
SUBSTITUTE SENATE BILL 5610

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senator Jacobsen)

READ FIRST TIME 03/02/05.

1 AN ACT Relating to salmon recovery and watershed health; amending
2 RCW 77.85.005, 77.85.010, 77.85.020, 77.85.030, 77.85.040, 77.85.050,
3 77.85.090, and 77.85.150; reenacting and amending RCW 77.85.130; adding
4 a new section to chapter 77.85 RCW; repealing RCW 77.85.070 and
5 77.85.210; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 77.85.005 and 1999 sp.s. c 13 s 1 are each amended to
8 read 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

1 salmon and the complex array of natural and human-caused problems they
2 face.

3 The legislature finds that it is in the interest of the citizens of
4 the state of Washington for the state to retain primary responsibility
5 for managing the natural resources of the state, rather than abdicate
6 those responsibilities to the federal government, and that the state
7 may best accomplish this objective by integrating local and regional
8 recovery activities into a statewide (~~plan~~) strategy that can make
9 the most effective use of provisions of federal laws allowing for a
10 state lead in salmon recovery, delivered through implementation
11 activities consistent with regional and watershed recovery plans. The
12 legislature also finds that a statewide salmon recovery (~~plan~~)
13 strategy must be developed and implemented through an active public
14 involvement process in order to ensure public participation in, and
15 support for, salmon recovery. The legislature also finds that there is
16 a substantial link between the provisions of the federal endangered
17 species act and the federal clean water act (33 U.S.C. Sec. 1251 et
18 seq.). The legislature further finds that habitat restoration is a
19 vital component of salmon recovery efforts. Therefore, it is the
20 intent of the legislature to specifically address salmon habitat
21 restoration in a coordinated manner and to develop a structure that
22 allows for the coordinated delivery of federal, state, and local
23 assistance to communities for habitat projects that will assist in the
24 recovery and enhancement of salmon stocks. A strong watershed-based
25 locally implemented plan is essential for local, regional, and
26 statewide salmon recovery.

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

29 The legislature further finds that it is important to monitor the
30 overall health of the salmon resource to determine if recovery efforts
31 are providing expected returns. It is important to monitor salmon
32 habitat projects and salmon recovery activities to determine their
33 effectiveness in order to secure federal acceptance of the state's
34 approach to salmon recovery. Adaptive management cannot exist without
35 monitoring. For these reasons, the legislature believes that a
36 coordinated and integrated monitoring (~~process~~) system should be
37 developed and implemented.

1 The legislature therefore finds that a coordinated framework for
2 responding to the salmon crisis is needed immediately. To that end,
3 the salmon recovery office should be created within the governor's
4 office to provide overall coordination of the state's response; an
5 independent science panel is needed to provide scientific review and
6 oversight; a coordinated state funding process should be established
7 through a salmon recovery funding board; the appropriate local or
8 tribal government should provide local leadership in identifying and
9 sequencing habitat projects to be funded by state agencies; habitat
10 projects should be implemented without delay; and a strong locally
11 based effort to restore salmon habitat should be established by
12 providing a framework to allow citizen volunteers to work effectively.

13 **Sec. 2.** RCW 77.85.010 and 2002 c 210 s 1 are each amended to read
14 as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

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

20 (2) "Critical pathways methodology" means a project scheduling and
21 management process for examining interactions between habitat projects
22 and salmonid species, prioritizing habitat projects, and assuring
23 positive benefits from habitat projects.

24 (3) "Habitat project list" is the list of projects resulting from
25 the critical pathways methodology under RCW 77.85.060(2). Each project
26 on the list must have a written agreement from the landowner on whose
27 land the project will be implemented. Projects include habitat
28 restoration projects, habitat protection projects, habitat projects
29 that improve water quality, habitat projects that protect water
30 quality, habitat-related mitigation projects, and habitat project
31 maintenance and monitoring activities.

32 (4) "Habitat work schedule" means those projects from the habitat
33 project list that will be implemented during the current funding cycle.
34 The schedule shall also include a list of the entities and individuals
35 implementing projects, the start date, duration, estimated date of
36 completion, estimated cost, and funding sources for the projects.

1 (5) "Limiting factors" means conditions that limit the ability of
2 habitat to fully sustain populations of salmon. These factors are
3 primarily fish passage barriers and degraded estuarine areas, riparian
4 corridors, stream channels, and wetlands.

