

2 ESHB 2079 - S AMD - 418

3 By Senators Jacobsen, Swecker and Spanel

4 ADOPTED 4/16/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 75.46.005 and 1998 c 246 s 1 are each amended to read
8 as follows:

9 The legislature finds that repeated attempts to improve salmonid
10 fish runs throughout the state of Washington have failed to avert
11 listings of salmon and steelhead runs as threatened or endangered under
12 the federal endangered species act (16 U.S.C. Sec. 1531 et seq.).
13 These listings threaten the sport, commercial, and tribal fishing
14 industries as well as the economic well-being and vitality of vast
15 areas of the state. It is the intent of the legislature to begin
16 activities required for the recovery of salmon stocks as soon as
17 possible, although the legislature understands that successful recovery
18 efforts may not be realized for many years because of the life cycle of
19 salmon and the complex array of natural and human-caused problems they
20 face.

21 The legislature finds that it is in the interest of the citizens of
22 the state of Washington for the state to retain primary responsibility
23 for managing the natural resources of the state, rather than abdicate
24 those responsibilities to the federal government. The legislature also
25 finds that there is a substantial link between the provisions of the
26 federal endangered species act and the federal clean water act (33
27 U.S.C. Sec. 1251 et seq.). The legislature further finds that habitat
28 restoration is a vital component of salmon recovery efforts.
29 Therefore, it is the intent of the legislature to specifically address
30 salmon habitat restoration in a coordinated manner and to develop a
31 structure that allows for the coordinated delivery of federal, state,
32 and local assistance to communities for habitat projects that will
33 assist in the recovery and enhancement of salmon stocks.

34 The legislature also finds that credible scientific review and
35 oversight is essential for any salmon recovery effort to be successful.

1 The legislature further finds that it is important to monitor the
2 overall health of the salmon resource to determine if recovery efforts
3 are providing expected returns. It is also important to monitor the
4 effectiveness of the state's overall salmon recovery efforts to secure
5 federal acceptance of the state's approach to salmon recovery. In
6 addition, it is important to monitor salmon restoration projects to
7 determine their effectiveness. Adaptive management cannot exist
8 without monitoring. For these reasons, the legislature believes that
9 a coordinated and integrated monitoring process should be developed in
10 the salmon recovery office for use by local recovery efforts. The role
11 of the salmon recovery office should be to develop and provide to
12 entities involved in salmon recovery data quality objectives, a range
13 of acceptable parameters to monitor, acceptable data formats, data
14 calibration and coordination, a method of storing and retrieving data,
15 and analysis and interpretation of data. The role of local recovery
16 efforts should be to collect monitoring data in compliance with the
17 recommended data quality objectives, parameters, and formats, and to
18 provide such data to the state salmon recovery office for storage.

19 The legislature therefore finds that a coordinated framework for
20 responding to the salmon crisis is needed immediately. To that end,
21 the salmon recovery office should be created within the governor's
22 office to provide overall coordination of the state's response; an
23 independent science ((team)) panel is needed to provide scientific
24 review and oversight; a consolidated state funding process should be
25 established through a salmon recovery funding board; the appropriate
26 local or tribal government should provide local leadership in
27 identifying and sequencing habitat restoration projects to be funded by
28 state agencies; habitat restoration projects should be implemented
29 without delay; and a strong locally based effort to restore salmon
30 habitat should be established by providing a framework to allow citizen
31 volunteers to work effectively.

32 **Sec. 2.** RCW 75.46.010 and 1998 c 246 s 2 are each amended to read
33 as follows:

34 The definitions in this section apply throughout this chapter
35 unless the context clearly requires otherwise.

36 (1) "Adaptive management" means reliance on scientific methods to
37 test the results of actions taken so that the management and related
38 policy can be changed promptly and appropriately.

1 (2) "Board" means the salmon recovery funding board created in
2 section 3 of this act.

