
SENATE BILL 5230

State of Washington

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2011 Regular Session

By Senators Ranker, Swecker, Litzow, Rockefeller, Regala, Kohl-Welles, Hargrove, Kline, Conway, Fraser, Nelson, Hobbs, Shin, and Harper; by request of Commissioner of Public Lands and Department of Ecology

Read first time 01/18/11. Referred to Committee on Natural Resources & Marine Waters.

1 AN ACT Relating to establishing the Puget Sound corps while
2 reforming the state's conservation corps programs; amending RCW
3 43.220.020, 43.220.060, 43.220.070, 43.220.170, 43.220.231, 43.220.250,
4 43.60A.152, and 79A.05.545; reenacting and amending RCW 43.220.040 and
5 77.85.130; adding new sections to chapter 43.220 RCW; adding a new
6 section to chapter 43.30 RCW; adding a new section to chapter 77.12
7 RCW; creating new sections; and repealing RCW 43.220.010, 43.220.030,
8 43.220.080, 43.220.090, 43.220.120, 43.220.130, 43.220.160, 43.220.180,
9 43.220.190, and 43.220.210.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
12 Washington conservation corps, the veterans conservation corps, and
13 other state and nonprofit service corps contribute significantly to the
14 priorities of state government to protect natural resources, including
15 Puget Sound, while providing meaningful work experience for the state's
16 youth, veterans, unemployed, and under-employed workforces.

17 (2) The legislature further finds that the long-term health of the
18 economy of Washington depends on the sustainable management of its
19 natural resources and that the livelihoods and revenues produced by

1 Washington's forests, agricultural lands, estuaries, waterways, and
2 watersheds would be enhanced by targeted, streamlined, and prioritized
3 investments in clean water and habitat restoration.

4 (3) The legislature further finds that it is important to stretch
5 limited public resources to advance the state's natural resource
6 management priorities. Transformation of natural resource management
7 and service delivery, including the creation of strategic partnerships
8 among agencies, will increase the efficiency and effectiveness of the
9 expenditure of federal, state, and local funds for clean water and
10 habitat restoration projects.

11 (4) The legislature further finds that there are efficiencies to be
12 gained by streamlining how the various conservation corps are
13 administered, managed, funded, and deployed by the natural resources
14 agencies. There are further efficiencies to be gained through
15 coordinating the conservation corps with other state service corps
16 programs, recruitment activities, and through public-private
17 partnerships.

18 (5) The legislature further finds that the state should seek to
19 expand the conservation corps in all areas of the state, deploying the
20 corps to work on projects that advance established priorities
21 including, but not limited to, the cleanup and restoration of the Puget
22 Sound ecosystem, oil spill response and cleanup, salmon recovery, and
23 the reduction of wildfire and forest health hazards statewide.

24 (6) Therefore, it is the intent of the legislature to maintain the
25 conservation corps statewide, to establish the Puget Sound corps, to
26 streamline how government administers and manages the state's
27 conservation corps to more efficiently expend the state's resources
28 toward priority outcomes, including the recovery of the Puget Sound
29 ecosystem to health by 2020, to increase opportunities for meaningful
30 work experience, and to authorize public-private partnerships as a key
31 element of corps activities.

32 **Sec. 2.** RCW 43.220.020 and 1999 c 280 s 1 are each amended to read
33 as follows:

34 (1) The Washington conservation corps is (~~hereby~~) created(~~, to~~
35 ~~be implemented by~~). ~~The ((following state departments: The employment~~
36 ~~security department, the)) department of ecology(~~, the department of~~
37 ~~fish and wildlife, the department of natural resources, and the state~~~~

1 ~~parks and recreation commission))~~ must administer the corps as a
2 partnership with the departments of natural resources and fish and
3 wildlife, the state parks and recreation commission, and when
4 appropriate, other agencies and nonprofit organizations to advance the
5 program goals outlined in section 5 of this act.

6 (2) The Puget Sound corps is created as a distinct program within
7 the Washington conservation corps focused on the implementation of the
8 specific program goals outlined in section 5 of this act.

