
SUBSTITUTE SENATE BILL 5230

State of Washington

62nd Legislature

2011 Regular Session

By Senate Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Swecker, Litzow, Rockefeller, Regala, Kohl-Welles, Hargrove, Kline, Conway, Fraser, Nelson, Hobbs, Shin, and Harper; by request of Commissioner of Public Lands and Department of Ecology)

READ FIRST TIME 01/28/11.

1 AN ACT Relating to establishing the Puget Sound corps while
2 reforming the state's conservation corps programs; amending RCW
3 43.220.020, 43.220.060, 43.220.070, 43.220.170, 43.220.231, 43.220.250,
4 43.60A.152, and 79A.05.545; reenacting and amending RCW 43.220.040 and
5 77.85.130; adding new sections to chapter 43.220 RCW; adding a new
6 section to chapter 43.30 RCW; adding a new section to chapter 77.12
7 RCW; creating new sections; and repealing RCW 43.220.010, 43.220.030,
8 43.220.080, 43.220.090, 43.220.120, 43.220.130, 43.220.160, 43.220.180,
9 43.220.190, and 43.220.210.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
12 Washington conservation corps, the veterans conservation corps, and
13 other state and nonprofit service corps contribute significantly to the
14 priorities of state government to protect natural resources, including
15 Puget Sound, while providing meaningful work experience for the state's
16 youth, veterans, unemployed, and under-employed workforces.

17 (2) The legislature further finds that the long-term health of the
18 economy of Washington depends on the sustainable management of its
19 natural resources and that the livelihoods and revenues produced by

1 Washington's forests, agricultural lands, estuaries, waterways, and
2 watersheds would be enhanced by targeted, streamlined, and prioritized
3 investments in clean water and habitat restoration.

4 (3) The legislature further finds that it is important to stretch
5 limited public resources to advance the state's natural resource
6 management priorities. Transformation of natural resource management
7 and service delivery, including the creation of strategic partnerships
8 among agencies and nongovernmental partners, will increase the
9 efficiency and effectiveness of the expenditure of federal, state, and
10 local funds for clean water and habitat rehabilitation projects.

11 (4) The legislature further finds that there are efficiencies to be
12 gained by streamlining how the various conservation corps are
13 administered, managed, funded, and deployed by the natural resources
14 agencies. There are further efficiencies to be gained through
15 coordinating the conservation corps with other state service corps
16 programs, recruitment activities, and through public-private
17 partnerships.

18 (5) The legislature further finds that the state should seek to
19 expand the conservation corps in all areas of the state, deploying the
20 corps to work on projects that advance established priorities
21 including, but not limited to, the cleanup and rehabilitation of the
22 Puget Sound ecosystem, oil spill response and cleanup, salmon recovery,
23 and the reduction of wildfire and forest health hazards statewide.

24 (6) Therefore, it is the intent of the legislature to maintain the
25 conservation corps statewide, to collaborate with the veterans
26 conservation corps, to establish the Puget Sound corps, to streamline
27 how government administers and manages the state's conservation corps
28 to more efficiently expend the state's resources toward priority
29 outcomes, including the recovery of the Puget Sound ecosystem to health
30 by 2020, to increase opportunities for meaningful work experience, and
31 to authorize public-private partnerships as a key element of corps
32 activities.

33 **Sec. 2.** RCW 43.220.020 and 1999 c 280 s 1 are each amended to read
34 as follows:

35 (1) The Washington conservation corps is ~~((hereby))~~ created ~~((, to~~
36 ~~be implemented by))~~. ~~The ((following state departments: The employment~~
37 ~~security department, the))~~ department of ecology ~~((, the department of~~

1 ~~fish and wildlife, the department of natural resources, and the state~~
2 ~~parks and recreation commission)) must administer the corps as a~~
3 ~~partnership with the departments of natural resources and fish and~~
4 ~~wildlife, the state parks and recreation commission, and when~~
5 ~~appropriate, other agencies and nonprofit organizations to advance the~~
6 ~~program goals outlined in section 5 of this act.~~

7 (2) The Puget Sound corps is created as a distinct program within
8 the Washington conservation corps focused on the implementation of the
9 specific program goals outlined in section 5 of this act.

10 NEW SECTION. **Sec. 3.** It is the intent of this act to centralize
11 the administration of the Washington conservation corps, which was
12 previously administered by the departments of ecology, natural
13 resources, and fish and wildlife and the state parks and recreation
14 commission, into the department of ecology. This act is prospective
15 only, and any grant awards or conservation corps crew or individual
16 placements finalized by other agencies or partners prior to the
17 effective date of this section remain unaffected by this act.

