
**Agriculture & Natural
Resources Committee**

HB 1421

Brief Description: Creating a program for restoration and enhancement of salmonid habitat on publicly owned lands.

Sponsors: Representatives Quall, Schoesler, Morris, Sehlin, Hatfield, Benson, Sullivan, Bailey and Linville.

Brief Summary of Bill

- Creates the Skagit salmon habitat enhancement initiative to develop and implement a plan for enhancing and restoring salmon habitat on public lands.
- Designates the program's management board as lead entity for salmon recovery purposes.

Hearing Date: 2/5/03

Staff: Derek Green (786-5793).

Background:

In 1998, the legislature passed the Salmon Recovery Act. The Act stated that Washington State should retain primary responsibilities for managing the natural resources of the state, rather than relinquish those responsibilities to the federal government. The Salmon Recovery Act created a voluntary and locally-based salmon habitat restoration process, led by "lead entities" established jointly by counties, cities, and tribal governments. The function of the lead entities is to develop a list of projects that help restore and protect habitat for fish within a water resource inventory area (WRIA) or combinations of WRIs. In order to provide citizen-based evaluation of the proposed projects, each lead entity is required to establish a committee comprised of representatives of local interests. The committee is responsible for developing the final prioritized list of proposed projects for the lead entity.

Project selection is guided by a habitat strategy that each lead entity has developed to address problems specific to its watershed. Additionally, projects must have the support of affected landowners so that implementation is likely to succeed. Under this process, state agencies

provide both financial and technical support to lead entities. Currently there are 26 lead entities operating across the state.

The Washington Department of Fish and Wildlife administers grants to the lead entities with funds provided by the Salmon Recovery Funding Board (SRFB) to promote public oversight for funding salmon projects and coordinate state funds. The board consists of ten members, five voting citizens and five non-voting state agency directors.

For the Skagit watershed, the lead entity group is the Skagit Watershed Council.. The Skagit Watershed Council Year 2001 Strategic Approach is an overview of the Skagit lead entity's guiding principles, essential elements, and target areas. The group identified the following guiding principles for 2001:

- Use the best available information, and target the most biologically important areas for salmon restoration and protection.
- Within the targeted areas: protect the highest quality habitat first; and establish (by means of restoration) key habitat.
- Do the most cost-effective projects first.

In addition to the above principles, the group also identified the following elements as being essential to the Strategic Approach:

- Comprehensive and current information;
- Fully functioning organizational infrastructure, including communication strategy, data management system, monitoring program, and reporting methods;
- Sufficient capacity within council and member organizations;
- Willing landowners within target areas; and
- Knowledgeable, supportive community.

Building upon a foundation of these principles and elements, the group identified five target areas within the Skagit and Samish River basins. The target areas include estuaries, deltas, floodplains, and watersheds.

Summary of Bill:

The "Skagit Salmon Habitat Enhancement Initiative" is created for the purpose of developing and implementing a plan to enhance salmon habitat on public lands within Skagit county. The project creates a management board designated the lead entity for salmon recovery purposes. The board is responsible for implementing the habitat portion of restoration and enhancement plan.

Management Board Composition:

The management board consists of nine voting members, each representing a different interest or group. Board members include:

- a county commissioner selected by the county legislative authority;
- a representative of the cities selected by the cities within the county;
- a member of the Swinomish Tribe selected by the tribal council;

- a representative of local diking and drainage districts selected by those districts;
- a representative of local agricultural interests selected by the county Board of Commissioners;
- a representative of the local environment community selected by the county Board of Commissioners;
- a representative of the Department of Fish and Wildlife selected by the chair of the state Fish and Wildlife Commission;
- a representative appointed by the Governor; and
- a representative of the Department of Natural Resources selected by the Commissioner of Public Lands.

The board and staff are given immunity from non-contractual suits associated with the duties under this act.

Management Board Responsibilities:

The board must participate in developing, and is responsible for implementing, a salmon habitat restoration and enhancement plan. The board must prioritize and approve the restoration programs, and must seek funding for the approved programs through the Salmon Recovery Funding Board. Program selection must be based upon criteria that assess the likely value of the programs to salmon restoration, and may also consider local economic impact. The board is encouraged to utilize state and local expertise and to solicit input from interested parties. Although the board is charged with coordinating local government interests as developed in the plan, the board's authority does not preempt that of local governments.

The board's administrative duties include managing its staff, entering into contracts, accepting grants and other moneys, and disbursing funds and expenses. The board is required to report to agencies and the county legislative authority quarterly.

The program terminates July 1, 2006. At the conclusion of the program, the board must prepare a final report for legislative committees, the county legislative body, and state agencies.

Appropriation: None.

Fiscal Note: Requested on January 31, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.