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**SUBSTITUTE HOUSE BILL 1785**

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**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 a new section.

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 therefore declares that investments in labor-  
2 intensive restoration projects, based on sound principles of  
3 environmental and forest restoration are necessary to prevent the  
4 burdening of future generations with clean-up costs, poorly functioning  
5 ecosystems, and the collapse of economically important industries that  
6 rely on a healthy environment.

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

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

26 NEW SECTION. **Sec. 3.** DUTIES OF THE COUNCIL. (1) Beginning July  
27 1, 1993, the council shall have the following responsibilities:

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

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

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

35 (2) No later than December 31, 1993, the council shall provide  
36 recommendations to the appropriate committees of the legislature to  
37 streamline the administration of grants for programs that provide

1 financial assistance to local governments for the purposes of  
2 preventing habitat and environmental degradation. These programs  
3 include but are not limited to grants for watershed planning, water  
4 quality management, ecosystem management, waste management, and local  
5 comprehensive planning.

6 (3) Beginning July 1, 1994, the council shall have the following  
7 responsibilities:

8 (a) To solicit and evaluate proposals from state and local  
9 agencies, private nonprofit organizations, and tribes for forest and  
10 environmental restoration projects;

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

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

17 (d) To submit to the appropriate standing committees of the  
18 legislature, a biennial report summarizing the jobs and the  
19 environmental benefits created by the projects funded under this  
20 chapter.

21 NEW SECTION. **Sec. 4.** ENVIRONMENTAL AND FOREST RESTORATION  
22 ACCOUNT. (1) The environmental and forest restoration account is  
23 established in the state treasury. Money in the account may only be  
24 spent after appropriation by the legislature and in a manner consistent  
25 with this chapter. Private nonprofit organizations and state, local,  
26 and tribal entities are eligible for funds under this chapter. Money  
27 in the account may be used to make grants, loans, or interagency  
28 contracts as needed to implement environmental and forest restoration  
29 projects.

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

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

37 (4) At least ten percent of the annual revenues to the  
38 environmental restoration account shall be expended by the Washington

1 conservation corps to employ high-risk youth on projects consistent  
2 with this chapter and to fund administrative support services required  
3 by the senior environmental corps.

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

7 (6) Money in the account may not be used for hiring permanent  
8 state employees.

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

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

14 (b) Create jobs that are labor intensive;

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

17 (d) Implement a state or federally mandated plan relating to  
18 environmental or forest restoration, including but not limited to a  
19 local watershed action plan, stormwater management plan, capital  
20 facility plan, growth management plan, or a flood control plan;

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

24 (f) Utilize unemployed workers and high-risk youth, especially in  
25 areas that are economically distressed. For the purposes of this  
26 subsection, "high-risk youth" shall mean youth eligible for Washington  
27 conservation corps programs under chapter 43.220 RCW or Washington  
28 service corps programs under chapter 50.65 RCW; and

29 (g) Implement policies developed through comprehensive watershed  
30 management analysis.

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

33 (a) Administrative rule making;

34 (b) Planning; or

35 (c) Public education.

36 NEW SECTION. **Sec. 6.** FIRST YEAR PROJECT FUNDING. It is the  
37 intent of the legislature to promote a comprehensive approach for

1 evaluating projects that address natural resource conservation needs.  
2 At the same time, the legislature recognizes the necessity for  
3 immediate job creation and environmental restoration. The legislature  
4 therefore declares that, for fiscal year 1994, funding to implement the  
5 purposes of this chapter shall be provided through individual agency  
6 appropriations as specified in the omnibus operating and capital  
7 appropriations acts.

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

14 NEW SECTION. **Sec. 8.** RECRUITMENT AND EMPLOYMENT. (1) The council  
15 shall submit a list to the employment security department of projects  
16 receiving funds under the provisions of this chapter or from any  
17 legislative appropriations. The list shall include the number and  
18 types of jobs expected to be needed in each project. The employment  
19 security department shall recruit workers for hiring by employers  
20 funded under provisions of this chapter by:

21 (a) Notifying dislocated forest products workers who meet the  
22 definitions in chapter 50.70 RCW who are receiving unemployment  
23 benefits or who have exhausted unemployment benefits, of their  
24 eligibility for the programs;

25 (b) Notifying other unemployed workers;

26 (c) Developing a pool of unemployed workers including high-risk  
27 youth eligible to enroll in the programs; and

28 (d) Establishing procedures for workers to apply to the programs.

29 (2) Recipients of funds shall consider the list of eligible workers  
30 developed by the employment security department.

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

34 (4) Program enrollees hired by a state agency, except for  
35 Washington conservation corps enrollees, shall receive medical and  
36 dental benefits as provided under chapter 41.05 RCW, industrial

1 insurance coverage under Title 51 RCW, but are exempt from the  
2 provisions of chapter 41.06 RCW.

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

- 8 (1) Pollution from point and nonpoint sources;
- 9 (2) Forest practice effects;
- 10 (3) Storm, surface, and ground water interactions; and
- 11 (4) Water quality and water use interactions.

12 The comprehensive watershed teams shall incorporate, and revise as  
13 necessary, existing methodologies of watershed analysis. One team  
14 shall operate in Western Washington and one team shall operate in  
15 Eastern Washington. Each team shall coordinate its work efforts with  
16 the water resource data management program within the department of  
17 ecology.

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

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

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

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