

1 5613 AAS 3/15/99

2 SB 5613 - S AMD - 197

3 By Senators Morton, Swecker and Honeyford

4 ADOPTED 3/15/99

5 On page 3, line 25, after "which" strike "build upon a foundation
6 of clear, enforceable standards" and insert "rely on the existing
7 statutory enforcement structure"

8 SB 5613 - S AMD - 198

9 By Senators Morton, Swecker and Honeyford

10 ADOPTED 3/15/99

11 On page 3, line 37, after "working," strike "require" and insert
12 "recommend"

13 SB 5613 - S AMD - 199

14 By Senators Morton, Swecker and Honeyford

15 ADOPTED 3/15/99

16 On page 4, line 1, after "management, and" strike "establish" and
17 insert "recommend to the legislature"

1 SB 5613 - S AMD - 205

2 By Senators Swecker and Jacobsen

3 ADOPTED 3/15/99

4 On page 4, after line 18, insert the following:

5 "**Sec. 4.** RCW 75.46.060 and 1998 c 246 s 7 are each amended to
6 read as follows:

7 (1)(a) Counties, cities, and tribal governments must jointly
8 designate, by official resolution, the area for which a habitat
9 restoration project list is to be developed and the lead entity that is
10 to be responsible for submitting the habitat restoration project list.
11 No project included on a habitat restoration project list shall be
12 considered mandatory in nature and no private landowner may be forced

1 or coerced into participation in any respect. The lead entity may be
2 a county, city, conservation district, special district, tribal
3 government, or other entity.

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

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

18 (d) Projects that include use of side channels, off-stream rearing
19 enhancement, improvement in over-wintering habitat, or use of
20 acclimation ponds shall receive consideration for funding.

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

28 **Sec. 5.** RCW 75.46.080 and 1998 c 246 s 9 are each amended to read
29 as follows:

30 (1) Representatives from the conservation commission, the
31 department of transportation, and the department of fish and wildlife
32 shall establish an interagency review team. Except as provided in
33 subsection ~~((6))~~ (7) of this section, habitat restoration project
34 lists shall be submitted to the interagency review team by January 1st
35 and July 1st of each year beginning in 1999.

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

- 1 (a) Provide a greater benefit to salmon recovery;
2 (b) Will be implemented in a more critical area;
3 (c) Are the most cost-effective;
4 (d) Have the greatest matched, or in-kind funding; and
5 (e) Will be implemented by a sponsor with a successful record of
6 project implementation.

7 (3) Projects that include use of side channels, off-stream rearing
8 enhancement, improvement in over-wintering habitat, or use of
9 acclimation ponds shall receive consideration for funding under the
10 provisions of this section.

11 (4) If a lead entity established under RCW 75.46.060 has been
12 formed, the interagency review team shall evaluate project lists and
13 may remove, but not add, projects from a habitat project list.

14 ~~((+4))~~ (5) The interagency review team shall provide a summary of
15 funding for habitat restoration project lists to the governor and to
16 the legislature by December 1st of each year.

17 ~~((+5))~~ (6) The interagency review team may annually establish a
18 maximum amount of funding available for any individual project, subject
19 to available funding. The interagency review team shall attempt to
20 assure a geographical balance in assigning priorities to projects.

21 ~~((+6))~~ (7) For fiscal year 1998, the department of fish and
22 wildlife, the conservation commission, and the department of
23 transportation may authorize, subject to appropriations, expenditures
24 for projects that have been developed to restore salmon habitat before
25 completion of the project lists required in RCW 75.46.060(2).

26 ~~((+7))~~ (8) Where a lead entity has been established pursuant to
27 RCW 75.46.060, the interagency review team may provide block grants to
28 the lead entity, subject to available funding."

29 Renumber the sections consecutively and correct any internal
30 references accordingly.

31 **SB 5613** - S AMD - 181
32 By Senators Honeyford and Jacobsen

ADOPTED 3/15/99

34 On page 4, after line 18, insert the following:

1 **"Sec. 4.** RCW 75.46.080 and 1998 c 246 s 9 are each amended to read
2 as follows: (1) Representatives from the conservation commission,
3 the department of transportation, and the department of fish and
4 wildlife shall establish an interagency review team. Except as
5 provided in subsection (6) of this section, habitat restoration project
6 lists shall be submitted to the interagency review team by January 1st
7 and July 1st of each year beginning in 1999.

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

- 11 (a) Provide a greater benefit to salmon recovery;
- 12 (b) Will be implemented in a more critical area;
- 13 (c) Are the most cost-effective;
- 14 (d) Have the greatest matched, or in-kind funding; and
- 15 (e) Will be implemented by a sponsor with a successful record of
16 project implementation.

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

20 (4) The interagency review team shall provide a summary of funding
21 for habitat restoration project lists to the governor and to the
22 legislature by December 1st of each year.

23 (5) The interagency review team may annually establish a maximum
24 amount of funding available for any individual project, subject to
25 available funding. The interagency review team shall attempt to assure
26 a geographical balance in assigning priorities to projects.

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

32 (7) Where a lead entity has been established pursuant to RCW
33 75.46.060, the interagency review team may provide block grants to the
34 lead entity, subject to available funding.

35 (8) Prior to finalizing funding decisions under the provisions of
36 this section, the interagency review team shall consult with interests
37 representing irrigated and non-irrigated agriculture, sport and
38 commercial fishing interests, large and small scale timber interests,
39 conservation districts, and county and city governmental interests."

1 **SB 5613** - S AMD - 205
2 By Senators Swecker and Jacobsen

3 ADOPTED 3/15/99

4 On page 1, on line 2 of the title, after "75.46.005", strike "and
5 75.46.040" and insert "75.46.040, 75.46.060, and 75.46.080"

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EFFECT: Ensures that all enforcement provisions will be based on
statutorily created enforcement provisions.

EFFECT: The governor and the salmon recovery office are to
recommend rather than require effective monitoring and data
management methods.

EFFECT: The governor and the salmon recovery office are to
recommend to the legislature specific regulatory measures if
voluntary performance goals are not met.

EFFECT: Consideration for fish recovery project funding is to be
given to projects that include the use of side channels, off stream
rearing enhancement, over wintering habitat improvements, or the
use of acclimation ponds.

EFFECT: Requires the interagency review team to consult with
interest groups prior to making fish project funding decisions.