action agenda.

37 (6) Before updating the action agenda, the council shall obtain the

1 consent of regional alliances established as provided for in section 6
2 of this act.

3 (7) When working with federally recognized Indian tribes to develop
4 and implement the action agenda, the council shall conform to the
5 procedures and standards required in a government-to-governmental
6 relationship with tribes under the 1989 Centennial Accord between the
7 state of Washington and the sovereign tribal governments in the state
8 of Washington.

9 ((+6+)) (8) Members of the council shall be compensated in
10 accordance with RCW 43.03.220 and be reimbursed for travel expenses in
11 accordance with RCW 43.03.050 and 43.03.060.

12 **Sec. 4.** RCW 90.71.240 and 2007 c 341 s 6 are each amended to read
13 as follows:

14 (1) The partnership shall be administered by an executive director
15 who serves as a communication link between all levels of government,
16 the private sector, tribes, nongovernmental organizations, the council,
17 the board, ((and)) the panel, and local integrating organizations. The
18 executive director shall be accountable to the council and the governor
19 for effective communication, actions, and results.

20 (2) The executive director shall be appointed by and serve at the
21 pleasure of the governor, in consultation with the council. The
22 governor shall consider the recommendations of the council when
23 appointing the executive director.

24 (3) The executive director shall have complete charge of and
25 supervisory powers over the partnership, subject to the guidance from
26 the council.

27 (4) The executive director shall employ a staff, who shall be state
28 employees under Title 41 RCW.

29 (5) Upon approval of the council, the executive director may take
30 action to create a private nonprofit entity, which may take the form of
31 a nonprofit corporation, to assist the partnership in restoring Puget
32 Sound by:

33 (a) Raising money and other resources through charitable giving,
34 donations, and other appropriate mechanisms;

35 (b) Engaging and educating the public regarding Puget Sound's
36 health, including efforts and opportunities to restore Puget Sound
37 ecosystems; and

1 (c) Performing other similar activities as directed by the
2 partnership.

3 **Sec. 5.** RCW 90.71.260 and 2007 c 341 s 8 are each amended to read
4 as follows:

5 (1) The partnership shall develop and update the action agenda (~~in~~
6 ~~part~~) upon the foundation of regional ecosystem recovery strategies
7 or, if those are absent, existing watershed programs that address or
8 contribute to the health of Puget Sound. To ensure full consideration
9 of these regional ecosystem recovery strategies and watershed programs
10 in a timely manner to meet the required date for adoption of the action
11 agenda, the partnership shall rely largely upon local integrating
12 organizations, watershed groups, tribes, cities, counties, special
13 purpose districts, and the private sector, who are engaged in
14 developing and implementing these programs.

15 (2) The partnership shall organize this work by incorporating the
16 regional ecosystem recovery strategies developed by local integrating
17 organizations and working with (~~these~~) groups in the following
18 geographic action areas of Puget Sound, which collectively encompass
19 all of the Puget Sound basin and include the areas draining to the
20 marine waters in these action areas:

- 21 (a) Strait of Juan de Fuca;
- 22 (b) The San Juan Islands;
- 23 (c) Whidbey Island;
- 24 (d) North central Puget Sound;
- 25 (e) South central Puget Sound;
- 26 (f) South Puget Sound; and
- 27 (g) Hood Canal.

28 (3) The council shall define the geographic delineations of these
29 action areas based upon the common issues and interests of the entities
30 in these action areas, and upon the characteristics of the Sound's
31 physical structure, and the water flows into and within the Sound.
32 Where regional alliances are formed, as provided for in section 6 of
33 this act, the council shall ensure the respective regional ecosystem
34 recovery strategy is incorporated into the action agenda prior to any
35 updates of the action agenda adoption.

36 (4) The executive director, working with the board representatives
37 from each action area, shall invite appropriate tribes, local

1 governments, and watershed groups to convene for the purpose of
2 compiling the existing watershed programs relating or contributing to
3 the health of Puget Sound. The participating groups should work to
4 identify the applicable local plan elements, projects, and programs,
5 together with estimated budget, timelines, and proposed funding
6 sources, that are suitable for adoption into the action agenda. This
7 may include a prioritization among plan elements, projects, and
8 programs.

9 (5) The partnership may provide assistance to watershed groups in
10 those action areas that are developing and implementing programs
11 included within the action agenda, and to improve coordination among
12 the groups to improve and accelerate the implementation of the action
13 agenda.

14 (6) The executive director, working with the board, shall also
15 compile and assess ecosystem scale management, restoration, and
16 protection plans for the Puget Sound basin.