3 (3) "Critical pathways methodology" means a project scheduling and
4 management process for examining interactions between habitat projects
5 and salmonid species, prioritizing habitat projects, and assuring
6 positive benefits from habitat projects.

7 ~~((+3))~~ (4) "Habitat project list" is the list of projects
8 resulting from the critical pathways methodology under RCW
9 75.46.070(2). Each project on the list must have a written agreement
10 from the landowner on whose land the project will be implemented.
11 Projects include habitat restoration projects, habitat protection
12 projects, habitat projects that improve water quality, habitat projects
13 that protect water quality, habitat projects that improve streamflows,
14 habitat-related mitigation projects, fish passage projects, fish
15 screening projects, and habitat project corrective maintenance and
16 monitoring activities.

17 (5) "Habitat activities" or "activities" means habitat protection
18 or restoration activities by local governments, other public entities,
19 and private entities, including public education, comprehensive
20 planning, adoption and revision of habitat-related ordinances and
21 programs, and other activities.

22 ~~((+4))~~ (6) "Habitat work schedule" means those projects from the
23 habitat project list that will be implemented during the current
24 funding cycle. The schedule shall also include a list of the entities
25 and individuals implementing projects, the start date, duration,
26 estimated date of completion, estimated cost, and funding sources for
27 the projects.

28 ~~((+5))~~ (7) "Limiting factors" means conditions that limit the
29 ability of habitat to fully sustain populations of salmon. ((These
30 factors are primarily fish passage barriers and degraded estuarine
31 areas, riparian corridors, stream channels, and wetlands.

32 ~~(+6))~~ (8) "Listed stocks" means salmon and trout stocks that are
33 listed or proposed for listing as threatened or endangered under the
34 federal endangered species act, 16 U.S.C. Sec. 1531 et seq.

35 (9) "Project sponsor" is a county, city, special district, tribal
36 government, state agency, federal agency, a combination of such
37 governments through interlocal or interagency agreement(~~(s provided~~
38 under ~~chapter 39.34~~ RCW)), a nonprofit organization, or one or more
39 private citizens.

1 (~~(7)~~) (10) "Salmon" includes all species of the family Salmonidae
2 which are capable of self-sustaining, natural production.

3 (~~(8)~~) (11) "Salmon recovery activities" or "activities" means
4 public education, planning, and programs which have as a principal
5 purpose the protection and restoration of salmonid habitat.

6 (12) "Salmon recovery plan" means a state plan developed in
7 response to a proposed or actual listing under the federal endangered
8 species act that addresses limiting factors including, but not limited
9 to harvest, hatchery, hydropower, habitat, and other factors of
10 decline.

11 (~~(9)~~) (13) "Interagency team" or "team" means the interagency
12 review team created in RCW 75.46.080.

13 (14) "Tribe" or "tribes" means federally recognized Indian tribes.

14 (~~(10)~~) (15) "WRIA" means a water resource inventory area
15 established in chapter 173-500 WAC as it existed on January 1, 1997.

16 (~~(11)~~) (16) "Owner" means the person holding title to the land or
17 the person under contract with the owner to lease or manage the legal
18 owner's property.

19 NEW SECTION. Sec. 3. A new section is added to chapter 75.46 RCW
20 to read as follows:

21 (1) The salmon recovery funding board is created.

22 (2) The board shall consist of five members appointed by the
23 governor, subject to confirmation by the senate. One of the members
24 shall be a representative of local governments. One of the members
25 shall be a representative of federally recognized tribes. In making
26 the appointments, the governor shall seek a board membership that
27 collectively provide the expertise necessary to provide strong fiscal
28 oversight of salmon recovery expenditures, and that provide extensive
29 experience and expertise in salmon recovery projects and activities
30 that address the range of limiting factors for salmon recovery in
31 Washington state. Board members shall not have a financial or
32 regulatory interest in salmon recovery. The governor shall make the
33 appointments not later than ninety days after the effective date of
34 this section. The initial terms shall commence October 1st. Members
35 shall serve staggered four-year terms and, of the initial appointments,
36 two members shall serve a term of two years and three members shall
37 serve a term of three years. The governor shall appoint the chair of
38 the board.