18 **Sec. 4.** RCW 43.220.040 and 1999 c 280 s 3 and 1999 c 151 s 1301
19 are each reenacted and amended to read as follows:

20 ~~((Unless the context clearly requires otherwise,))~~ The definitions
21 in this section apply throughout this chapter unless the context
22 clearly requires otherwise.

23 (1) "Public lands" means any lands or waters, or interests therein,
24 owned or administered by any agency or instrumentality of the state,
25 federal, or local government.

26 (2) "Corps" means the Washington conservation corps, including the
27 Puget Sound corps.

28 (3) "Corps member" means an individual enrolled in the Washington
29 conservation corps.

30 (4) "Corps member leaders" or "specialists" means members of the
31 corps who serve in leadership or training capacities or who provide
32 specialized services other than or in addition to the types of work and
33 services that are performed by the corps members in general.

34 (5) "Crew supervisor" means temporary, project, or permanent state
35 employees who supervise corps members and coordinate work project
36 design and completion.

1 (6) (~~"Distressed area" has the meaning as defined in RCW~~
2 ~~43.168.020.~~) "Department" means the department of ecology.

3 (7) "Agency administrative costs" means indirect expenses such as
4 personnel, payroll, contract administration, fiscal services, and other
5 overhead costs.

6 (8) "Program support costs" include, but are not limited to,
7 program planning, development of reports, job and career training,
8 uniforms and equipment, and standard office space and utilities.
9 Program support costs do not include direct scheduling and supervision
10 of corps members.

11 NEW SECTION. Sec. 5. A new section is added to chapter 43.220 RCW
12 to read as follows:

13 (1) The corps shall be organized and managed to complete projects
14 with fee-for-service work crews that meet goals associated with the
15 protection, promotion, enhancement, or rehabilitation of the following:

- 16 (a) Public lands;
- 17 (b) State natural resources;
- 18 (c) Water quality;
- 19 (d) Watershed health;
- 20 (e) Fish and wildlife;
- 21 (f) Habitat;
- 22 (g) Outdoor recreation;
- 23 (h) Forest health;
- 24 (i) Wildfire risk reduction; and
- 25 (j) State historic sites.

26 (2) In addition to the project goals outlined in subsection (1) of
27 this section, the Puget Sound corps shall seek to deploy corps members
28 with the specific goal of participating in the recovery of the Puget
29 Sound ecosystem. The resources of the Puget Sound corps must be
30 prioritized, when practicable, to focus on the following when located
31 within the Puget Sound basin:

- 32 (a) Projects identified in, or consistent with, the action agenda
33 developed by the Puget Sound partnership in chapter 90.71 RCW;
- 34 (b) Projects located on public lands;
- 35 (c) Habitat enhancement and rehabilitation projects; and
- 36 (d) Education and stewardship projects.

1 (3) Both the corps and the Puget Sound corps shall give preference
2 to projects that satisfy the goals identified in this section and that:

3 (a) Will provide long-term benefits to the public;

4 (b) Will provide productive training and work experiences to the
5 corps members involved;

6 (c) Expands or integrates training programs or career development
7 opportunities for corps members;

8 (d) May result in payments to the state for services performed; and

9 (e) Can be promptly completed.

10 **Sec. 6.** RCW 43.220.060 and 1999 c 280 s 4 are each amended to read
11 as follows:

12 (1) (~~Each state department identified in RCW 43.220.020~~) The
13 department shall have the following powers and duties (~~to carry out~~
14 ~~its functions relative to~~) as necessary to administer the Washington
15 conservation corps:

16 (a) Recruiting and employing staff, corps members, corps member
17 leaders, and specialists consistent with RCW 43.220.070;

18 (b) Serving as the corps' central application recipient for grants
19 from federal service projects and service organizations;

20 (c) Executing agreements for furnishing the services of the corps
21 to carry out conservation corps programs to any federal, state, or
22 local public agency, any local organization as specified in this
23 chapter (~~in concern~~) that operates consistent with the overall
24 objectives of the conservation corps;

25 (~~e~~) (d) Recruiting and compensating veterans conservation corps
26 members with at least five percent of new dedicated federal grants or
27 funds utilized by any state agency to hire a fee-for-service
28 conservation corps crew;

