

2SSB 6082 - H AMD to H AMD (6082-S2 AMH CB AMH5238.2)
By Representative Mastin

1 On page 6 of the amendment, beginning on line 8, strike section
2 6 and insert the following:

3 "NEW SECTION. **Sec. 6.** A new section is added to chapter
4 79A.15 RCW to read as follows:

5 (1) The riparian protection account is established in the state
6 treasury. The committee must administer the account in accordance
7 with chapter 79A.25 RCW and this chapter, and hold it separate and
8 apart from all other money, funds, and accounts of the committee.

9 (2) Moneys appropriated for this chapter to the riparian
10 protection account must be distributed for the acquisition,
11 preservation, and enhancement or restoration of riparian habitat.
12 Acquisition of riparian habitat can only occur in areas designated
13 by local governments as critical areas under chapter 36.70A RCW.

14 (3) State and local agencies and lead entities under chapter
15 77.85 RCW may apply for acquisition, preservation, and enhancement
16 or restoration funds for riparian habitat projects under subsection
17 (1) of this section. Other state agencies not defined in RCW
18 79A.15.010, such as the department of transportation and the
19 department of corrections, may enter into interagency agreements
20 with state agencies to apply in partnership for funds under this
21 section.

22 (4) The committee may adopt rules establishing the acquisition
23 policies and priorities for distributions from the riparian
24 protection account.

25 (5) Except as provided in RCW 79A.15.030(7), moneys
26 appropriated for this section may not be used by the committee to
27 fund staff positions or other overhead expenses, or by a state,
28 regional, or local agency to fund operation or maintenance of areas
29 acquired under this chapter.

30 (6) Moneys appropriated for this section may be used by grant
31 recipients for costs incidental to restoration and acquisition,

1 including, but not limited to, surveying expenses, fencing, and
2 signing.

3 (7) The committee may not approve a local acquisition project
4 where the local agency share is less than the amount to be awarded
5 from the riparian protection account. In-kind contributions,
6 including contributions of a real property interest in land may be
7 used to satisfy the local agency's share.

8 (8) State agencies receiving grants for acquisition of land
9 under this section must pay an amount in lieu of real property
10 taxes equal to the amount of tax that would be due if the land were
11 taxable as open space land under chapter 84.34 RCW, plus an
12 additional amount for control of noxious weeds equal to that which
13 would be paid if such lands were privately owned. The county
14 assessor and county legislative authority shall assist in
15 determining the appropriate calculation of the amount of tax that
16 would be due under chapter 84.34 RCW.

17 (9) In determining funding priorities with respect to the
18 riparian protection account, the committee must consider, at a
19 minimum, the following criteria:

20 (a) Whether the project continues the conservation reserve
21 enhancement program. Applications that extend the duration of
22 leases of riparian areas that are currently enrolled in the
23 conservation reserve enhancement program shall be given the
24 strongest consideration. Such applications must be leases that
25 extend the existing conservation lease for at least twenty-five
26 years of duration. The enrollee's cost share is no more than
27 fifteen percent.

28 (b) Whether the projects are identified or recommended in a
29 watershed planning process under chapter 90.82 RCW, salmon recovery
30 planning under chapter 77.85 RCW, or other local plans, such as
31 habitat conservation plans.

32 (d) Whether there is community support for the project;

33 (e) Whether there is an immediate threat to the site;

34 (f) Whether the quality of the habitat is improved or, for
35 projects including restoration or enhancement, the potential for
36 restoring quality habitat including linkage of the site to other
37 high quality habitat;

38 (g) Whether the project is consistent with a local land use
39 plan, or a regional or statewide recreational or resource plan.

1 The projects that assist in the implementation of local shoreline
2 master plans updated according to RCW 90.58.080 or local
3 comprehensive plans updated according to RCW 36.70A.130 must be
4 highly considered in the process; and

5 (h) Whether the site has educational or scientific value.

6 (10) Before November 1st of each even-numbered year, the
7 committee will recommend to the governor a prioritized list of
8 projects to be funded under this section. The governor may remove
9 projects from the list recommended by the committee and will submit
10 this amended list in the capital budget request to the legislature.
11 The list must include, but not be limited to, a description of each
12 project and any particular match requirement."

EFFECT: Acquisition of riparian land can only occur in areas designated as critical areas by the local government. Conservation leases under the Conservation Reserve Enhancement Program must be given the strongest consideration if determining funding priorities of applications.