1 (3) Staff support to the board shall be provided by the salmon
2 recovery office and by the interagency review team for those functions
3 assigned to the team by this chapter or the board acting under the
4 authority of this chapter.

5 (4) Members of the board shall be compensated as provided by RCW
6 43.03.250 and shall be reimbursed for travel expenses as provided by
7 RCW 43.03.050 and 43.03.060.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 75.46 RCW
9 to read as follows:

10 The board is responsible for making grants and loans for salmon
11 recovery projects and activities from the amounts appropriated to the
12 board for this purpose. To accomplish this purpose the board may:

13 (1) Provide assistance to grant applicants regarding the procedures
14 and criteria for grant and loan awards;

15 (2) Accept any gifts, grants, or loans of funds, property, or
16 financial or other aid in any form from any other source on any terms
17 that are not in conflict with this chapter;

18 (3) Adopt rules under chapter 34.05 RCW as necessary to carry out
19 the purposes of this chapter; and

20 (4) Do all acts and things necessary or convenient to carry out the
21 powers expressly granted or implied under this chapter.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 75.46 RCW
23 to read as follows:

24 (1) The board shall develop procedures and criteria for allocation
25 of funds for salmon recovery projects and activities on a state-wide
26 basis to address the highest priorities for salmon habitat protection
27 and restoration. To the extent practicable the board shall adopt an
28 annual allocation of funding. The allocation should address both
29 protection and restoration of habitat, and attempt to provide a
30 geographic balance across the state.

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

33 (a) Are based upon the limiting factors analysis identified under
34 RCW 75.46.070;

35 (b) Provide a greater benefit to salmon recovery based upon the
36 information contained in the department of fish and wildlife salmonid
37 stock inventory and any comparable science-based assessment;

1 (c) Will be implemented in a more critical area based upon the
2 stock status information contained in the department of fish and
3 wildlife salmonid stock inventory and any comparable science-based
4 assessment;

5 (d) Are the most cost-effective;

6 (e) Have the greatest matched or in-kind funding; and

7 (f) Will be implemented by a sponsor with a successful record of
8 project implementation.

9 (3) The board shall seek the guidance and the assistance of the
10 interagency review team created by RCW 75.46.080 in developing the
11 allocation procedures and standards. The board may also seek the
12 recommendations of the independent science panel created by RCW
13 75.46.050 to incorporate scientific principles and information into the
14 allocation standards.

15 (4) The board may authorize the interagency review team to
16 evaluate, rank, and make funding decisions for categories of projects
17 or activities or from funding sources provided for categories of
18 projects or activities. In delegating such authority the board shall
19 consider the review team's staff resources, procedures, and technical
20 capacity to meet the purposes and objectives of this chapter. The
21 board shall maintain general oversight of the team's exercise of such
22 authority.

23 (5) The board shall establish criteria for determining when block
24 grants may be made to a lead entity or other recognized regional
25 recovery entity consistent with one or more habitat project lists
26 developed for that region.

27 (6) The board may waive or modify portions of the allocation
28 procedures and standards adopted under this section in the award of
29 grants or loans to conform to legislative appropriations directing an
30 alternative award procedure or when the funds to be awarded are from
31 federal or other sources requiring other allocation procedures or
32 standards as a condition of the board's receipt of the funds. The
33 board shall develop an integrated process to manage the allocation of
34 funding from federal and state sources to minimize delays in the award
35 of funding while recognizing the differences in state and legislative
36 appropriation timing.

37 (7) In developing allocation criteria and in the review of project
38 applications the board shall consider the recommendations which may be
39 provided by the government council on natural resources, formed by the

1 governor to promote cooperative intergovernmental relationships for
2 salmon recovery, and consider the recommendations of stakeholder
3 interests in salmon recovery.