17 (a) At a minimum, the compilation shall include regional ecosystem
18 recovery strategies adopted by regional alliances, the Puget Sound
19 nearshore estuary project, clean-up plans for contaminated aquatic
20 lands and shorelands, aquatic land management plans, state resource
21 management plans, habitat conservation plans, and recovery plans for
22 salmon, orca, and other species in Puget Sound that are listed under
23 the federal endangered species act.

24 (b) The board should work to identify and assess applicable
25 ecosystem scale plan elements, projects, and programs, together with
26 estimated budget, timelines, and proposed funding sources, that are
27 suitable for adoption into the action agenda.

28 (c) When the board identifies conflicts or disputes among ecosystem
29 scale projects or programs, the board may convene the agency managers
30 in an attempt to reconcile the conflicts with the objective of
31 advancing the protection and recovery of Puget Sound.

32 (d) If it determines that doing so will increase the likelihood of
33 restoring Puget Sound by 2020, the partnership may explore the utility
34 of federal assurances under the endangered species act, 16 U.S.C. Sec.
35 1531 et seq., and shall confer with the federal services administering
36 that act.

37 (7) The executive director shall integrate and present the proposed

1 elements from regional ecosystem recovery strategies, watershed
2 programs, and ecosystem-level plans to the council for consideration
3 for inclusion in the action agenda (~~(not later than July 1, 2008)~~).

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

6 (1) To assist in the recovery of Puget Sound, local integrating
7 organizations may be organized, and the partnership shall provide
8 funding, for the following purposes:

9 (a) For regional forums. Regional forums function to communicate,
10 coordinate, and act to assist the partnership in developing and
11 implementing the action agenda. Regional forums may involve elected
12 and nonelected stakeholders and should include a broad representation
13 of interests within their geographic area. Regional forums act to
14 provide input between local stakeholders and the partnership.

15 (b) For regional alliances. Regional alliances are formalized
16 associations of local elected officials and representatives of tribes,
17 cities, counties, nongovernmental organizations, ports, conservation
18 districts, health districts, and others. Regional alliances are
19 organized under an interlocal agreement or by local ordinance or
20 resolution of the counties and participating tribes within the
21 designated geographic area. At a minimum, regional alliances shall:

22 (i) Be organized with an executive committee of locally elected
23 county officials and tribal officials as a decision-making body and a
24 broadly inclusive advisory council.

25 (ii) Invite all tribes within the designated area to sit on the
26 executive committee.

27 (iii) Develop, implement, and provide project management of
28 science-based, regional ecosystem recovery strategies.

29 (2) Local integrating organizations recognized by the council
30 before December 1, 2013, are deemed regional forums for purposes of
31 this chapter. Additionally, the local integrating organization for the
32 south Puget Sound action area is deemed the regional alliance for that
33 area as provided for in this chapter.

34 (3) The council shall adopt criteria and processes for approving
35 additional regional alliances.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 90.71 RCW
2 to read as follows:

3 (1) Regional alliances organized under this chapter shall develop,
4 coordinate implementation, track, and report to the partnership a
5 regional ecosystem recovery strategy for their respective area.
6 Regional recovery strategies must at a minimum:

7 (a) Include a comprehensive schedule of science-based projects,
8 programs, and other activities needed in their respective area to
9 achieve an area contribution to Puget Sound recovery goals and
10 objectives;

11 (b) Include benchmarks with milestones tracked to environmental
12 indicators of the Puget Sound partnership at the area scale;

13 (c) Provide for inclusion and articulation of specific, regional
14 alliance adopted priorities;

15 (d) Be prepared in a manner to facilitate a project management
16 approach to scoping, budgeting, scheduling, synchronizing, tracking,
17 reporting, monitoring, and assessing progress; and

18 (e) Be the list of area priorities for state and federal funding
19 within the area.

20 (2) Regional alliances shall submit a draft of the regional
21 ecosystem recovery strategy to the Puget Sound technical review team
22 for review and approval prior to adoption by the regional alliance.
23 The Puget Sound technical review team may review the draft strategy for
24 the following:

25 (a) Consistency with the terminology with the action agenda;

26 (b) Consistency of performance measures, benchmarks, implementation
27 strategies, and near-term actions within the action agenda;

28 (c) Likelihood of success of implementation strategies achieving
29 local and regional priorities; and

30 (d) Anticipated effectiveness of proposed actions.

31 (3) Puget Sound technical review team comments on regional
32 ecosystem recovery strategies, if any, must be submitted to the
33 regional alliance for consideration no later than thirty days after
34 receipt of the draft strategy.

35 (4) The council must incorporate regional ecosystem recovery
36 strategies into the action agenda for the action area.