29 (e) Applying for and accepting grants or contributions of funds
30 from (~~any private source~~) the federal government, other public
31 sources, or private funding sources for conservation corps projects
32 and, when possible, other projects specifically targeted at Puget Sound
33 recovery that can be accomplished with fee-for-service labor from the
34 Puget Sound corps;

35 (~~d~~) ~~Determining a preference for those projects which will~~
36 ~~provide long term benefits to the public, will provide productive~~

1 training and work experiences to the members involved, will be labor-
2 intensive, may result in payments to the state for services performed,
3 and can be promptly completed; and

4 ~~(e) Entering into agreements with community colleges within the~~
5 ~~state's community and technical college system and other educational~~
6 ~~institutions or independent nonprofit agencies to provide special~~
7 ~~education in basic skills, including reading, writing, and mathematics~~
8 ~~for those conservation corps members who may benefit by participation~~
9 ~~in such classes. Classes shall be scheduled after corps working hours.~~
10 ~~Participation by members is not mandatory but shall be strongly~~
11 ~~encouraged. The participation shall be a primary factor in determining~~
12 ~~whether the opportunity for corps membership beyond one year shall be~~
13 ~~offered. Instruction related to the specific role of the department in~~
14 ~~resource conservation shall also be offered, either in a classroom~~
15 ~~setting or as is otherwise appropriate)) (f) Establishing consistent~~
16 ~~work standards and placement and evaluation procedures of corps~~
17 ~~programs; and~~

18 (g) Selecting, reviewing, approving, and evaluating the success of
19 corps projects.

20 (2) The department may partner with any other state agencies, local
21 institutions, nonprofit organizations, or nonprofit service corps
22 organizations in the administration of the corps. Other state agencies
23 may maintain a conservation corps coordinator for the purposes of
24 partnering with the department and the corps.

25 (3) If deemed practicable, the department shall develop the
26 conservation corps program with options for participants. The options
27 could include a technical option for students and veterans interested
28 in technical training, a science option for students and veterans
29 interested in natural sciences training, or an emergency response
30 option for participants providing wildland firefighting, flood
31 fighting, oil spill response, or other natural or man-made disaster
32 response statewide.

33 (4) The assignment of corps members shall not result in the
34 displacement of currently employed workers, including partial
35 displacement such as reduction in hours of nonovertime work, wages, or
36 other employment benefits. ((Supervising)) Agencies that participate
37 in the program may not terminate, lay-off, or reduce the working hours
38 of any employee for the purpose of using a corps member with available

1 funds. In circumstances where substantial efficiencies or a public
2 purpose may result, (~~(supervising))~~ participating agencies may use
3 corps members to carry out essential agency work or contractual
4 functions without displacing current employees.

5 (~~(+3))~~ (5) Facilities, supplies, motor vehicles, instruments, and
6 tools of (~~(the supervising agency))~~ participating agencies shall be
7 made available for use by the conservation corps to the extent that
8 such use does not conflict with the normal duties of the agency. The
9 agency may purchase, rent, or otherwise acquire other necessary tools,
10 facilities, supplies, and instruments.

11 **Sec. 7.** RCW 43.220.070 and 1999 c 280 s 5 are each amended to read
12 as follows:

13 (1) Conservation corps members shall be unemployed residents of the
14 state between eighteen and twenty-five years of age at the time of
15 enrollment who are citizens or lawful permanent residents of the United
16 States. The age requirements may be waived for corps leaders and
17 specialists with special leadership or occupational skills(~~(+such~~
18 ~~members shall be given special responsibility for providing leadership,~~
19 ~~character development, and sense of community responsibility to the~~
20 ~~corps members, groups, and work crews to which they are assigned))~~).
21 The upper age requirement may be waived for residents who have a
22 sensory or mental handicap. Special effort shall be made to recruit
23 minority and disadvantaged youth who meet selection criteria of the
24 conservation corps. Preference shall be given to youths residing in
25 areas, both urban and rural, in which there exists substantial
26 unemployment exceeding the state average unemployment rate.

27 (2) The legislature finds that people with developmental
28 disabilities would benefit from experiencing a meaningful work
29 experience, and learning the value of labor and of membership in a
30 productive society.

31 (~~(The legislature urges state agencies that are participating in~~
32 ~~the Washington conservation corps program to consider for enrollment in~~
33 ~~the program people who have developmental disabilities, as defined in~~
34 ~~RCW 71A.10.020.~~

35 ~~If an agency chooses to enroll people with developmental~~
36 ~~disabilities in its Washington conservation corps program, the agency~~
37 ~~may apply to))~~

1 (3) The recruitment of conservation corps members is the primary
2 responsibility of the department. However, to the degree practicable,
3 recruitment activities must be coordinated with the following entities:

4 (a) The department of natural resources;

5 (b) The department of fish and wildlife;

6 (c) The state parks and recreation commission;

7 (d) The department of veterans affairs;

8 (e) The employment security department; and

9 (f) Any interested postsecondary educational institutions.

