

# HOUSE BILL REPORT

## SHB 2157

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### As Amended by the Senate

**Title:** An act relating to the consolidation of certain salmon recovery activities and programs within the recreation and conservation office.

**Brief Description:** Consolidating certain salmon recovery activities and programs within the recreation and conservation office.

**Sponsors:** House Committee on General Government Appropriations (originally sponsored by Representative Springer; by request of Governor Gregoire).

#### **Brief History:**

##### **Committee Activity:**

Agriculture & Natural Resources: 2/19/09, 2/20/09 [DP];  
General Government Appropriations: 2/26/09 [DPS].

##### **Floor Activity**

Passed House: 3/6/09, 96-0.  
Senate Amended.  
Passed Senate: 4/10/09, 47-0.

#### **Brief Summary of Substitute Bill**

- Changes the authority and duties of certain entities involved in statewide salmon recovery and watershed health programs.
- Consolidates certain salmon recovery activities and programs within the Recreation and Conservation Office.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 9 members: Representatives Blake, Chair; Smith, Assistant Ranking Minority Member; Jacks, Liias, McCoy, Nelson, Ormsby, Van De Wege and Warnick.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Kretz and Pearson.

**Staff:** Anna Jackson (786-7190)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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## HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Darneille, Chair; Takko, Vice Chair; McCune, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Armstrong, Blake, Dunshee, Hudgins, Kenney, Pedersen, Sells, Short, Van De Wege and Williams.

**Staff:** Owen Rowe (786-7391)

### **Background:**

Currently, a number of state agencies and offices are involved with statewide salmon recovery and watershed health programs, including the Governor's Salmon Recovery Office (Recovery Office), the Salmon Recovery Funding Board (Recovery Board), the Forum on Monitoring Salmon Recovery and Watershed Health (Forum), the Recreation and Conservation Office (Conservation Office), the Department of Ecology (DOE), and the Washington Department of Fish and Wildlife (WDFW). The Recovery Board provides grants for salmon recovery, while the Forum is charged with providing greater coordination on monitoring recovery efforts throughout the state. Administrative support for the Recovery Board and the Forum is provided by the Conservation Office. Funding for the lead entities is provided by the Recovery Board through a contract with the WDFW. Funding for water resource inventory area planning units and lead agencies to develop and implement watershed-based plans, however, is provided by the DOE.

#### The Governor's Salmon Recovery Office.

The Recovery Office coordinates and assists in the development, implementation, and revision of regional salmon recovery plans as part of a statewide strategy for salmon recovery. The Recovery Office is responsible for maintaining the statewide salmon recovery strategy to reflect applicable provisions of regional recovery plans, habitat protection and restoration plans, water quality plans, and other private, local, regional, state, and federal plans and projects that contribute to salmon recovery. The Recovery Office also has the authority to take a number of actions related to salmon recovery in the state, such as assisting state agencies, local governments, landowners, and other interested parties in obtaining federal assurances that plans are consistent with fish recovery under the federal Endangered Species Act; acting as a liaison to local governments, the state Congressional delegation, Congress, and federally-recognized tribes on issues related to Washington's salmon recovery plans; and providing recommendations to the Legislature to improve salmon recovery efforts.

#### The Recreation and Conservation Office.

The Conservation Office is a state agency responsible for administering the programs and activities of the Recreation and Conservation Funding Board (Conservation Board), the Recovery Board, the Forum, and the Invasive Species Council. The Director of the Conservation Office, in coordination with the Office of the Governor and the Office of Financial Management, has the authority to prepare and update a strategic plan for the acquisition, renovation, and development of recreational resources and the preservation and conservation of open space. The Conservation Board, in turn, is charged with creating and implementing a unified statewide strategy for meeting the recreational needs of Washington's citizens. In conjunction with other state and local agencies and the Governor, the

Conservation Board is also responsible for representing and promoting the interests of the state on recreational issues; providing and encouraging interagency and regional coordination, as well as interaction, between public and private organizations; administering recreational grant programs and providing technical assistance; and serving as a repository for information relating to recreation.

### **Summary of Substitute Bill:**

#### Changes in Authority and Duties of Salmon Recovery Entities.

A new provision is added regarding legislative findings related to state investments in watershed-based activities, salmon recovery efforts, and entities involved in state-wide salmon recovery efforts.