5 (6) "Project sponsor" is a county, city, special district, tribal
6 government, state agency, a combination of such governments through
7 interlocal or interagency agreements, a nonprofit organization,
8 regional fisheries enhancement group, or one or more private citizens.
9 A project sponsored by a state agency may be funded by the board only
10 if it is included on the habitat project list submitted by the lead
11 entity for that area and the state agency has a local partner that
12 would otherwise qualify as a project sponsor.

13 (7) "Regional recovery organization" or "regional salmon recovery
14 organization" means an entity formed for the purpose of recovering
15 salmon, which is recognized in statute or by the salmon recovery
16 office.

17 (8) "Salmon" includes all species of the family Salmonidae which
18 are capable of self-sustaining, natural production.

19 ((+8)) (9) "Salmon recovery plan" means a state or regional plan
20 developed in anticipation of or in response to a candidate, or proposed
21 or actual listing under the federal endangered species act that
22 addresses limiting factors including, but not limited to harvest,
23 hatchery, hydropower, habitat, and other factors of decline.

24 ((+9)) (10) "Salmon recovery region" means geographic areas of the
25 state identified in the statewide salmon recovery strategy that
26 encompass groups of watersheds in the state with common stocks of
27 salmon identified for recovery activities, and that generally are
28 consistent with the geographic areas within the state identified by the
29 federal fish services for activities under the federal endangered
30 species act. The southwest Washington salmon recovery region
31 designated under RCW 77.85.090 is a salmon recovery region for all
32 purposes of this chapter.

33 (11) "Tribe" or "tribes" means federally recognized Indian tribes.

34 ((+10)) (12) "WRIA" means a water resource inventory area
35 established in chapter 173-500 WAC as it existed on January 1, 1997.

36 ((+11)) (13) "Owner" means the person holding title to the land or
37 the person under contract with the owner to lease or manage the legal
38 owner's property.

1 **Sec. 3.** RCW 77.85.020 and 1998 c 246 s 4 are each amended to read
2 as follows:

3 (~~Beginning in~~) (1) By December ((2000)) 1, 2006, December 1,
4 2008, December 1, 2010, and December 1, 2012, the governor shall submit
5 a (~~biennial state of the salmon~~) report to the legislature (~~during~~
6 ~~the first week of December~~) regarding the implementation of the
7 state's salmon recovery strategy. The report may include the
8 following:

9 (~~(1)~~) (a) A description of the amount of in-kind and financial
10 contributions, including volunteer, private, and state, federal, tribal
11 as available, and local government money directly spent on salmon
12 recovery in response to actual, proposed, or expected endangered
13 species act listings;

14 (~~(2)~~) (b) A summary of habitat projects including but not limited
15 to:

16 (~~(a)~~) (i) A summary of accomplishments in removing barriers to
17 salmon passage and an identification of existing barriers;

18 (~~(b)~~) (ii) A summary of salmon restoration efforts undertaken in
19 the past two years;

20 (~~(c)~~) (iii) A summary of the role which private volunteer
21 initiatives contribute in salmon habitat restoration efforts; and

22 (~~(d)~~) (iv) A summary of efforts taken to protect salmon habitat;

23 (~~(3)~~) (c) A summary of collaborative efforts undertaken with
24 adjoining states or Canada;

25 (~~(4)~~) (d) A summary of harvest and hatchery management activities
26 affecting salmon recovery;

27 (~~(5)~~) (e) A summary of information regarding impediments to
28 successful salmon recovery efforts;

29 (~~(6)~~) (f) A summary of the number and types of violations of
30 existing laws pertaining to: (~~(a)~~) (i) Water quality; and (~~(b)~~)
31 (ii) salmon. The summary shall include information about the types of
32 sanctions imposed for these violations;

33 (~~(7)~~) (g) Information on the estimated carrying capacity of new
34 habitat created pursuant to chapter 246, Laws of 1998; and

35 (~~(8)~~) (h) Recommendations to the legislature that would further
36 the success of salmon recovery. The recommendations may include:

37 (~~(a)~~) (i) The need to expand or improve nonregulatory programs
38 and activities; (~~and~~

1 ~~(b))~~ (ii) The need to expand or improve state and local laws and
2 regulations; and

3 (iii) Recommendations for state funding assistance to recovery
4 activities and projects.