10 (4) Recruitment efforts must be targeted to, but not limited to,
11 unemployed or underemployed residents of the state who are:

12 (a) Between the ages of eighteen and twenty-five years;

13 (b) Fully matriculated students at a technical school, college, or
14 university; or

15 (c) Military veterans.

16 (5) If people with developmental disabilities are enrolled in the
17 conservation corps program, an application may be made to the United
18 States department of labor, employment standards administration for a
19 special subminimum wage certificate in order to be allowed to pay
20 enrollees with developmental disabilities according to their individual
21 levels of productivity.

22 ~~((3))~~ (6) Corps members shall not be considered state employees.
23 Other provisions of law relating to civil service, hours of work, rate
24 of compensation, sick leave, unemployment compensation, state
25 retirement plans, and vacation leave do not apply to the Washington
26 conservation corps except for the crew supervisors, who shall be
27 project employees, and the administrative and supervisory personnel.

28 ~~((4) Enrollment shall be for a period of six months which may be~~
29 ~~extended for additional six-month periods by mutual agreement of the~~
30 ~~corps and the corps member, not to exceed two years. Corps members~~
31 ~~shall be reimbursed at the minimum wage rate established by state or~~
32 ~~federal law, whichever is higher, which may be increased by up to five~~
33 ~~percent for each additional six-month period worked: PROVIDED, That if~~
34 ~~agencies elect to run a residential program, the appropriate costs for~~
35 ~~room and board shall be deducted from the corps member's paycheck as~~
36 ~~provided in chapter 43.220 RCW.~~

37 ~~(5))~~ (7) Except as otherwise provided in this section,
38 participation as a corps member is for an initial period of three

1 months. The enrollment period may be extended for additional three-
2 month periods by mutual agreement of the department and the corps
3 member, not to exceed two years.

4 (8)(a) Corps members are to be available at all times for emergency
5 response services coordinated through the department ((of community,
6 trade, and economic development)) or other public agency. Duties may
7 include sandbagging and flood cleanup, oil spill response, wildfire
8 suppression, search and rescue, and other functions in response to
9 emergencies.

10 (b) Corps members may be assigned to longer-term specialized crews
11 not subject to the temporal limitations of service otherwise imposed by
12 this section when longer-term commitments satisfy the specialized needs
13 of the department, an agency partner, or other service contractee.

14 **Sec. 8.** RCW 43.220.170 and 1983 1st ex.s. c 40 s 17 are each
15 amended to read as follows:

16 The services of corps members (~~placed with agencies listed in RCW~~
17 ~~43.220.020~~) are exempt from unemployment compensation coverage under
18 RCW 50.44.040(~~(+5)~~) (4) and the enrollees shall be so advised by the
19 department.

20 **Sec. 9.** RCW 43.220.231 and 1999 c 280 s 7 are each amended to read
21 as follows:

22 (1) An amount not to exceed five percent of the funds available for
23 the Washington conservation corps may be expended on agency
24 administrative costs. (~~Agency administrative costs are indirect~~
25 ~~expenses such as personnel, payroll, contract administration, fiscal~~
26 ~~services, and other overhead costs.))~~

27 (2) An amount not to exceed twenty percent of the funds available
28 for the Washington conservation corps may be expended for costs
29 included in subsection (1) of this section and program support costs.
30 (~~Program support costs include, but are not limited to, program~~
31 ~~planning, development of reports, job and career training, uniforms and~~
32 ~~equipment, and standard office space and utilities. Program support~~
33 ~~costs do not include direct scheduling and supervision of corps~~
34 ~~members.))~~

35 (3) A minimum of eighty percent of the funds available for the

1 Washington conservation corps shall be expended for corps member
2 salaries and benefits and for direct supervision of corps members.

3 **Sec. 10.** RCW 43.220.250 and 1985 c 230 s 5 are each amended to
4 read as follows:

5 A nonprofit corporation which contracts with (~~(an agency listed in~~
6 ~~RCW 43.220.020)~~) the department to provide a specific service,
7 appropriate for the administration of this chapter which the (~~(agency)~~)
8 department cannot otherwise provide, may be reimbursed at the
9 discretion of the (~~(agency)~~) department for the reasonable costs the
10 (~~(agency)~~) department would absorb for providing those services.