4 (8) The board shall use information developed by the departments of
5 transportation, ecology, fish and wildlife, and community, trade, and
6 economic development, and other state agencies to assess state funding
7 sources and programs available for salmon recovery efforts that should
8 be coordinated with funding allocations made by the board. The capital
9 budget advisory committee created by chapter . . . (Substitute House
10 Bill No. 1204), Laws of 1999 shall make recommendations to the board on
11 opportunities for coordination in sharing of project data and with
12 reporting requirements of the committee and the board.

13 NEW SECTION. **Sec. 6.** A new section is added to chapter 75.46 RCW
14 to read as follows:

15 (1) Before October 1st of each even-numbered year, the board shall
16 recommend to the governor a prioritized list of projects and activities
17 to be funded by the board under this chapter. The governor may remove
18 projects and activities from the list recommended by the board and
19 shall submit this amended list in the capital budget request to the
20 legislature. The list shall identify the project sponsor, its
21 geographic location, and a description of the project or activity.

22 (2) The board shall not sign contracts or otherwise financially
23 obligate funds as provided under this chapter before the legislature
24 has appropriated funds for a specific list of projects.

25 (3) The board shall track all funds allocated for salmon recovery
26 projects and activities, including both funds allocated by the board
27 and funds allocated by other state or federal agencies for salmon
28 recovery or water quality improvement. The tracking system shall be
29 geographically based and may include projects from other sources that
30 address the same salmon recovery limiting factors in the same
31 geographic area. The tracking system may be developed and maintained
32 by another state agency through an interagency agreement with the
33 board.

34 (4) Beginning in December 2000, the board shall provide a biennial
35 report to the governor and the legislature on salmon recovery
36 expenditures. This report shall be coordinated with the state of the
37 salmon report required under RCW 75.46.030.

1 **Sec. 7.** RCW 75.46.050 and 1998 c 246 s 6 are each amended to read
2 as follows:

3 (1) The governor shall request the national academy of sciences,
4 the American fisheries society, or a comparable institution to screen
5 candidates to serve as members on the independent science panel. The
6 institution that conducts the screening of the candidates shall submit
7 a list of the nine most qualified candidates to the governor, the
8 speaker of the house of representatives, and the majority leader of the
9 senate. The candidates shall reflect expertise in habitat requirements
10 of salmon, protection and restoration of salmon populations, artificial
11 propagation of salmon, hydrology, or geomorphology.

12 (2) The speaker of the house of representatives and the majority
13 leader in the senate shall each remove one name from the nomination
14 list. The governor shall consult with tribal representatives and the
15 governor shall appoint five scientists from the remaining names on the
16 nomination list.

17 (3) The members of the independent science panel shall serve four-
18 year terms. Vacant positions on the panel shall be filled in the same
19 manner as the original appointments. Members shall serve no more than
20 two full terms. The independent science panel members shall elect the
21 chair of the panel among themselves every two years. (~~The members of~~
22 ~~the independent science panel shall be compensated as provided in RCW~~
23 ~~43.03.250 and reimbursed for travel expenses in accordance with RCW~~
24 ~~43.03.050 and 43.03.060.~~) Based upon available funding, the governor's
25 salmon recovery office may contract for services with members of the
26 independent science panel for compensation under chapter 39.29 RCW.

27 (4) The independent science panel shall be governed by generally
28 accepted guidelines and practices governing the activities of
29 independent science boards such as the national academy of sciences.
30 The purpose of the independent science panel is to help ensure that
31 sound science is used in salmon recovery efforts. The governor's
32 salmon recovery office shall request review of salmon recovery plans by
33 the science review panel. The science review panel does not have the
34 authority to review individual projects or project lists developed
35 under RCW 75.46.060, 75.46.070, and 75.46.080 or to make policy
36 decisions. The panel shall periodically submit its findings and
37 recommendations under this subsection to the legislature and the
38 governor.

