

HB 1598 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

ADOPTED 04/13/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 77.85.130 and 2005 c 309 s 8, 2005 c 271 s 1, and
4 2005 c 257 s 3 are each reenacted and amended to read as follows:

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

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

20 (i) Are based upon the limiting factors analysis identified under
21 RCW 77.85.060;

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

27 (iii) Will benefit listed species and other fish species;

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

29 (v) Are included in a regional or watershed-based salmon recovery

1 plan that accords the project, action, or area a high priority for
2 funding.

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

- 5 (i) Are the most cost-effective;
- 6 (ii) Have the greatest matched or in-kind funding;
- 7 (iii) Will be implemented by a sponsor with a successful record of
8 project implementation; (~~and~~)

9 (iv) Involve members of the veterans conservation corps established
10 in RCW 43.60A.150; and

11 (v) Are part of a regionwide list developed by lead entities.

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

14 (4) The board shall establish criteria for determining when block
15 grants may be made to a lead entity. The board may provide block
16 grants to the lead entity to implement habitat project lists developed
17 under RCW 77.85.050, subject to available funding. The board shall
18 determine an equitable minimum amount of project funds for each
19 recovery region, and shall distribute the remainder of funds on a
20 competitive basis. The board may also provide block grants to the lead
21 entity or regional recovery organization to assist in carrying out
22 functions described under this chapter. Block grants must be expended
23 consistent with the priorities established for the board in subsection
24 (2) of this section. Lead entities or regional recovery organizations
25 receiving block grants under this subsection shall provide an annual
26 report to the board summarizing how funds were expended for activities
27 consistent with this chapter, including the types of projects funded,
28 project outcomes, monitoring results, and administrative costs.

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

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

8 (7) Property acquired or improved by a project sponsor may be
9 conveyed to a federal agency if: (a) The agency agrees to comply with
10 all terms of the grant or loan to which the project sponsor was
11 obligated; or (b) the board approves: (i) Changes in the terms of the
12 grant or loan, and the revision or removal of binding deed of right
13 instruments; and (ii) a memorandum of understanding or similar document
14 ensuring that the facility or property will retain, to the extent
15 feasible, adequate habitat protections; and (c) the appropriate
16 legislative authority of the county or city with jurisdiction over the
17 project area approves the transfer and provides notification to the
18 board.

19 (8) Any project sponsor receiving funding from the salmon recovery
20 funding board that is not subject to disclosure under chapter 42.56 RCW
21 must, as a mandatory contractual prerequisite to receiving the funding,
22 agree to disclose any information in regards to the expenditure of that
23 funding as if the project sponsor was subject to the requirements of
24 chapter 42.56 RCW."

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25 On page 1, line 2 of the title, after "recovery;" strike the
26 remainder of the title and insert "and reenacting and amending RCW
27 77.85.130."

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