9 NEW SECTION. Sec. 3. It is the intent of this act to centralize
10 the administration of the Washington conservation corps, which was
11 previously administered by the departments of ecology, natural
12 resources, and fish and wildlife and the state parks and recreation
13 commission, into the department of ecology. This act is prospective
14 only, and any grant awards or conservation corps crew or individual
15 placements finalized by other agencies or partners prior to the
16 effective date of this section remain unaffected by this act.

17 **Sec. 4.** RCW 43.220.040 and 1999 c 280 s 3 and 1999 c 151 s 1301
18 are each reenacted and amended to read as follows:

19 ~~((Unless the context clearly requires otherwise,))~~ The definitions
20 in this section apply throughout this chapter unless the context
21 clearly requires otherwise.

22 (1) "Public lands" means any lands or waters, or interests therein,
23 owned or administered by any agency or instrumentality of the state,
24 federal, or local government.

25 (2) "Corps" means the Washington conservation corps, including the
26 Puget Sound corps.

27 (3) "Corps member" means an individual enrolled in the Washington
28 conservation corps.

29 (4) "Corps member leaders" or "specialists" means members of the
30 corps who serve in leadership or training capacities or who provide
31 specialized services other than or in addition to the types of work and
32 services that are performed by the corps members in general.

33 (5) "Crew supervisor" means temporary, project, or permanent state
34 employees who supervise corps members and coordinate work project
35 design and completion.

1 (6) (~~"Distressed area" has the meaning as defined in RCW~~
2 ~~43.168.020.~~) "Department" means the department of ecology.

3 (7) "Agency administrative costs" means indirect expenses such as
4 personnel, payroll, contract administration, fiscal services, and other
5 overhead costs.

6 (8) "Program support costs" include, but are not limited to,
7 program planning, development of reports, job and career training,
8 uniforms and equipment, and standard office space and utilities.
9 Program support costs do not include direct scheduling and supervision
10 of corps members.

11 NEW SECTION. Sec. 5. A new section is added to chapter 43.220 RCW
12 to read as follows:

13 (1) The corps shall be organized and managed to complete projects
14 with fee-for-service work crews that meet goals associated with the
15 protection, promotion, or restoration of the following:

- 16 (a) Public lands;
- 17 (b) State natural resources;
- 18 (c) Water quality;
- 19 (d) Watershed health;
- 20 (e) Fish and wildlife;
- 21 (f) Habitat;
- 22 (g) Outdoor recreation;
- 23 (h) Forest health;
- 24 (i) Wildfire risk reduction; and
- 25 (j) State historic sites.

26 (2) In addition to the project goals outlined in subsection (1) of
27 this section, the Puget Sound corps shall seek to deploy corps members
28 with the specific goal of participating in the restoration of the Puget
29 Sound ecosystem. The resources of the Puget Sound corps must be
30 prioritized, when practicable, to focus on the following when located
31 within the Puget Sound basin:

- 32 (a) Projects identified in, or consistent with, the action agenda
33 developed by the Puget Sound partnership in chapter 90.71 RCW;
- 34 (b) Projects located on public lands;
- 35 (c) Habitat restoration projects; and
- 36 (d) Education and stewardship projects.

1 (3) Both the corps and the Puget Sound corps shall give preference
2 to projects that satisfy the goals identified in this section and that:

3 (a) Will provide long-term benefits to the public;

4 (b) Will provide productive training and work experiences to the
5 corps members involved;

6 (c) Expands or integrates training programs or career development
7 opportunities for corps members;

8 (d) May result in payments to the state for services performed; and

9 (e) Can be promptly completed.