1 (5) ~~The independent science panel ((shall submit its findings to~~
2 ~~the legislature and the governor))~~, in conjunction with the salmon
3 recovery office, shall recommend standardized monitoring indicators and
4 data quality guidelines for use by entities involved in salmon recovery
5 activities across the state. The panel shall also recommend electronic
6 formats that will allow data to be provided to the state salmon
7 recovery office for storage and to be shared across the state in a
8 salmon monitoring network.

9 (6) State salmon monitoring data provided by lead entities,
10 regional fisheries enhancement groups, and others shall be included in
11 the salmon and steelhead inventory and assessment project.

12 (7) The independent science panel, in conjunction with the salmon
13 recovery office, shall also recommend criteria for the systematic and
14 periodic evaluation of monitoring data in order for the state to be
15 able to answer critical questions about the effectiveness of the
16 state's salmon recovery efforts.

17 (8) The recommendations on monitoring as required in this section
18 shall be provided in a report to the governor and to the legislature by
19 the independent science panel, in conjunction with the salmon recovery
20 office, no later than December 31, 2000. The report shall also include
21 recommendations on the level of effort needed to sustain monitoring of
22 salmon projects and other recovery efforts, and any other
23 recommendations on monitoring deemed important by the independent
24 science panel, in conjunction with the salmon recovery office. The
25 report may be included in the biennial state of the salmon report
26 required under RCW 75.46.030.

27 **Sec. 8.** RCW 75.46.060 and 1998 c 246 s 7 are each amended to read
28 as follows:

29 (1)(a) Counties, cities, and tribal governments must jointly
30 designate, by ~~((official))~~ resolution or by letters of support, the
31 area for which a habitat ~~((restoration))~~ project list is to be
32 developed and the lead entity that is to be responsible for submitting
33 the habitat ~~((restoration))~~ project list. No project included on a
34 habitat ~~((restoration))~~ project list shall be considered mandatory in
35 nature and no private landowner may be forced or coerced into
36 participation in any respect. The lead entity may be a county, city,
37 conservation district, special district, tribal government, or other
38 entity.

1 (b) The lead entity shall establish a committee that consists of
2 representative interests of counties, cities, conservation districts,
3 tribes, environmental groups, business interests, landowners, citizens,
4 volunteer groups, regional fish enhancement groups, and other
5 ((restoration)) habitat interests. The purpose of the committee is to
6 provide a citizen-based evaluation of the projects proposed to promote
7 salmon habitat ((restoration)). The interagency review team may
8 provide the lead entity with organizational models that may be used in
9 establishing the committees.

10 (c) The committee shall compile a list of habitat ((restoration))
11 projects, establish priorities for individual projects, define the
12 sequence for project implementation, and submit these activities as the
13 habitat ((restoration)) project list. The committee shall also
14 identify potential federal, state, local, and private funding sources.

15 (d) Projects that include use of side channels, off-stream rearing
16 enhancement, improvement in overwintering habitat, or use of
17 acclimation ponds shall receive consideration for funding.

18 (2) The area covered by the habitat project list must be based, at
19 a minimum, on a WRIA, combination of WRIs, ((an evolutionarily
20 significant unit,)) or any other area as agreed to by the counties,
21 cities, and tribes in resolutions or in letters of support meeting the
22 requirements of this subsection. Preference will be given to projects
23 in an area that contain a salmon species that is listed or proposed for
24 listing under the federal endangered species act.

25 **Sec. 9.** RCW 75.46.070 and 1998 c 246 s 8 are each amended to read
26 as follows:

27 (1) Critical pathways methodology shall be used to develop a
28 habitat project list and a habitat work schedule that ensures salmon
29 ((restoration)) recovery activities will be prioritized and implemented
30 in a logical sequential manner that produces habitat capable of
31 sustaining healthy populations of salmon.