5 (2) The report shall summarize the monitoring data coordinated by
6 the monitoring forum created in section 10 of this act. The summary
7 must include but is not limited to data and analysis related to:

8 (a) Measures of progress in fish recovery;

9 (b) Measures of factors limiting recovery as well as trends in such
10 factors; and

11 (c) The status of implementation of projects and activities.

12 **Sec. 4.** RCW 77.85.030 and 2000 c 107 s 93 are each amended to read
13 as follows:

14 (1) The salmon recovery office is created within the office of the
15 governor to coordinate state strategy to allow for salmon recovery to
16 healthy sustainable population levels with productive commercial and
17 recreational fisheries. The primary purpose of the office is to
18 coordinate and assist in the development of regional salmon recovery
19 plans (~~((for evolutionarily significant units, and submit those plans to~~
20 ~~the appropriate tribal governments and federal agencies))~~) as an
21 integral part of a statewide strategy developed consistent with the
22 guiding principles and procedures under RCW 77.85.150. The governor's
23 salmon recovery office (~~may also:~~

24 ~~(a))~~ shall assist regional recovery organizations in submitting
25 plans to the federal fish services for adoption as federal recovery
26 plans. The governor's salmon recovery office may also:

27 (a) Assist state agencies, local governments, landowners, and other
28 interested parties in obtaining federal assurances that plans,
29 programs, or activities are consistent with fish recovery under the
30 federal endangered species act;

31 (b) Act as liaison to local governments, the state congressional
32 delegation, the United States congress, federally recognized tribes,
33 and the federal executive branch agencies for issues related to the
34 state's (~~endangered species act~~) salmon recovery plans; and

35 ~~((b))~~ (c) Provide (~~the biennial state of the salmon report to~~
36 the legislature)) periodic reports pursuant to RCW 77.85.020.

37 (2) This section expires June 30, ~~((2006))~~ 2015.

1 **Sec. 5.** RCW 77.85.040 and 2000 c 107 s 94 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 may each remove one name from the nomination list.
14 The governor shall consult with tribal representatives and the governor
15 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. Based upon
22 available funding, the governor's salmon recovery office may contract
23 for services with members of the independent science panel for
24 compensation under chapter 39.29 RCW.

25 (4) The independent science panel shall be governed by generally
26 accepted guidelines and practices governing the activities of
27 independent science boards such as the national academy of sciences.
28 The purpose of the independent science panel is to help ensure that
29 sound science is used in salmon recovery efforts. The governor's
30 salmon recovery office (~~shall~~) may request review of regional salmon
31 recovery plans by the science review panel. The science panel does not
32 have the authority to review individual projects or habitat project
33 lists developed under RCW 77.85.050(~~(7)~~) or 77.85.060(~~(7) and~~
34 ~~75.46.080~~) or to make policy decisions. The panel shall periodically
35 submit its findings and recommendations under this subsection to the
36 legislature and the governor.

37 (~~(5) The independent science panel, in conjunction with the~~

1 ~~technical review team, shall recommend standardized monitoring~~
2 ~~indicators and data quality guidelines for use by entities involved in~~
3 ~~habitat projects and salmon recovery activities across the state.~~

4 ~~(6) The independent science panel, in conjunction with the~~
5 ~~technical review team, shall also recommend criteria for the systematic~~
6 ~~and periodic evaluation of monitoring data in order for the state to be~~
7 ~~able to answer critical questions about the effectiveness of the~~
8 ~~state's salmon recovery efforts.~~

9 ~~(7) The recommendations on monitoring as required in this section~~
10 ~~shall be provided in a report to the governor and to the legislature by~~
11 ~~the independent science panel, in conjunction with the salmon recovery~~
12 ~~office, no later than December 31, 2000. The report shall also include~~
13 ~~recommendations on the level of effort needed to sustain monitoring of~~
14 ~~salmon projects and other recovery efforts, and any other~~
15 ~~recommendations on monitoring deemed important by the independent~~
16 ~~science panel and the technical review team. The report may be~~
17 ~~included in the biennial state of the salmon report required under RCW~~
18 ~~77.85.020.))~~

19 **Sec. 6.** RCW 77.85.050 and 1999 sp.s. c 13 s 11 are each amended to
20 read as follows:

21 (1)(a) Counties, cities, and tribal governments must jointly
22 designate, by resolution or by letters of support, the area for which
23 a habitat project list is to be developed and the lead entity that is
24 to be responsible for submitting the habitat project list. No project
25 included on a habitat project list shall be considered mandatory in
26 nature and no private landowner may be forced or coerced into
27 participation in any respect. The lead entity may be a county, city,
28 conservation district, special district, tribal government, regional
29 recovery organization, or other entity.