11 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.220
12 RCW to read as follows:

13 (1) The director of the department of ecology and the commissioner
14 of public lands shall jointly host an annual meeting with other corps
15 program participants to serve as a forum for the partner agencies to
16 provide guidance and feedback concerning the management and function of
17 the corps.

18 (2) At a minimum, representatives of the following must be invited
19 to participate at the annual meeting: The department of fish and
20 wildlife; the state parks and recreation commission; the Puget Sound
21 partnership; the department of veterans affairs; the employment
22 security department; the Washington commission for national and
23 community service; conservation districts; the state conservation
24 commission; the salmon recovery funding board; the recreation and
25 conservation office; the department of commerce; the department of
26 health; or any similar successor organizations and any appropriate
27 nonprofit organizations, including those engaged in service corps
28 projects.

29 (3) Annual meeting participants shall, at a minimum:

30 (a) Review the conservation corps projects completed in the
31 previous year, including an analysis of successes and opportunities for
32 improvement; and

33 (b) Establish a work plan for the coming year, including the
34 setting of annual priorities or criteria consistent with this chapter
35 to guide crew development and the development of plans to pursue
36 funding from various sources to expand the conservation corps.

1 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.30 RCW
2 under the subchapter heading "Part 5 Powers and Duties--General" to
3 read as follows:

4 The department shall cooperate, when appropriate, as a partner in
5 the Washington conservation corps established in chapter 43.220 RCW.

6 **Sec. 13.** RCW 43.60A.152 and 2007 c 451 s 5 are each amended to
7 read as follows:

8 ~~((1))~~ The department shall collaborate with the ~~((state~~
9 ~~agencies))~~ department of ecology and the department of natural
10 resources and any of its partnering agencies in implementing the
11 Washington conservation corps, created in chapter 43.220 RCW, to
12 maximize the utilization of both conservation corps programs. These
13 agencies shall work together to identify stewardship and maintenance
14 projects on ~~((agency-managed))~~ public lands that are suitable for work
15 by veterans conservation corps enrollees. The department may expend
16 funds appropriated to the veterans conservation corps program to defray
17 the costs of education, training, and certification associated with the
18 enrollees participating in such projects.

19 ~~((2) By September 30, 2007, the department, in conjunction with~~
20 ~~the state agencies identified in subsection (1) of this section, shall~~
21 ~~provide to the office of financial management and to the appropriate~~
22 ~~committees of the senate and house of representatives a report that:~~

23 ~~(a) Identifies projects on state agency-managed lands that are~~
24 ~~currently planned for veterans conservation corps enrollee~~
25 ~~participation;~~

26 ~~(b) Identifies additional projects on state agency-managed lands~~
27 ~~that are suitable for veterans conservation corps enrollee~~
28 ~~participation and for which funding is currently in place for such~~
29 ~~participation; and~~

30 ~~(c) Identifies additional projects on state agency-managed lands~~
31 ~~for which project implementation has been funded or is included in the~~
32 ~~agency's multibiennial stewardship plans, and that are suitable for~~
33 ~~veterans conservation corps enrollee participation in the event that~~
34 ~~additional funding is provided to the department for associated~~
35 ~~training, education, and certification.))~~

1 **Sec. 14.** RCW 79A.05.545 and 1999 c 249 s 701 are each amended to
2 read as follows:

3 The commission shall cooperate (~~(in implementing and operating~~
4 ~~the)~~), when appropriate, as a partner in the Washington conservation
5 corps (~~(as required by)~~) established in chapter 43.220 RCW.

6 NEW SECTION. **Sec. 15.** A new section is added to chapter 77.12 RCW
7 to read as follows:

8 The department shall cooperate, when appropriate, as a partner in
9 the Washington conservation corps established in chapter 43.220 RCW.

10 **Sec. 16.** RCW 77.85.130 and 2007 c 341 s 36 and 2007 c 257 s 1 are
11 each reenacted and amended to read as follows:

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

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

27 (i) Are based upon the limiting factors analysis identified under
28 RCW 77.85.060;

29 (ii) Provide a greater benefit to salmon recovery based upon the
30 stock status information contained in the department of fish and
31 wildlife salmonid stock inventory (SASSI), the salmon and steelhead
32 habitat inventory and assessment project (SSHIAP), and any comparable
33 science-based assessment when available;

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

35 (iv) Will preserve high quality salmonid habitat;

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

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

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

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

10 (i) Are the most cost-effective;

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

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

14 (iv) Involve members of the Washington conservation corps
15 established in chapter 43.220 RCW or the veterans conservation corps
16 established in RCW 43.60A.150; and

17 (v) Are part of a regionwide list developed by lead entities.