32 (2) The critical pathways methodology shall:

33 (a) Include a limiting factors analysis for salmon in streams,
34 rivers, tributaries, estuaries, and subbasins in the region. The
35 technical advisory group shall have responsibility for the limiting
36 factors analysis;

37 (b) Identify local habitat projects that sponsors are willing to
38 undertake. The projects identified must have a written agreement from

1 the landowner on which the project is to be implemented. Project
2 sponsors shall have the lead responsibility for this task;

3 (c) Identify how projects will be monitored and evaluated. The
4 project sponsor, in consultation with the technical advisory group and
5 the appropriate landowner, shall have responsibility for this task;
6 (~~and~~)

7 (d) Include a review of monitoring data, evaluate project
8 performance, and make recommendations to the committee established
9 under RCW 75.46.060 and to the interagency review team. The technical
10 advisory group has responsibility for this task; and

11 (e) Describe the adaptive management strategy that will be used.
12 The committee established under RCW 75.46.060 shall have responsibility
13 for this task. If a committee has not been formed, the technical
14 advisory group shall have the responsibility for this task.

15 (3) The habitat work (~~list~~) schedule shall include all projects
16 developed pursuant to subsection (2) of this section as well as any
17 other salmon habitat (~~restoration~~) project implemented in the region,
18 including habitat preservation projects funded through the Washington
19 wildlife and recreation program, the conservation reserve enhancement
20 program, and other conservancy programs. The habitat work (~~list~~)
21 schedule shall also include the start date, duration, estimated date of
22 completion, estimated cost, and, if appropriate, the affected salmonid
23 species of each project. Each schedule shall be updated on an annual
24 basis to depict new activities.

25 **Sec. 10.** RCW 75.46.100 and 1998 c 246 s 11 are each amended to
26 read as follows:

27 The sea grant program at the University of Washington is authorized
28 to provide technical assistance to volunteer groups and other project
29 sponsors in designing and (~~performing~~) implementing habitat
30 (~~restoration~~) projects that address the limiting factors analysis
31 (~~of regional habitat work plans~~) required under RCW 75.46.070. The
32 cost for such assistance may be covered on a fee-for-service basis.

33 **Sec. 11.** RCW 75.46.080 and 1998 c 246 s 9 are each amended to read
34 as follows:

35 (1) Representatives from the conservation commission, the
36 department of transportation, the interagency committee for outdoor
37 recreation, the department of natural resources, the department of

1 ecology, and the department of fish and wildlife shall establish an
2 interagency review team. ((Except as provided in subsection (6) of
3 this section, habitat restoration project lists shall be submitted to
4 the interagency review team by January 1st and July 1st of each year
5 beginning in 1999.)) The purpose of the team is to assist the salmon
6 recovery funding board in developing procedures and standards for
7 state-wide funding allocation, and to assist the board in reviewing
8 funding applications to identify the highest priority projects and
9 activities for funding.

10 (2) ~~((If no lead entity has been formed under RCW 75.46.060, the~~
11 ~~interagency review team shall rank, prioritize, and dispense funds for~~
12 ~~habitat restoration projects by giving preference to the projects that:~~

13 ~~(a) Provide a greater benefit to salmon recovery;~~

14 ~~(b) Will be implemented in a more critical area;~~

15 ~~(c) Are the most cost-effective;~~

16 ~~(d) Have the greatest matched, or in-kind funding; and~~

17 ~~(e) Will be implemented by a sponsor with a successful record of~~
18 ~~project implementation.~~

19 ~~(3))~~ If a lead entity established under RCW 75.46.060 has been
20 formed, the interagency review team shall evaluate habitat project
21 lists ~~((and may remove, but not add, projects from a habitat project~~
22 ~~list.~~

23 (4) ~~The interagency review team shall provide a summary of funding~~
24 ~~for habitat restoration project lists to the governor and to the~~
25 ~~legislature by December 1st of each year))~~ developed pursuant to RCW
26 75.46.060 and submitted to the board for consideration for funding.
27 The team shall advise the board on whether the list for the area
28 complies with the list development procedures and critical path
29 methodology provided by RCW 75.46.060 and 75.46.070. When the board
30 determines the list to comply with those requirements it shall accord
31 substantial weight to the list's project priorities when making
32 determinations among applications for funding of projects and
33 activities within the area covered by the list. Projects that include
34 use of side channels, off-stream rearing enhancement, improvement in
35 overwintering habitat, or use of acclimation ponds shall receive
36 consideration for funding.

