
ENGROSSED SUBSTITUTE HOUSE BILL 1785

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Environmental Affairs (originally sponsored by Representatives Locke, J. Kohl, Rust, Jacobsen, Wineberry, Shin, Dunshee, Holm, Pruitt, Jones, Finkbeiner, King, Basich, Quall, Orr, Johanson, Leonard and Anderson)

Read first time 03/03/93.

1 AN ACT Relating to investing in the creation of jobs to restore and
2 enhance Washington's estuaries, waterways, forests, and watersheds;
3 adding a new chapter to Title 43 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** LEGISLATIVE FINDINGS. (1) The legislature
6 finds that the long-term health of the economy of Washington state
7 depends on the sustainable management of its natural resources.
8 Washington's forests, estuaries, waterways, and watersheds provide a
9 livelihood for thousands of citizens of Washington state and millions
10 of dollars of income and tax revenues every year from forests,
11 fisheries, shellfisheries, recreation, tourism, and other water-
12 dependent industries. The legislature further finds that the
13 livelihoods and revenues produced by the state's forests, estuaries,
14 waterways, and watersheds are threatened by continuing degradation of
15 habitats and water quality.

16 (2) The legislature finds that existing programs to protect and
17 enhance the state's forests, estuaries, waterways, and watersheds need
18 to be better coordinated in order to conserve our natural and financial
19 resources.

1 (3) The legislature finds that unemployed workers and Washington's
2 economically distressed communities can benefit from opportunities for
3 employment through labor intensive restoration projects.

4 (4) The legislature recognizes that stewardship activities on
5 state-owned lands is a responsible investment consistent with the
6 provisions of this chapter. It is the intent of the legislature that
7 stewardship activities funded under this chapter provide labor
8 intensive employment.

9 (5) Employment under this chapter is not intended to displace or
10 partially displace currently employed workers, including but not
11 limited to, state employees and service employees under existing
12 contracts.

13 (6) The legislature therefore declares that investments in labor-
14 intensive restoration projects, based on sound principles of
15 environmental and forest restoration are necessary to prevent the
16 burdening of future generations with clean-up costs, poorly functioning
17 ecosystems, and the collapse of economically important industries that
18 rely on a healthy environment.

19 NEW SECTION. **Sec. 2.** INTERAGENCY COORDINATING COUNCIL. (1) There
20 is created an interagency council on environmental and forest
21 restoration within the office of the governor. The purpose of the
22 council is to promote a coordinated and comprehensive approach to the
23 state's environmental and forest restoration needs. The council shall
24 consist of the director from each of the following agencies: The
25 department of ecology, the department of natural resources, the
26 department of fisheries, the department of wildlife, the state parks
27 and recreation commission, the interagency committee for outdoor
28 recreation, the department of community development, the employment
29 security department, and the Puget Sound water quality authority. In
30 addition, the governor shall appoint one member each from the
31 following: The Washington state association of counties, the
32 association of Washington cities, labor organizations, environmental
33 organizations, and the tribes. Nonagency members of the council may
34 advise on but shall not participate in decisions to fund projects. The
35 council shall be chaired by the governor or the governor's designee.

36 (2) The department of community development shall provide staff
37 support services to the council.

1 NEW SECTION. **Sec. 3.** DUTIES OF THE COUNCIL. (1) Beginning July
2 1, 1993, the council shall have the following responsibilities:

3 (a) To coordinate a process to assist state agencies and local
4 governments to implement effective environmental restoration projects;

5 (b) To evaluate unemployment profile data provided by the
6 employment security department; and

7 (c) To review projects funded through the fiscal year 1994 omnibus
8 operating and capital appropriations acts for consistency with
9 provisions of this chapter.

10 (2) No later than December 31, 1993, the council shall provide
11 recommendations to the appropriate committees of the legislature to
12 streamline the administration of grants for programs that provide
13 financial assistance to local governments for the purposes of
14 preventing habitat and environmental degradation. These programs
15 include but are not limited to grants for watershed planning, water
16 quality management, ecosystem management, waste management, and local
17 comprehensive planning.

18 (3) Beginning July 1, 1994, the council shall have the following
19 responsibilities:

20 (a) To solicit and evaluate proposals from state and local
21 agencies, private nonprofit organizations, and tribes for forest and
22 environmental restoration projects;

23 (b) To rank the proposals based on criteria developed by the
24 council in accordance with section 5 of this act;

25 (c) To determine funding allocations for projects to be funded from
26 the account created in section 4 of this act, and for projects or
27 programs as designated in the omnibus operating and capital
28 appropriations acts; and

29 (d) To submit to the appropriate standing committees of the
30 legislature, a biennial report summarizing the jobs and the
31 environmental benefits created by the projects funded under this
32 chapter.

33 NEW SECTION. **Sec. 4.** ENVIRONMENTAL AND FOREST RESTORATION
34 ACCOUNT. (1) The environmental and forest restoration account is
35 established in the state treasury. Money in the account may only be
36 spent after appropriation by the legislature and in a manner consistent
37 with this chapter. Private nonprofit organizations and state, local,
38 and tribal entities are eligible for funds under this chapter. Money

1 in the account may be used to make grants, loans, or interagency
2 contracts as needed to implement environmental and forest restoration
3 projects.

4 (2) The department of community development shall administer the
5 account. To the extent possible, the department shall use existing
6 mechanisms of grant and program administration.

7 (3) The environmental and forest restoration account shall consist
8 of funds appropriated by law, principal and interest from the repayment
9 of loans granted under this chapter, and federal and other money
10 received by the state for deposit in the account.

