

---

HOUSE BILL 2736

---

State of Washington                      55th Legislature                      1998 Regular Session

By Representatives Sehlin and Mastin

Read first time 01/19/98. Referred to Committee on Capital Budget.

1            AN ACT Relating to the habitat restoration account; adding new  
2 sections to chapter 43.08 RCW; adding new sections to chapter 43.131  
3 RCW; and providing an effective date.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.08 RCW  
6 to read as follows:

7            The habitat restoration account is created in the state treasury.  
8 Moneys may be placed in the account from legislative appropriations and  
9 transfers, federal funds, or any other lawful source. Moneys in the  
10 account may only be spent after appropriation. Expenditures from the  
11 account may be used only for watershed restoration efforts.

12            NEW SECTION.    **Sec. 2.** A new section is added to chapter 43.08 RCW  
13 to read as follows:

14            (1) Expenditures for watershed restoration efforts from the habitat  
15 restoration account must meet the following criteria:

16            (a) The watershed restoration effort is based on sound science;

17            (b) The watershed restoration effort resolves a limiting factor for  
18 fish and or fish habitat; and

1 (c) The watershed restoration effort identifies a monitoring system  
2 of both implementation and effectiveness, identifies the cost of  
3 operation, and is structured to have measurable outcomes.

4 (2) Priority for expenditures from the habitat restoration account  
5 for initial restoration efforts in water resource inventory areas shall  
6 be directed at weak fish stocks. Weak stocks include those stocks that  
7 are listed as endangered, threatened, or candidate species under the  
8 federal endangered species act or those weak stocks that prevent  
9 fishing opportunity in mixed stock harvest areas. Upon completion of  
10 weak stock restoration efforts, priority for restoration efforts shifts  
11 to efforts within the water resource inventory areas that will enhance  
12 or protect the salmonid resource. Water resource inventory area means  
13 the water resource inventory area defined in chapter 173-500 WAC as it  
14 existed on January 1, 1997.

15 (3) Preference for expenditures from the habitat restoration  
16 account shall be given to watershed restoration efforts that address  
17 the following issues:

18 (a) Projects that address a greater number of limiting factors for  
19 fish habitat or fish passage;

20 (b) Projects that are more likely to achieve the desired results;

21 (c) Projects that address altered watershed functions affecting  
22 water quality and the production capacity for fish;

23 (d) Projects that include removal or remediation of human-caused  
24 alterations to improve either water quality or fish habitat, or both;

25 (e) Projects that change land management practices that have  
26 chronic disturbances to the watershed;

27 (f) Projects that show evidence of collaboration between  
28 stakeholders and agencies; and

29 (g) Projects developed from a watershed-level assessment and  
30 analysis of conditions that includes an action plan for restoration or  
31 enhancement of watershed functions.

32 (4) After December 31, 1999, preference will go to projects or  
33 programs developed out of the efforts of legislatively recognized  
34 regional or watershed planning groups.

35 (5) After December 31, 2000, state funds will only support projects  
36 or programs developed out of the efforts of legislatively recognized  
37 regional or watershed planning groups.

1        NEW SECTION.   **Sec. 3.**   A new section is added to chapter 43.131 RCW  
2 to read as follows:

3        The habitat restoration account created in section 1 of this act  
4 and the watershed restoration projects under section 2 of this act  
5 shall be terminated on June 30, 2003, as provided in section 4 of this  
6 act.

7        NEW SECTION.   **Sec. 4.**   A new section is added to chapter 43.131 RCW  
8 to read as follows:

9        The following acts or parts of acts, as now existing or hereafter  
10 amended, are each repealed, effective June 30, 2004:

11        (1) RCW 43.08.--- and 1998 c . . . s 1 (section 1 of this act); and

12        (2) RCW 43.08.--- and 1998 c . . . s 2 (section 2 of this act).

13        NEW SECTION.   **Sec. 5.**   This act takes effect July 1, 1998.

--- END ---