30 (b) The lead entity shall establish a committee that consists of
31 representative interests of counties, cities, conservation districts,
32 tribes, environmental groups, business interests, landowners, citizens,
33 volunteer groups, regional fish enhancement groups, and other habitat
34 interests. The purpose of the committee is to provide a citizen-based
35 evaluation of the projects proposed to promote salmon habitat. ~~((The~~
36 ~~technical review team may provide the lead entity with organizational~~
37 ~~models that may be used in establishing the committees.))~~

1 (c) The committee shall compile a list of habitat projects,
2 establish priorities for individual projects, define the sequence for
3 project implementation, and submit these activities as the habitat
4 project list. The committee shall also identify potential federal,
5 state, local, and private funding sources.

6 (2) The area covered by the habitat project list must be based, at
7 a minimum, on a WRIA, combination of WRIsAs, or any other area as agreed
8 to by the counties, cities, and tribes in resolutions or in letters of
9 support meeting the requirements of this subsection. Preference will
10 be given to projects in an area that contain a salmon species that is
11 listed or proposed for listing under the federal endangered species
12 act.

13 (3) The lead entity shall submit the habitat project list to the
14 (~~technical review team~~) board in accordance with procedures adopted
15 by the board.

16 **Sec. 7.** RCW 77.85.090 and 2000 c 107 s 99 are each amended to read
17 as follows:

18 (1) The southwest Washington salmon recovery region, whose
19 boundaries are provided in chapter 60, Laws of 1998, is created.

20 (2) The governor, with the assistance of the salmon recovery
21 office, may designate additional salmon recovery regions that generally
22 are consistent with the areas within the state designated by the
23 federal fish services for federal recovery planning.

24 (3) The governor, with the assistance of the salmon recovery
25 office, may recognize regional salmon recovery organizations for the
26 purpose of planning, coordinating, and monitoring the implementation of
27 regional recovery plans. Organizations seeking such recognition shall
28 demonstrate that the organization has support from the existing lead
29 entities within the region, and have invited the participation of
30 counties, cities, conservation districts, tribes, environmental groups,
31 business interests, landowners, citizens, volunteer groups, regional
32 fish enhancement groups, utilities, agriculture, and fishing and water
33 management interests. The sponsors shall also demonstrate a
34 willingness and capability to carry out the planning, coordinating, and
35 monitoring assigned to a regional recovery organization under this
36 chapter.

1 **Sec. 8.** RCW 77.85.130 and 2000 c 107 s 102 and 2000 c 15 s 1 are
2 each reenacted and amended to read as follows:

3 (1) The salmon recovery funding board shall develop procedures and
4 criteria for allocation of funds for salmon habitat projects and salmon
5 recovery activities on a statewide basis to address the highest
6 priorities for salmon habitat protection and restoration. To the
7 extent practicable the board shall adopt an annual allocation of
8 funding. The allocation should address both protection and restoration
9 of habitat, and should recognize the varying needs in each area of the
10 state on an equitable basis. The board has the discretion to partially
11 fund, or to fund in phases, salmon habitat projects. The board may
12 annually establish a maximum amount of funding available for any
13 individual project, subject to available funding. No projects required
14 solely as a mitigation or a condition of permitting are eligible for
15 funding.

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

18 (i) Are based upon the limiting factors analysis identified under
19 RCW 77.85.060;

20 (ii) Provide a greater benefit to salmon recovery based upon the
21 stock status information contained in the department of fish and
22 wildlife salmonid stock inventory (SASSI), the salmon and steelhead
23 habitat inventory and assessment project (SSHIAP), and any comparable
24 science-based assessment when available;

25 (iii) Will benefit listed species and other fish species; (~~and~~)

26 (iv) Will preserve high quality salmonid habitat; and

27 (v) Are included in a regional or watershed-based salmon recovery
28 plan that accords the project, action, or area a high priority for
29 funding.

30 (b) In evaluating, ranking, and awarding funds for projects and
31 activities the board shall also give consideration to projects that:

32 (i) Are the most cost-effective;

33 (ii) Have the greatest matched or in-kind funding; (~~and~~)

34 (iii) Will be implemented by a sponsor with a successful record of
35 project implementation; and

36 (iv) Are part of a regionwide list developed by lead entities.