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

20 (4) The board shall establish criteria for determining when block
21 grants may be made to a lead entity. The board may provide block
22 grants to the lead entity to implement habitat project lists developed
23 under RCW 77.85.050, subject to available funding. The board shall
24 determine an equitable minimum amount of project funds for each
25 recovery region, and shall distribute the remainder of funds on a
26 competitive basis. The board may also provide block grants to the lead
27 entity or regional recovery organization to assist in carrying out
28 functions described under this chapter. Block grants must be expended
29 consistent with the priorities established for the board in subsection
30 (2) of this section. Lead entities or regional recovery organizations
31 receiving block grants under this subsection shall provide an annual
32 report to the board summarizing how funds were expended for activities
33 consistent with this chapter, including the types of projects funded,
34 project outcomes, monitoring results, and administrative costs.

35 (5) The board may waive or modify portions of the allocation
36 procedures and standards adopted under this section in the award of
37 grants or loans to conform to legislative appropriations directing an
38 alternative award procedure or when the funds to be awarded are from

1 federal or other sources requiring other allocation procedures or
2 standards as a condition of the board's receipt of the funds. The
3 board shall develop an integrated process to manage the allocation of
4 funding from federal and state sources to minimize delays in the award
5 of funding while recognizing the differences in state and legislative
6 appropriation timing.

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

14 (7) Property acquired or improved by a project sponsor may be
15 conveyed to a federal agency if: (a) The agency agrees to comply with
16 all terms of the grant or loan to which the project sponsor was
17 obligated; or (b) the board approves: (i) Changes in the terms of the
18 grant or loan, and the revision or removal of binding deed of right
19 instruments; and (ii) a memorandum of understanding or similar document
20 ensuring that the facility or property will retain, to the extent
21 feasible, adequate habitat protections; and (c) the appropriate
22 legislative authority of the county or city with jurisdiction over the
23 project area approves the transfer and provides notification to the
24 board.

25 (8) Any project sponsor receiving funding from the salmon recovery
26 funding board that is not subject to disclosure under chapter 42.56 RCW
27 must, as a mandatory contractual prerequisite to receiving the funding,
28 agree to disclose any information in regards to the expenditure of that
29 funding as if the project sponsor was subject to the requirements of
30 chapter 42.56 RCW.

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

35 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
36 each repealed:

- 1 (1) RCW 43.220.010 (Legislative declaration) and 1983 1st ex.s. c
2 40 s 2;
- 3 (2) RCW 43.220.030 (Program goals) and 1999 c 280 s 2, 1987 c 367
4 s 1, & 1983 1st ex.s. c 40 s 3;
- 5 (3) RCW 43.220.080 (Selection of corps members--Development of
6 corps program) and 1983 1st ex.s. c 40 s 8;
- 7 (4) RCW 43.220.090 (Conservation corps established in department of
8 ecology--Work project areas) and 1994 c 264 s 33 & 1983 1st ex.s. c 40
9 s 9;
- 10 (5) RCW 43.220.120 (Conservation corps established in department of
11 fish and wildlife--Work project areas) and 1999 c 280 s 6, 1994 c 264
12 s 34, 1988 c 36 s 24, & 1983 1st ex.s. c 40 s 12;
- 13 (6) RCW 43.220.130 (Conservation corps established in department of
14 natural resources--Work project areas) and 1983 1st ex.s. c 40 s 13;
- 15 (7) RCW 43.220.160 (Conservation corps established in state parks
16 and recreation commission--Work project areas) and 1999 c 249 s 702 &
17 1983 1st ex.s. c 40 s 16;
- 18 (8) RCW 43.220.180 (Identification of historic properties and sites
19 in need of rehabilitation or renovation--Use of corps members) and 1983
20 1st ex.s. c 40 s 18;
- 21 (9) RCW 43.220.190 (Duties of agencies) and 1999 c 151 s 1302, 1987
22 c 367 s 3, & 1983 1st ex.s. c 40 s 20; and
- 23 (10) RCW 43.220.210 (Selection, review, approval, and evaluation of
24 projects--Recruitment, job training and placement services) and 1999 c
25 151 s 1303, 1987 c 367 s 4, & 1985 c 230 s 1.

--- END ---