37 (5) By December 1, 2014, the partnership shall develop and

1 implement a regional allocation method to fund implementation of
2 regional alliances' ecosystem recovery strategies. The regional
3 allocation method must:

4 (a) Provide that no less than forty-five percent of the total
5 available annual federal nontribal Puget Sound national estuary program
6 and geographic initiative funds and no less than forty-five percent of
7 Puget Sound recovery account, created in RCW 90.71.400, funds used by
8 the partnership for loans, grants, or funding transfers to other
9 entities be distributed by the partnership to regional alliances that
10 have completed and adopted a regional ecosystem recovery strategy as
11 provided in this chapter;

12 (b) Provide the executive committee of the regional alliance the
13 ability to receive, distribute, and account for nontribal Puget Sound
14 recovery funds to projects in the ecosystem recovery strategy; and

15 (c) Provide that specific, scientifically supported actions,
16 projects, and programs that are included in the regional strategy are
17 funded.

18 (6) In deploying the regional allocation method, the council may
19 pilot with the local integrating organization for the south Puget Sound
20 action area known as the alliance for a healthy south Puget Sound, for
21 the 2014 and 2015 allocations.

22 **Sec. 8.** RCW 90.71.310 and 2008 c 329 s 926 are each amended to
23 read as follows:

24 (1) The council shall develop a science-based action agenda that
25 leads to the recovery of Puget Sound by 2020 and achievement of the
26 goals and objectives established in RCW 90.71.300. The action agenda
27 shall:

28 (a) Address all geographic areas of Puget Sound including upland
29 areas and tributary rivers and streams that affect Puget Sound;

30 (b) Describe the problems affecting Puget Sound's health using
31 supporting scientific data, and provide a summary of the historical
32 environmental health conditions of Puget Sound so as to determine past
33 levels of pollution and restorative actions that have established the
34 current health conditions of Puget Sound;

35 (c) Meet the goals and objectives described in RCW 90.71.300,
36 including measurable outcomes for each goal and objective specifically
37 describing what will be achieved, how it will be quantified, and how

1 progress towards outcomes will be measured. The action agenda shall
2 include near-term and long-term benchmarks designed to ensure
3 continuous progress needed to reach the goals, objectives, and
4 designated outcomes by 2020. The council shall consult with the panel
5 in developing these elements of the plan;

6 (d) Identify and prioritize the strategies and actions necessary to
7 restore and protect Puget Sound and to achieve the goals and objectives
8 described in RCW 90.71.300;

9 (e) Identify the agency, entity, or person responsible for
10 completing the necessary strategies and actions, and potential sources
11 of funding;

12 (f) (~~Include prioritized actions~~) Incorporate regional ecosystem
13 recovery strategies adopted by regional alliances and the regional
14 alliances' prioritized actions and may also include other prioritized
15 actions identified through the assembled proposals from each of the
16 seven action areas and the identification and assessment of ecosystem
17 scale programs as provided in RCW 90.71.260;

18 (g) Include specific actions to address aquatic rehabilitation zone
19 one, as defined in RCW 90.88.010;

20 (h) Incorporate any additional goals adopted by the council; and

21 (i) Incorporate appropriate actions to carry out the biennial
22 science work plan created in RCW 90.71.290.

23 (2) In developing the action agenda and any subsequent revisions,
24 the council shall, when appropriate, incorporate the following:

25 (a) All updated regional ecosystem recovery strategies adopted by
26 regional alliances;

27 (b) Water quality, water quantity, sediment quality, watershed,
28 marine resource, and habitat restoration plans created by governmental
29 agencies, watershed groups, and marine and shoreline groups. The
30 council shall consult with the board in incorporating these plans;

31 (~~(b)~~) (c) Recovery plans for salmon, orca, and other species in
32 Puget Sound listed under the federal endangered species act;

33 (~~(c)~~) (d) Existing plans and agreements signed by the governor,
34 the commissioner of public lands, other state officials, or by federal
35 agencies; and

36 (~~(d)~~) (e) Appropriate portions of the Puget Sound water quality
37 management plan existing on July 1, 2007.

1 (3) Until the action agenda is adopted, the existing Puget Sound
2 management plan and the 2007-09 Puget Sound biennial plan shall remain
3 in effect. The existing Puget Sound management plan shall also
4 continue to serve as the comprehensive conservation and management plan
5 for the purposes of the national estuary program described in section
6 320 of the federal clean water act, until replaced by the action agenda
7 and approved by the United States environmental protection agency as
8 the new comprehensive conservation and management plan.