The Conservation Office is responsible for administering grant programs that support the functions of lead entities involved in developing and submitting habitat project lists for a particular area. The Conservation Office also must provide an assessment to the Governor by December 1, 2009, regarding additional coordination and incentive opportunities with lead entities and agencies, regional salmon recovery organizations, and water resource inventory area planning units. By the same deadline, the Conservation Office must recommend one pilot project outside of the Puget Sound that will effectively integrate salmon recovery and watershed planning missions and objectives. Finally, the requirement that the Recovery Office must submit a biennial State of the Salmon Report is removed and replaced with the requirement that the Conservation Office prepare and submit a biennial Consolidated Report on Salmon Recovery and Watershed Health (Consolidated Report). The Consolidated Report must include a summary of the projects and programs funded by the Recovery Board and a summary of progress in general in achieving salmon recovery, as measured by high-level indicators and state agency compliance with requirements established by the Forum.

The Forum is required to adopt general high-level indicators for salmon recovery and watershed health by December 1, 2009. By July 1, 2010, the Forum is responsible for adopting protocols for monitoring these high-level indicators that will enable monitoring efforts to be capable of reporting results that will ensure reporting consistency and agency compliance under the consolidated reporting requirement administered by the Recovery Office. Finally, the Forum must indicate how the general high-level indicators are consistent with, and complement, the more detailed regional and local metrics used to measure salmon recovery and watershed health.

The DOE is required to provide recommendations to the Legislature by December 1, 2009 on grant programs related to restoration and protection of water quality and quantity supplies that may be more effectively and efficiently funded through the Recovery Board.

The requirement that the Washington State Department of Transportation, the WDFW, and the DOE, in conjunction with the tribes, convene a work group to develop policy guidance to evaluate mitigation alternatives is also removed.

#### Consolidating Salmon Recovery Provisions under the Recreation and Conservation Office.

The provisions regarding the Recovery Office and the Forum are moved from the Salmon Recovery section of the Revised Code of Washington to the section on the Recreation and Conservation Funding Board.

**EFFECT OF SENATE AMENDMENT(S):**

Retains the Governor's Salmon Recovery Office in the Salmon Recovery section of the Revised Code of Washington while transferring its administration to the Recreation and Conservation Office.

Amends references to the Governor's Salmon Recovery Office and the Recreation and Conservation Office, reorganizes certain language without making substantive changes, makes technical changes, and corrects internal references.

Removes the null and void clause.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony (Agriculture & Natural Resources):**

(In support) This bill institutionalizes and consolidates the Recovery Office within the Conservation Office, which will enhance the services that the Recovery Office already provides for salmon recovery efforts at the local level, as well as the visibility of the Recovery Office at the federal level. Consolidating the Recovery Office and the Conservation Office is a logical decision that reflects the indisputable connection between salmon recovery efforts and watershed health. In addition, consolidating these offices will strengthen the relationships between the state agencies and local entities involved in salmon recovery efforts and provide more consistency in how these efforts are executed. Finally, consolidating these offices will streamline the reporting requirements associated with statewide salmon recovery and result in savings for the Recovery Office because fewer staff will be necessary.

(With concerns) The WDFW supports the overall purpose of this bill but has two concerns. First, the section of the bill concerning monitoring is far-reaching, and the WDFW does not want to be charged with designing a monitoring program that is too expensive to be properly funded. Second, the WDFW has historically played a key role in providing technical support to the Recovery Office and lead entities, and this function is eliminated in this bill. However, the WDFW is committed to work with the Recovery Office and provide support, regardless of where it is housed.

(Opposed) None.

**Staff Summary of Public Testimony (General Government Appropriations):**

(In support) The bill consolidates the Governor's Office of Salmon Recovery and several other programs and activities that protect salmon into the Recreation and Conservation Office (RCO). Several reports will also be consolidated into a single report on the state's efforts to protect salmon. The bill directs agencies involved in salmon recovery to look at better ways to consolidate functions and at better coordination in the future. The pilot project in this bill will help to find ways to integrate salmon recovery work in local areas with watershed planning efforts being conducted by the Department of Ecology. Merging salmon recovery functions into the RCO will result in savings.

(Opposed) None.

**Persons Testifying** (Agriculture & Natural Resources): (In support) Bob Nichols, Office of the Governor; and Kaleen Cottingham, Recreation and Conservation Office.

(With concerns) Sara LaBorde, Washington Department of Fish and Wildlife.

**Persons Testifying** (General Government Appropriations): (In support) Kaleen Cottingham, Recreation & Conservation Office.

**Persons Signed In To Testify But Not Testifying** (Agriculture & Natural Resources):  
None.

**Persons Signed In To Testify But Not Testifying** (General Government Appropriations):  
None.