11 (4) At least ten percent of the annual revenues to the
12 environmental restoration account shall be expended by the Washington
13 conservation corps to employ high-risk youth on projects consistent
14 with this chapter and to fund administrative support services required
15 by the senior environmental corps.

16 (5) No more than three percent of the annual revenues to the
17 environmental and forest restoration account shall be expended for
18 administrative purposes.

19 (6) Except for essential administrative and supervisory purposes,
20 money in the account may not be used for hiring permanent state
21 employees.

22 NEW SECTION. **Sec. 5.** ENVIRONMENTAL AND FOREST RESTORATION
23 PROJECTS--CRITERIA. (1) The council shall make recommendations for
24 projects to be funded by the environmental and forest restoration
25 account that:

26 (a) Produce measurable improvements in water and habitat quality;

27 (b) Create jobs that are labor intensive;

28 (c) Give priority to projects that achieve cost efficiencies by
29 designing the project to meet multiple policy objectives;

30 (d) Implement a state or federally mandated plan relating to
31 environmental or forest restoration, including but not limited to a
32 local watershed action plan, stormwater management plan, capital
33 facility plan, growth management plan, or a flood control plan;

34 (e) Coordinate projects from the community in which the project is
35 located and that will augment existing efforts by organizations and
36 governmental entities involved in environmental and forest restoration;

37 (f) Utilize unemployed workers and high-risk youth, especially in
38 areas that are economically distressed. For the purposes of this

1 subsection, "high-risk youth" shall mean youth eligible for Washington
2 conservation corps programs under chapter 43.220 RCW or Washington
3 service corps programs under chapter 50.65 RCW; and

4 (g) Implement policies developed through comprehensive watershed
5 management analysis.

6 (2) To the greatest extent possible, the council shall not award
7 funds to projects that include the following activities:

8 (a) Administrative rule making;

9 (b) Planning; or

10 (c) Public education.

11 NEW SECTION. **Sec. 6.** FIRST YEAR PROJECT FUNDING. It is the
12 intent of the legislature to promote a comprehensive approach for
13 evaluating projects that address natural resource conservation needs.

14 At the same time, the legislature recognizes the necessity for
15 immediate job creation and environmental restoration. The legislature
16 therefore declares that, for fiscal year 1994, funding to implement the
17 purposes of this chapter shall be provided through individual agency
18 appropriations as specified in the omnibus operating and capital
19 appropriations acts.

20 NEW SECTION. **Sec. 7.** UNANTICIPATED FEDERAL FUNDS. When an agency
21 represented on the council submits an unanticipated federal receipt
22 under RCW 43.79.270, the governor shall consider placing these funds
23 into the environmental and forest restoration account or requiring that
24 the funds be used in a manner consistent with the criteria established
25 in section 5 of this act.

26 NEW SECTION. **Sec. 8.** RECRUITMENT AND EMPLOYMENT. (1) The council
27 shall submit a list to the employment security department of projects
28 receiving funds under the provisions of this chapter or from any
29 legislative appropriations. The list shall include the number and
30 types of jobs expected to be needed in each project. The employment
31 security department shall recruit workers for hiring by employers
32 funded under provisions of this chapter by:

33 (a) Notifying dislocated forest products workers who meet the
34 definitions in chapter 50.70 RCW who are receiving unemployment
35 benefits or who have exhausted unemployment benefits, of their
36 eligibility for the programs;

- 1 (b) Notifying other unemployed workers;
2 (c) Developing a pool of unemployed workers including high-risk
3 youth eligible to enroll in the programs; and
4 (d) Establishing procedures for workers to apply to the programs.

5 (2) Employers receiving funds from the account shall consider the
6 list of eligible workers developed by the employment security
7 department.

8 (3) To the extent possible, workers hired under this chapter shall
9 receive training in environmental enhancement and forest restoration
10 skills.

11 (4) Program enrollees hired by a state agency, except for
12 Washington conservation and service corps enrollees, shall receive
13 medical and dental benefits as provided under chapter 41.05 RCW,
14 industrial insurance coverage under Title 51 RCW, but are exempt from
15 the provisions of chapter 41.06 RCW.

16 NEW SECTION. **Sec. 9.** COMPREHENSIVE WATERSHED TEAMS. The
17 department of ecology, the department of natural resources, and the
18 Puget Sound water quality authority, shall jointly create two
19 comprehensive watershed analysis teams. The analysis performed by each
20 team shall include but not limited to, an assessment of:

- 21 (1) Pollution from point and nonpoint sources;
22 (2) Forest practice effects;
23 (3) Storm, surface, and ground water interactions; and
24 (4) Water quality and water use interactions.

25 The comprehensive watershed teams shall incorporate, and revise as
26 necessary, existing methodologies of watershed analysis. One team
27 shall operate in Western Washington and one team shall operate in
28 Eastern Washington. Each team shall coordinate its work efforts with
29 the water resource data management program within the department of
30 ecology.

31 NEW SECTION. **Sec. 10.** SHORT TITLE. This act shall be known as
32 the environmental restoration jobs act of 1993.

33 NEW SECTION. **Sec. 11.** CAPTIONS AND PART HEADINGS. Section
34 captions and part headings as used in this act constitute no part of
35 the law.

1 NEW SECTION. **Sec. 12.** CODIFICATION DIRECTIONS. Sections 1
2 through 10 of this act shall constitute a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 13.** If specific funding for section 9 of this
4 act, specifically referencing this act by bill and section number, is
5 not provided by June 30, 1993, in the omnibus appropriations act,
6 section 9 of this act is null and void.

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