9 (4) The council shall adopt the action agenda by December 1, 2008.
10 The council shall revise the action agenda as needed, and revise the
11 implementation strategies every two years using an adaptive management
12 process informed by tracking actions and monitoring results in Puget
13 Sound. In revising the action agenda and the implementation
14 strategies, the council shall consult the panel and the board and
15 provide opportunity for public review and comment. Biennial updates
16 shall:

17 (a) Contain a detailed description of prioritized actions necessary
18 in the biennium to achieve the goals, objectives, outcomes, and
19 benchmarks of progress identified in the action agenda;

20 (b) Identify the agency, entity, or person responsible for
21 completing the necessary action; and

22 (c) Establish biennial benchmarks for near-term actions.

23 (5) The action agenda shall be organized and maintained in a single
24 document to facilitate public accessibility to the plan.

25 **Sec. 9.** RCW 90.71.330 and 2007 c 341 s 15 are each amended to read
26 as follows:

27 (1) Any funding made available directly to the partnership from the
28 Puget Sound recovery account created in RCW 90.71.400 and used by the
29 partnership for loans, grants, or funding transfers to other entities
30 shall be prioritized according to the action agenda developed pursuant
31 to RCW 90.71.310. However, no less than forty-five percent of those
32 funds must be distributed to regional alliances that have adopted
33 regional recovery strategies.

34 (2) The partnership shall condition, with interagency agreements,
35 any grants or funding transfers to other entities from the Puget Sound
36 recovery account to ensure accountability in the expenditure of the
37 funds and to ensure that the funds are used by the recipient entity in

1 the manner determined by the partnership to be the most consistent with
2 the priorities of the action agenda. Any conditions placed on federal
3 funding under this section shall incorporate and be consistent with
4 requirements under signed agreements between the entity and the federal
5 government.

6 (3) If the partnership finds that the provided funding was not used
7 as instructed in the interagency agreement, the partnership may suspend
8 or further condition future funding to the recipient entity.

9 (4) The partnership shall require any entity that receives funds
10 for implementing the action agenda to publicly disclose and account for
11 expenditure of those funds.

12 **Sec. 10.** RCW 90.71.340 and 2007 c 341 s 16 are each amended to
13 read as follows:

14 (1) The legislature intends that fiscal incentives and
15 disincentives be used as accountability measures designed to achieve
16 consistency with the action agenda by:

17 (a) Ensuring that projects and activities in conflict with the
18 action agenda are not funded;

19 (b) Aligning environmental investments with strategic priorities of
20 the action agenda; and

21 (c) Using state grant and loan programs to encourage consistency
22 with the action agenda.

23 (2) The council shall adopt measures to ensure that funds
24 appropriated for implementation of the action agenda and identified by
25 proviso or specifically referenced in the omnibus appropriations act
26 pursuant to RCW 43.88.030(1)(g) are expended in a manner that will
27 achieve the intended results. In developing such performance measures,
28 the council shall establish criteria for the expenditure of the funds
29 consistent with the responsibilities and timelines under the action
30 agenda, and require reporting and tracking of funds expended. The
31 council may adopt other measures, such as requiring interagency
32 agreements regarding the expenditure of provisoed or specifically
33 referenced Puget Sound funds.

34 (3) The partnership shall work with other state agencies providing
35 grant and loan funds or other financial assistance for projects and
36 activities that impact the health of the Puget Sound ecosystem under
37 chapters 43.155, 70.105D, 70.146, 77.85, 79.105, 79A.15, 89.08, and

1 90.50A RCW to, within the authorities of the programs, develop
2 consistent funding criteria that prohibits funding projects and
3 activities that are in conflict with the action agenda.

4 (4) The partnership shall develop a process and criteria by which
5 entities that consistently achieve outstanding progress in implementing
6 the action agenda are designated as Puget Sound partners. State
7 agencies shall work with the partnership to revise their grant, loan,
8 or other financial assistance allocation criteria to create a
9 preference for entities designated as Puget Sound partners for funds
10 allocated to the Puget Sound basin, pursuant to RCW 43.155.070,
11 70.105D.070, 70.146.070, 77.85.130, 79.105.150, 79A.15.040, 89.08.520,
12 and 90.50A.040. This process shall be developed on a timeline that
13 takes into consideration state grant and loan funding cycles.

14 (5) In negotiating and accepting federal clean water act section
15 320 funds and other Puget Sound geographic federal funds, the
16 partnership or another agency acting on behalf of the state of
17 Washington shall include in its contract with the United States
18 environmental protection agency a provision that ensures that no less
19 than forty-five percent of the annual nontribal amount is to be
20 distributed in regional allocations to regional alliances as provided
21 for in this chapter.

22 (6) Any entity that receives state funds to implement actions
23 required in the action agenda shall report biennially to the council on
24 progress in completing the action and whether expected results have
25 been achieved within the time frames specified in the action agenda.

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