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**SENATE BILL 5475**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Dozier, McCune, and Schoesler

Read first time 01/24/25. Referred to Committee on Local Government.

1 AN ACT Relating to maintenance for salmon recovery projects;  
2 amending RCW 77.85.130; and adding a new section to chapter 77.85  
3 RCW.

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

5 **Sec. 1.** RCW 77.85.130 and 2011 c 20 s 16 are each amended to  
6 read as follows:

7 (1) The salmon recovery funding board shall develop procedures  
8 and criteria for allocation of funds for salmon habitat projects and  
9 salmon recovery activities on a statewide basis to address the  
10 highest priorities for salmon habitat protection and restoration. To  
11 the extent practicable the board shall adopt an annual allocation of  
12 funding. The allocation should address both protection and  
13 restoration of habitat, and should recognize the varying needs in  
14 each area of the state on an equitable basis. The board has the  
15 discretion to partially fund, or to fund in phases, salmon habitat  
16 projects. The board may annually establish a maximum amount of  
17 funding available for any individual project, subject to available  
18 funding. No projects required solely as a mitigation or a condition  
19 of permitting are eligible for funding.

20 (2)(a) In evaluating, ranking, and awarding funds for projects  
21 and activities the board shall give preference to projects that:

1 (i) Are based upon the limiting factors analysis identified under  
2 RCW 77.85.060;

3 (ii) Provide a greater benefit to salmon recovery based upon the  
4 stock status information contained in the department of fish and  
5 wildlife salmonid stock inventory (SASSI), the salmon and steelhead  
6 habitat inventory and assessment project (SSHIAP), and any comparable  
7 science-based assessment when available;

8 (iii) Will benefit listed species and other fish species;

9 (iv) Will preserve high quality salmonid habitat;

10 (v) Are included in a regional or watershed-based salmon recovery  
11 plan that accords the project, action, or area a high priority for  
12 funding;

13 (vi) Are, except as provided in RCW 77.85.240, sponsored by an  
14 entity that is a Puget Sound partner, as defined in RCW 90.71.010;  
15 and

16 (vii) Are projects referenced in the action agenda developed by  
17 the Puget Sound partnership under RCW 90.71.310.

18 (b) In evaluating, ranking, and awarding funds for projects and  
19 activities the board shall also give consideration to projects that:

20 (i) Are the most cost-effective;

21 (ii) Have the greatest matched or in-kind funding;

22 (iii) Will be implemented by a sponsor with a successful record  
23 of project implementation;

24 (iv) Involve members of the Washington conservation corps  
25 established in chapter 43.220 RCW or the veterans conservation corps  
26 established in RCW 43.60A.150; (~~and~~)

27 (v) Are part of a regionwide list developed by lead entities; and

28 (vi) Include a plan for ongoing maintenance or other methods for  
29 ensuring long-term effectiveness of the project.

30 (3) The board may reject, but not add, projects from a habitat  
31 project list submitted by a lead entity for funding.

32 (4) The board shall establish criteria for determining when block  
33 grants may be made to a lead entity. The board may provide block  
34 grants to the lead entity to implement habitat project lists  
35 developed under RCW 77.85.050, subject to available funding. The  
36 board shall determine an equitable minimum amount of project funds  
37 for each recovery region, and shall distribute the remainder of funds  
38 on a competitive basis. The board may also provide block grants to  
39 the lead entity or regional recovery organization to assist in  
40 carrying out functions described under this chapter, including

1 funding for ongoing maintenance of habitat projects to ensure long-  
2 term effectiveness. Block grants must be expended consistent with the  
3 priorities established for the board in subsection (2) of this  
4 section. Lead entities or regional recovery organizations receiving  
5 block grants under this subsection shall provide an annual report to  
6 the board summarizing how funds were expended for activities  
7 consistent with this chapter, including the types of projects funded,  
8 project outcomes, monitoring results, and administrative costs.

9 (5) The board may waive or modify portions of the allocation  
10 procedures and standards adopted under this section in the award of  
11 grants or loans to conform to legislative appropriations directing an  
12 alternative award procedure or when the funds to be awarded are from  
13 federal or other sources requiring other allocation procedures or  
14 standards as a condition of the board's receipt of the funds. The  
15 board shall develop an integrated process to manage the allocation of  
16 funding from federal and state sources to minimize delays in the  
17 award of funding while recognizing the differences in state and  
18 legislative appropriation timing.

19 (6) The board may award a grant or loan for a salmon recovery  
20 project on private or public land when the landowner has a legal  
21 obligation under local, state, or federal law to perform the project,  
22 when expedited action provides a clear benefit to salmon recovery,  
23 and there will be harm to salmon recovery if the project is delayed.  
24 For purposes of this subsection, a legal obligation does not include  
25 a project required solely as a mitigation or a condition of  
26 permitting.

27 (7) Property acquired or improved by a project sponsor may be  
28 conveyed to a federal agency if: (a) The agency agrees to comply with  
29 all terms of the grant or loan to which the project sponsor was  
30 obligated; or (b) the board approves: (i) Changes in the terms of the  
31 grant or loan, and the revision or removal of binding deed of right  
32 instruments; and (ii) a memorandum of understanding or similar  
33 document ensuring that the facility or property will retain, to the  
34 extent feasible, adequate habitat protections; and (c) the  
35 appropriate legislative authority of the county or city with  
36 jurisdiction over the project area approves the transfer and provides  
37 notification to the board.

38 (8) Any project sponsor receiving funding from the salmon  
39 recovery funding board that is not subject to disclosure under  
40 chapter 42.56 RCW must, as a mandatory contractual prerequisite to

1 receiving the funding, agree to disclose any information in regards  
2 to the expenditure of that funding as if the project sponsor was  
3 subject to the requirements of chapter 42.56 RCW.

4 (9) After January 1, 2010, any project designed to address the  
5 restoration of Puget Sound may be funded under this chapter only if  
6 the project is not in conflict with the action agenda developed by  
7 the Puget Sound partnership under RCW 90.71.310.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.85  
9 RCW to read as follows:

10 The salmon recovery project maintenance account is created in the  
11 state treasury. All receipts from funds provided by the legislature  
12 for dedicated long-term maintenance for salmon recovery projects must  
13 be deposited in the account. Moneys in the account may be spent only  
14 after appropriation. The legislature intends to provide an amount  
15 equal to one percent of total funds provided for salmon recovery  
16 projects for long-term ongoing maintenance of projects. Expenditures  
17 from the account may be used for maintenance of salmon recovery and  
18 habitat projects to ensure the habitat benefits of those projects are  
19 maintained over time.

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