

# SENATE BILL REPORT

## 2E2SSB 5595

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As Passed Senate, May 17, 1999

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

**Brief Description:** Establishing the salmon recovery funding board.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Jacobsen and Fraser).

**Brief History:**

**Committee Activity:** Natural Resources, Parks & Recreation: 2/11/99, 2/24/99 [DPS-WM].

Ways & Means: 3/3/99, 3/4/99 [DP2S].

Passed Senate, 3/15/99, 35-14.

**First Special Session:** Passed Senate, 5/17/99, 31-16.

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### SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

**Majority Report:** That Substitute Senate Bill No. 5595 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Hargrove, Morton, Oke, Rossi, Snyder, Spanel and Stevens.

**Staff:** Ross Antipa (786-7413)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 5595 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Fraser, Kline, Kohl-Welles, Rasmussen, B. Sheldon, Snyder, Spanel, Thibaudeau, Winsley and Wojahn.

**Minority Report:** Do not pass substitute.

Signed by Senator Honeyford.

**Staff:** Kari Guy (786-7437)

**Background:** A coordinated framework for responding to the endangered salmon crisis was passed in the 1998 legislative session. A number of grant programs were developed and funded resulting from that legislation.

Concern exists that the decision-making process for habitat project or activity approval needs to be administered by a professional board with fiscal oversight and knowledge of local government and salmon recovery processes and functions. In addition, needs were identified

for increased monitoring of project effectiveness, integration with the Department of Fish and Wildlife salmon recovery programs, development of a statewide salmon recovery strategy, strengthening of technical and scientific review of projects, and to effect the technical changes necessary to transition from current law to the more comprehensive salmon recovery approach.

**Summary of Bill:** A ten-member salmon recovery funding board is created to make grants and loans for salmon habitat projects and salmon recovery activities. Five voting board members are chosen by the Governor, subject to Senate confirmation. Five nonvoting members represent the Department of Fish and Wildlife, Conservation Commission, Department of Transportation, Department of Ecology, and Department of Natural Resources. Staff support to the board is provided by the Interagency Committee for Outdoor Recreation. The board is provided with a statutory framework for elements that must be considered while making funding decisions.

A technical review team is created to assist the funding board in ranking projects and activities, and developing standardized monitoring indicators and data quality guidelines in conjunction with the independent science team. The technical review team is composed of at least five members selected by the Director of the Department of Fish and Wildlife and staffed by the Department of Fish and Wildlife.

The Governor and the Governor's Salmon Recovery Office are required to develop a statewide salmon recovery strategy and submit it to the federal regulatory agencies by September 1, 1999. The strategy must be updated through an active public involvement process beginning September 1, 2000.

The Independent Science Panel must develop guidelines for monitoring the effectiveness of salmon habitat restoration projects and report its findings to the Governor and the Legislature. The Independent Science Panel shall be compensated by personal service contracts administered by the Salmon Recovery Office.

The Department of Fish and Wildlife's salmon and steelhead inventory and assessment project and the salmon and steelhead habitat inventory and assessment project are integrated into the statewide salmon recovery framework.

The interagency review team established in the 1998 legislation is left in effect until July 1, 2000, when it expires.

Funding for administration of the Salmon Recovery Board is transferred from the office of the Governor and Office of Financial Management to the Interagency Committee for Outdoor Recreation. Funding is provided for grants to salmon recovery projects and activities including:

- a) fish passage barrier removal
- b) habitat projects
- c) critical area updates
- d) Southwest Washington recovery region
- e) People for Salmon recovery initiative
- f) conservation district implementation of Puget Sound plan

- g) monitoring
- h) technical assistance
- i) stream corridor guidelines
- j) engineering services
- k) fish screening improvement
- l) development of selective harvest techniques
- m) reducing by-catch
- n) jobs for the environment
- o) commercial license buy-back

A salmon recovery account is created within the state treasury.

Numerous technical changes are made.

A severability clause is included.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect July 1, 1999.

**Testimony For (Natural Resources, Parks & Recreation):** Additional governance structure is needed to assure that salmon recovery projects are properly evaluated, funded, and that the projects are effective in restoring salmon runs.

**Testimony Against (Natural Resources, Parks & Recreation):** Too much emphasis is placed on habitat restoration and more restrictions on harvest are needed.

**Testified (Natural Resources, Parks & Recreation):** PRO: Ron Shultz, National Audubon Society; Enid Sayes, Washington State Horticulture Association; Dawn Vyvyan, Yakima Nation; Kathleen Collins, Washington Water Policy Alliance.

**Testimony For (Ways & Means):** There are 13 agencies spending over \$600 million on salmon and water. People with worthy projects don't know how or where to apply. This will avoid duplication and allow the state to account for and monitor all money spent.

**Testimony Against (Ways & Means):** None.

**Testified (Ways & Means):** Ron Shultz, National Audubon Society (pro); Paul Parker, WA State Assn. of Counties (pro w/concerns).

**House Amendment(s):** Habitat project lists must be based upon limiting factors analysis only when the analysis is completed. Projects that improve stream flows are no longer included in the definition of habitat projects. Federal agencies may no longer be a project sponsor. Tribes may participate in salmon recovery activities.

The salmon restoration funding board shall provide a minimum amount of funds for each region of the state as determined by the board.

Private sector members shall, rather than may, be included on the technical review team.

Language is stricken that requires the technical review team to assist the board by assessing the technical capacity of local or regional areas to plan or implement successful salmon recovery projects.