10 **Sec. 6.** RCW 43.220.060 and 1999 c 280 s 4 are each amended to read
11 as follows:

12 (1) (~~Each state department identified in RCW 43.220.020~~) The
13 department shall have the following powers and duties (~~to carry out~~
14 ~~its functions relative to~~) as necessary to administer the Washington
15 conservation corps:

16 (a) Recruiting and employing staff, corps members, corps member
17 leaders, and specialists consistent with RCW 43.220.070;

18 (b) Serving as the corps' central application recipient for grants
19 from federal service projects and service organizations;

20 (c) Executing agreements for furnishing the services of the corps
21 to carry out conservation corps programs to any federal, state, or
22 local public agency, any local organization as specified in this
23 chapter (~~in concern~~) that operates consistent with the overall
24 objectives of the conservation corps;

25 (~~e~~) (d) Applying for and accepting grants or contributions of
26 funds from (~~any private source~~) the federal government, other public
27 sources, or private funding sources for conservation corps projects
28 and, when possible, other projects specifically targeted at restoring
29 Puget Sound that can be accomplished with fee-for-service labor from
30 the Puget Sound corps;

31 (~~d~~) (~~Determining a preference for those projects which will~~
32 ~~provide long term benefits to the public, will provide productive~~
33 ~~training and work experiences to the members involved, will be labor-~~
34 ~~intensive, may result in payments to the state for services performed,~~
35 ~~and can be promptly completed; and~~

36 (e) ~~Entering into agreements with community colleges within the~~
37 ~~state's community and technical college system and other educational~~

1 ~~institutions or independent nonprofit agencies to provide special~~
2 ~~education in basic skills, including reading, writing, and mathematics~~
3 ~~for those conservation corps members who may benefit by participation~~
4 ~~in such classes. Classes shall be scheduled after corps working hours.~~
5 ~~Participation by members is not mandatory but shall be strongly~~
6 ~~encouraged. The participation shall be a primary factor in determining~~
7 ~~whether the opportunity for corps membership beyond one year shall be~~
8 ~~offered. Instruction related to the specific role of the department in~~
9 ~~resource conservation shall also be offered, either in a classroom~~
10 ~~setting or as is otherwise appropriate)) (e) Establishing consistent~~
11 ~~work standards and placement and evaluation procedures of corps~~
12 ~~programs; and~~

13 (f) Selecting, reviewing, approving, and evaluating the success of
14 corps projects.

15 (2) The department may partner with any other state agencies, local
16 institutions, nonprofit organizations, or nonprofit service corps
17 organizations in the administration of the corps. Other state agencies
18 may maintain a conservation corps coordinator for the purposes of
19 partnering with the department and the corps.

20 (3) If deemed practicable, the department shall develop the
21 conservation corps program with optional tracks for participants. The
22 tracks could include a technical track for students and veterans
23 interested in technical training, a science track for students and
24 veterans interested in natural sciences training, or an emergency
25 response track for participants providing wildland firefighting, flood
26 fighting, oil spill response, or other natural or man-made disaster
27 response statewide.

28 (4) The assignment of corps members shall not result in the
29 displacement of currently employed workers, including partial
30 displacement such as reduction in hours of nonovertime work, wages, or
31 other employment benefits. ((Supervising)) Agencies that participate
32 in the program may not terminate, lay-off, or reduce the working hours
33 of any employee for the purpose of using a corps member with available
34 funds. In circumstances where substantial efficiencies or a public
35 purpose may result, ((supervising)) participating agencies may use
36 corps members to carry out essential agency work or contractual
37 functions without displacing current employees.

1 ((~~(3)~~)) (5) Facilities, supplies, motor vehicles, instruments, and
2 tools of (~~the supervising agency~~) participating agencies shall be
3 made available for use by the conservation corps to the extent that
4 such use does not conflict with the normal duties of the agency. The
5 agency may purchase, rent, or otherwise acquire other necessary tools,
6 facilities, supplies, and instruments.

7 **Sec. 7.** RCW 43.220.070 and 1999 c 280 s 5 are each amended to read
8 as follows:

9 (1) Conservation corps members shall be unemployed residents of the
10 state between eighteen and twenty-five years of age at the time of
11 enrollment who are citizens or lawful permanent residents of the United
12 States. The age requirements may be waived for corps leaders and
13 specialists with special leadership or occupational skills(~~(; such~~
14 ~~members shall be given special responsibility for providing leadership,~~
15 ~~character development, and sense of community responsibility to the~~
16 ~~corps members, groups, and work crews to which they are assigned)~~).
17 The upper age requirement may be waived for residents who have a
18 sensory or mental handicap. Special effort shall be made to recruit
19 minority and disadvantaged youth who meet selection criteria of the
20 conservation corps. Preference shall be given to youths residing in
21 areas, both urban and rural, in which there exists substantial
22 unemployment exceeding the state average unemployment rate.