37 (3) The board may reject, but not add, projects from a habitat
38 project list submitted by a lead entity for funding.

1 (4) ~~((For fiscal year 2000, the board may authorize the interagency~~
2 ~~review team to evaluate, rank, and make funding decisions for~~
3 ~~categories of projects or activities or from funding sources provided~~
4 ~~for categories of projects or activities. In delegating such authority~~
5 ~~the board shall consider the review team's staff resources, procedures,~~
6 ~~and technical capacity to meet the purposes and objectives of this~~
7 ~~chapter. The board shall maintain general oversight of the team's~~
8 ~~exercise of such authority.~~

9 ~~(5) The board shall seek the guidance of the technical review team~~
10 ~~to ensure that scientific principles and information are incorporated~~
11 ~~into the allocation standards and into proposed projects and~~
12 ~~activities. If the technical review team determines that a habitat~~
13 ~~project list complies with the critical pathways methodology under RCW~~
14 ~~77.85.060, it shall provide substantial weight to the list's project~~
15 ~~priorities when making determinations among applications for funding of~~
16 ~~projects within the area covered by the list.~~

17 ~~(6))~~ The board shall establish criteria for determining when block
18 grants may be made to a lead entity ~~((or other recognized regional~~
19 ~~recovery entity))~~ consistent with one or more habitat project lists
20 developed for that region. Where a lead entity has been established
21 pursuant to RCW 77.85.050, the board may provide block grants to the
22 lead entity to assist in ~~((carrying out lead entity functions under~~
23 ~~this chapter,))~~ project implementation subject to available funding.
24 The board shall determine an equitable minimum amount of project
25 implementation funds for each recovery region, and shall distribute the
26 remainder of funds on a competitive basis. The board may also provide
27 grants to the lead entity or regional recovery organization to assist
28 in carrying out functions described under this chapter.

29 ~~((7))~~ (5) The board may waive or modify portions of the
30 allocation procedures and standards adopted under this section in the
31 award of grants or loans to conform to legislative appropriations
32 directing an alternative award procedure or when the funds to be
33 awarded are from federal or other sources requiring other allocation
34 procedures or standards as a condition of the board's receipt of the
35 funds. The board shall develop an integrated process to manage the
36 allocation of funding from federal and state sources to minimize delays
37 in the award of funding while recognizing the differences in state and
38 legislative appropriation timing.

1 ~~((8))~~ (6) The board may award a grant or loan for a salmon
2 recovery project on private or public land when the landowner has a
3 legal obligation under local, state, or federal law to perform the
4 project, when expedited action provides a clear benefit to salmon
5 recovery, and there will be harm to salmon recovery if the project is
6 delayed. For purposes of this subsection, a legal obligation does not
7 include a project required solely as a mitigation or a condition of
8 permitting.

9 ~~((9))~~ (7) The board may condition a grant or loan to include the
10 requirement that property may only be transferred to a federal agency
11 if the agency that will acquire the property agrees to comply with all
12 terms of the grant or loan to which the project sponsor was obligated.
13 Property acquired or improved by a project sponsor may be conveyed to
14 a federal agency, but only if the agency agrees to comply with all
15 terms of the grant or loan to which the project sponsor was obligated.

16 **Sec. 9.** RCW 77.85.150 and 1999 sp.s. c 13 s 9 are each amended to
17 read as follows:

18 (1) ~~((By September 1, 1999,))~~ The governor, with the assistance of
19 the salmon recovery office, shall ~~((submit a statewide salmon recovery
20 strategy to the appropriate federal agencies administering the federal
21 endangered species act))~~ maintain and revise a statewide salmon
22 recovery strategy.

23 (2) The governor and the salmon recovery office shall be guided by
24 the following considerations in ~~((developing))~~ maintaining and revising
25 the strategy:

26 (a) The strategy should identify statewide initiatives and
27 responsibilities with regional recovery plans and local watershed
28 initiatives as the principal ~~((mechanism))~~ means for implementing the
29 strategy;

30 (b) The strategy should emphasize collaborative, incentive-based
31 approaches;

32 (c) The strategy should address all factors limiting the recovery
33 of Washington's listed or depressed salmon stocks, including habitat
34 and water quality degradation, harvest and hatchery management,
35 inadequate streamflows, and other barriers to fish passage. Where
36 other limiting factors are beyond the state's jurisdictional