37 ~~((5))~~ (3) The ~~((interagency review team))~~ board may annually
38 establish a maximum amount of funding available for any individual
39 project, subject to available funding. ~~((The interagency review team~~

1 ~~shall attempt to assure a geographical balance in assigning priorities~~
2 ~~to projects.~~

3 ~~(6) For fiscal year 1998, the department of fish and wildlife, the~~
4 ~~conservation commission, and the department of transportation may~~
5 ~~authorize, subject to appropriations, expenditures for projects that~~
6 ~~have been developed to restore salmon habitat before completion of the~~
7 ~~project lists required in RCW 75.46.060(2).~~

8 ~~(7))~~ (4) Where a lead entity has been established pursuant to RCW
9 75.46.060, the ~~((interagency review team))~~ board may provide ~~((block))~~
10 grants to the lead entity to assist in carrying out lead entity
11 functions under this chapter, subject to available funding.

12 NEW SECTION. Sec. 12. A new section is added to chapter 75.46 RCW
13 to read as follows:

14 The salmon recovery account is created in the state treasury. To
15 the account shall be deposited such funds as the legislature directs or
16 appropriates to the account. Moneys in the account may be spent only
17 after appropriation. Expenditures from the account may be used for
18 salmon recovery financial assistance provided through the salmon
19 recovery funding board created in section 3 of this act.

20 Sec. 13. RCW 76.12.110 and 1998 c 347 s 55 are each amended to
21 read as follows:

22 There is created a forest development account in the state
23 treasury. The state treasurer shall keep an account of all sums
24 deposited therein and expended or withdrawn therefrom. Any sums placed
25 in the account shall be pledged for the purpose of paying interest and
26 principal on the bonds issued by the department, and for the purchase
27 of land for growing timber. Any bonds issued shall constitute a first
28 and prior claim and lien against the account for the payment of
29 principal and interest. No sums for the above purposes shall be
30 withdrawn or paid out of the account except upon approval of the
31 department.

32 Appropriations may be made by the legislature from the forest
33 development account to the department for the purpose of carrying on
34 the activities of the department on state forest lands, lands managed
35 on a sustained yield basis as provided for in RCW 79.68.040, and for
36 reimbursement of expenditures that have been made or may be made from
37 the resource management cost account in the management of state forest

1 lands. ((For the 1997-99 fiscal biennium, moneys from the account
2 shall be distributed as directed in the omnibus appropriations act to
3 the beneficiaries of the revenues derived from state forest lands.
4 Funds that accrue to the state from such a distribution shall be
5 deposited into the salmon recovery account, hereby created in the state
6 treasury. Funds appropriated from the salmon recovery account shall be
7 used for efforts to restore endangered anadromous fish stocks.))

8 NEW SECTION. Sec. 14. RCW 75.46.130 (Appropriated funds) and 1998
9 c 246 s 17 are each repealed.

10 NEW SECTION. Sec. 15. This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and takes effect
13 July 1, 1999."

14 **ESHB 2079** - S AMD - 418
15 By Senators Jacobsen, Swecker and Spanel

16 ADOPTED 4/16/99

17 On page 1, line 1 of the title, after "recovery;" strike the
18 remainder of the title and insert "amending RCW 75.46.005, 75.46.010,
19 75.46.050, 75.46.060, 75.46.070, 75.46.100, 75.46.080, and 76.12.110;
20 adding new sections to chapter 75.46 RCW; repealing RCW 75.46.130;
21 providing an effective date; and declaring an emergency."

--- END ---