

# **HOUSE BILL ANALYSIS**

## **HB 2141**

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**Title:** An act relating to funding statewide salmon recovery.

**Brief Description:** Creating the salmon recovery foundation.

**Sponsors:** Representatives Buck and Kessler.

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### **HOUSE COMMITTEE ON NATURAL RESOURCES**

**Meeting Date:** March 1, 1999.

**Bill Analysis Prepared by:** Josh Weiss, Counsel (786-7129).

**Background:** In Washington, Upper Columbia steelhead have been listed as endangered species under the Endangered Species Act, and Snake River and Lower Columbia steelhead and Columbia River bull trout have been listed as threatened species. Puget Sound chinook salmon and other salmonids are also being considered for listing.

Salmon habitat restoration projects proposals are currently prioritized and funded through a statutory process. Counties, cities, and tribal governments must jointly designate, by official resolution, the area for which a habitat restoration project list is to be developed, and the lead entity responsible for submitting the list. The lead entity may be a county, city, conservation district, special district, tribal government, or other entity. The area covered by the habitat project list must be based at a minimum on a Water Resource Inventory Area (WRIA), combination of WRIs, an evolutionarily significant unit (ESU), or any other area agreed to by the counties, cities, and tribes.

Lead entities must establish a committee that includes representatives of counties, cities, conservation districts, tribes, environmental groups, business interests, landowners, citizens, volunteer groups, regional fish enhancement groups, and other restoration interests. Lead entities must compile a list of habitat restoration projects, establish priorities for individual projects, define the sequence for project implementation, identify potential funding sources, and submit the habitat restoration project list to the interagency team for funding. Habitat projects must have a written agreement from the landowner on which the project is to be implemented.

Critical pathways methodology is used for development of the habitat project list and habitat work schedule. The critical pathways methodology must include a limiting factors analysis for salmon in the region, identify local habitat projects that sponsors are willing to undertake, identify how the projects will be monitored and evaluated, and describe the adaptive management strategy that will be used.

The interagency review team, which is composed of representatives of the Conservation Commission, the Department of Transportation, and the Department of Fish and Wildlife, dispenses funds for habitat restoration projects. If a lead entity is established for an area the interagency review team may remove, but may not add, projects from a habitat project list. If there is no lead entity for an area, the interagency review team must rank and prioritize habitat restoration projects for the area, giving priority to projects that: 1) provide a greater benefit to salmon recovery; 2) will be implemented in a more critical area, are the most cost-effective; 3) have the greatest amount of match or in-kind funding, and; 4) will be implemented by a sponsor with a successful record of project implementation.

The interagency review team is allowed to annually establish a maximum amount of funding available for any individual project, subject to available funding. The review team must attempt to assure a geographical balance in assigning priorities to projects. The review team may provide block grants to the lead entity subject to available funding.

***Summary of Bill:*** The Governor is required to file articles of incorporation to establish the salmon recovery foundation, which will be formed as a nonprofit corporation. The foundation will not be a state agency.

The foundation has a 19 member board of directors. These members include representatives of: eastern and western Washington counties, eastern and western Washington cities, the Northwest Indian Fisheries Commission, the Columbia River Intertribal Fish Commission, the Washington Department of Fish and Wildlife, the Department of Ecology, the Department of Transportation, the Conservation Commission, the Regional Fisheries Enhancement Group Advisory Board, and the House of Representatives and the Senate. The board also must include two persons from eastern Washington and two persons from western Washington with experience in fishery restoration, fund raising, or volunteer coordination who are appointed by the Governor. Members serve staggered terms of three years, except for legislative members who serve for two years.

The foundation is required to actively seek funding from federal, state, and private sources. The interagency review team is required to submit a list of unfunded salmon recovery projects to the foundation at least once a year. The foundation will reward grants to these projects, seeking to leverage funding where possible. The foundation must try to ensure that each water resource inventory area in the state which contains a salmon species listed as threatened or endangered receives funding within a 10-year period.

The salmon and stream conservation account is created. Moneys from the account may be used only for reasonable foundation expenses, the preservation and restoration of the state's critical salmon habitat, and other purposes consistent with the bill.

The provisions of the bill expire June 30, 2009. The bill creates a new chapter in the Food and Shellfish Title.

***Appropriation:*** None.

***Fiscal Note:*** Requested February 22, 1999.

***Effective Date:*** Ninety days after adjournment of session in which bill is passed.

***Rulemaking Authority:*** None.