1 authorities to respond to, such as some natural predators and high seas
2 fishing, the strategy shall include the state's requests for federal
3 action to effectively address these factors;

4 (d) The strategy should identify immediate actions necessary to
5 prevent extinction of a listed or depressed salmon stock, establish
6 performance measures to determine if restoration efforts are working,
7 recommend effective monitoring and data management, and recommend to
8 the legislature clear and certain measures to be implemented if
9 performance goals are not met;

10 (e) The strategy shall rely on the best scientific information
11 available and provide for incorporation of new information as it is
12 obtained;

13 (f) The strategy should seek a fair allocation of the burdens and
14 costs upon economic and social sectors of the state whose activities
15 may contribute to limiting the recovery of salmon; and

16 (g) The strategy should seek clear measures and procedures from the
17 appropriate federal agencies for removing Washington's salmon stocks
18 from listing under the federal act.

19 (3) Beginning on September 1, 2000, the strategy shall be updated
20 through an active public involvement process, including early and
21 meaningful opportunity for public comment. In obtaining public
22 comment, the salmon recovery office shall hold public meetings
23 throughout the state and shall encourage regional and local recovery
24 planning efforts to similarly ensure an active public involvement
25 process.

26 (4) This section shall apply prospectively only and not
27 retroactively. Nothing in this section shall be construed to
28 invalidate actions taken in recovery planning at the local, regional,
29 or state level prior to July 1, 1999.

30 NEW SECTION. **Sec. 10.** A new section is added to chapter 77.85 RCW
31 to read as follows:

32 (1) The legislature finds that pursuant to chapter 298, Laws of
33 2001 and acting upon recommendations of the state's independent science
34 panel, the monitoring oversight committee developed recommendations for
35 a comprehensive statewide strategy for monitoring watershed health,
36 with a focus upon salmon recovery, entitled *The Washington*
37 *Comprehensive Monitoring Strategy and Action Plan for Watershed Health*

1 *and Salmon Recovery.* The legislature further finds that funding to
2 begin implementing the strategy and action plan was provided in the
3 2003-2005 biennial budget, and that executive order 04-03 was issued to
4 coordinate state agency implementation activities. It is therefore the
5 purpose of this section to adopt the strategy and action plan and to
6 provide guidance to ensure that the coordination activities directed by
7 executive order 04-03 are effectively carried out.

8 (2) The forum on monitoring salmon recovery and watershed health is
9 created. The director of the governor's salmon recovery office and the
10 director of the department of fish and wildlife shall serve as cochairs
11 of the forum. The forum shall include representatives of the following
12 state agencies that have responsibilities related to monitoring of
13 salmon recovery and watershed health:

- 14 (a) Department of ecology;
- 15 (b) Salmon recovery funding board;
- 16 (c) Salmon recovery office;
- 17 (d) Department of fish and wildlife;
- 18 (e) Department of natural resources;
- 19 (f) Puget Sound action team;
- 20 (g) Conservation commission;
- 21 (h) Department of agriculture; and
- 22 (i) Department of transportation.

23 (3) The forum on monitoring salmon recovery and watershed health
24 shall provide a multiagency venue for coordinating technical and policy
25 issues and actions related to monitoring salmon recovery and watershed
26 health.

27 (4) The forum on monitoring salmon recovery and watershed health
28 shall develop a set of measures to convey results and progress on
29 salmon recovery and watershed health in ways that are easily understood
30 by the general public.

31 (5) The forum on monitoring salmon recovery and watershed health
32 shall invite the participation of federal, tribal, regional, and local
33 agencies and entities that carry out salmon recovery and watershed
34 health monitoring, and work toward coordination and standardization of
35 measures used.

36 (6) The forum on monitoring salmon recovery and watershed health
37 shall periodically report to the governor and the appropriate standing

1 committees of the senate and house of representatives on the forum's
2 activities and recommendations for improving monitoring programs by
3 state agencies.

4 (7) The forum shall review pilot monitoring programs including
5 those that integrate (a) data collection, management, and access; and
6 (b) information regarding habitat projects and project management.

7 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 77.85.070 (Technical advisory groups) and 2000 c 107 s 97
10 & 1998 c 246 s 10; and

11 (2) RCW 77.85.210 (Monitoring activities--Monitoring oversight
12 committee--Legislative steering committee--Report to the legislature--
13 Monitoring strategy and action plan) and 2001 c 298 s 3.

--- END ---