

Chapter 420-08 WAC
LOCAL AND REGIONAL ORGANIZATION RULES

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WAC

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WAC 420-08-010 Forming a lead entity. (1) All counties, cities, and tribal governments within a lead entity area must have an opportunity to determine whether they wish to initiate the formation of a lead entity area and the selection of a lead entity.

(2) Initiating governments must jointly designate, by resolution or letters of support, a lead entity area and select an entity or organization to act as a lead entity through an adopted resolution or letter of support as described in RCW 77.85.050.

(3) If a lead entity and lead entity area already exists and the initiating governments agree that the lead entity should be changed to another organization, they must do so by following subsections (1) and (2) of this section.

(4) If a noninitiating government decides to participate in the lead entity after it has been acknowledged by the office, they must adopt a resolution or letter of support and provide it to the office. Noninitiating governments may participate in other salmon recovery activities described in this title.

[Statutory Authority: RCW 77.85.120 (1)(d). WSR 20-01-114, § 420-08-010, filed 12/16/19, effective 1/16/20.]

WAC 420-08-020 Duties of a lead entity and citizens committee.

(1) A lead entity administers a local process to identify salmon habitat restoration and acquisition projects and activities that support salmon recovery efforts critical to implementing salmon recovery plans. To accomplish this purpose, a lead entity must hire a coordinator to:

(a) Facilitate the work of a citizens committee;

(b) Work closely with a regional salmon recovery organization, if within a recognized region, to develop a local strategy to restore salmon habitat that meets the needs identified in a salmon recovery plan; and

(c) Recruit organizations to implement salmon habitat restoration projects and activities identified in a local strategy.

(2) A lead entity must establish a citizens committee as described in RCW 77.85.050. A lead entity, or its fiscal agent, shall not designate itself as the citizens committee. A lead entity shall not make decisions on behalf of the citizens committee. The citizen committee must be comprised of people within the lead entity area that represent initiating governments, businesses, interest groups, and private citizens interested in salmon recovery. The citizen committee may include noninitiating governments.

(3) A lead entity must adopt a conflict of interest policy consistent with state guidance that applies to the lead entity and the citizens committee and other committees convened by the lead entity.

(4) The main purpose of a citizens committee is to develop a habitat project list as described in RCW 77.85.050, including a lead entity ranked list, that:

(a) Is based on the critical pathways methodology as described in RCW 77.85.060;

(b) Gives a preference for funding projects in areas that contain salmon species listed or proposed for listing under the federal Endangered Species Act as described in RCW 77.85.050 or supports tribal treaty fishing rights;

(c) Defines a sequence for project implementation and establishes priorities for individual projects as described in RCW 77.85.050 Habitat project lists; and

(d) Identifies federal, state, local, or private funding sources for individual projects as described in RCW 77.85.050.

(5) A lead entity must submit a habitat project list compiled by a citizens committee, including a lead entity ranked project list, to the board by the deadline established by the board and described in RCW 77.85.140. A lead entity must not reorder or substantively alter the habitat project list compiled by a citizens committee without citizens committee's approval.

(6) A citizens committee or lead entity may designate a local technical advisory group as described in RCW 77.85.060. The main purpose of a local technical advisory group is to:

(a) Assist in evaluating the technical merits of individual projects to ensure projects are scientifically valid;

(b) Assist with implementing the critical pathways methodology, including limiting factors analyses;

(c) Advise on prioritizing projects; and

(d) Provide consultation to project sponsors and landowners on how to implement projects.

[Statutory Authority: RCW 77.85.120 (1)(d). WSR 20-01-114, § 420-08-020, filed 12/16/19, effective 1/16/20.]

WAC 420-08-030 Duties of a regional recovery organization. (1)

The main purpose of a regional recovery organization is to coordinate salmon recovery planning and implementation. A regional recovery organization works directly with the federal government to develop, implement, and monitor a regional salmon recovery plan. A regional recovery organization also works directly with the lead entities within the salmon recovery region to develop and implement the recovery plan.

(2) A regional organization may be selected as a lead entity per WAC 420-08-010 Forming a lead entity.

(3) Lead entities within a salmon recovery region may request the governor's salmon recovery office to recognize them as a regional salmon recovery organization as described in RCW 77.85.090 except for those lead entities within the areas covered by the Lower Columbia fish recovery board and Puget Sound leadership council.

(4) A regional organization must submit all federally recognized salmon recovery plans and amendments to the governor's salmon recovery office for incorporation into the statewide salmon recovery strategy.

(5) A regional organization shall advise the board on whether a project on a habitat project list submitted by a lead entity is a priority in the regional salmon recovery plan or strategy. The board will consider the regional organizations advice before it makes a decision on whether to fund a project.

[Statutory Authority: RCW 77.85.120 (1)(d). WSR 20-01-114, § 420-08-030, filed 12/16/19, effective 1/16/20.]

WAC 420-08-040 Capacity funding. (1) The board may award capacity grants to regional salmon recovery organizations as described in RCW 77.85.030 and 77.85.090 and lead entities as described under RCW 77.85.130 for administrative support to implement salmon recovery activities. The governor's salmon recovery office shall administer capacity grants through an executed agreement as described in RCW 77.85.050.

(2) The office will execute an agreement for a capacity grant to a lead entity after the initiating governments select a lead entity area and a lead entity. If the office has an existing agreement for a capacity grant and a lack of consensus on a lead entity area or a lead entity develops, the office may suspend, terminate, or fail to renew the agreement with that lead entity until the initiating governments agree.

[Statutory Authority: RCW 77.85.120 (1)(d). WSR 20-01-114, § 420-08-040, filed 12/16/19, effective 1/16/20.]