23 (2) The legislature finds that people with developmental
24 disabilities would benefit from experiencing a meaningful work
25 experience, and learning the value of labor and of membership in a
26 productive society.

27 (~~The legislature urges state agencies that are participating in~~
28 ~~the Washington conservation corps program to consider for enrollment in~~
29 ~~the program people who have developmental disabilities, as defined in~~
30 ~~RCW 71A.10.020.~~

31 ~~If an agency chooses to enroll people with developmental~~
32 ~~disabilities in its Washington conservation corps program, the agency~~
33 ~~may apply to)~~

34 (3) The recruitment of conservation corps members is the primary
35 responsibility of the department. However, to the degree practicable,
36 recruitment activities must be coordinated with the following entities:

37 (a) The department of natural resources;

- 1 (b) The department of fish and wildlife;
- 2 (c) The state parks and recreation commission;
- 3 (d) The department of veterans affairs;
- 4 (e) The employment security department; and
- 5 (f) Any interested postsecondary educational institutions.

6 (4) Recruitment efforts must be targeted to, but not limited to,
7 unemployed or underemployed residents of the state who are:

- 8 (a) Between the ages of eighteen and twenty-five years;
- 9 (b) Fully matriculated students at a technical school, college, or
10 university; or
- 11 (c) Military veterans.

12 (5) If people with developmental disabilities are enrolled in the
13 conservation corps program, an application may be made to the United
14 States department of labor, employment standards administration for a
15 special subminimum wage certificate in order to be allowed to pay
16 enrollees with developmental disabilities according to their individual
17 levels of productivity.

18 ~~((+3))~~ (6) Corps members shall not be considered state employees.
19 Other provisions of law relating to civil service, hours of work, rate
20 of compensation, sick leave, unemployment compensation, state
21 retirement plans, and vacation leave do not apply to the Washington
22 conservation corps except for the crew supervisors, who shall be
23 project employees, and the administrative and supervisory personnel.

24 ~~((+4) Enrollment shall be for a period of six months which may be~~
25 ~~extended for additional six-month periods by mutual agreement of the~~
26 ~~corps and the corps member, not to exceed two years. Corps members~~
27 ~~shall be reimbursed at the minimum wage rate established by state or~~
28 ~~federal law, whichever is higher, which may be increased by up to five~~
29 ~~percent for each additional six-month period worked: PROVIDED, That if~~
30 ~~agencies elect to run a residential program, the appropriate costs for~~
31 ~~room and board shall be deducted from the corps member's paycheck as~~
32 ~~provided in chapter 43.220 RCW.~~

33 ~~(+5))~~ (7) Except as otherwise provided in this section,
34 participation as a corps member is for an initial period of three
35 months. The enrollment period may be extended for additional three-
36 month periods by mutual agreement of the department and the corps
37 member, not to exceed two years.

1 (8)(a) Corps members are to be available at all times for emergency
2 response services coordinated through the department (~~(of community,~~
3 ~~trade, and economic development)~~) or other public agency. Duties may
4 include sandbagging and flood cleanup, oil spill response, wildfire
5 suppression, search and rescue, and other functions in response to
6 emergencies.

7 (b) Corps members may be assigned to longer-term specialized crews
8 not subject to the temporal limitations of service otherwise imposed by
9 this section when longer-term commitments satisfy the specialized needs
10 of the department, an agency partner, or other service contractee.

11 **Sec. 8.** RCW 43.220.170 and 1983 1st ex.s. c 40 s 17 are each
12 amended to read as follows:

13 The services of corps members (~~(placed with agencies listed in RCW~~
14 ~~43.220.020)~~) are exempt from unemployment compensation coverage under
15 RCW 50.44.040(~~(+5)~~) (4) and the enrollees shall be so advised by the
16 department.

17 **Sec. 9.** RCW 43.220.231 and 1999 c 280 s 7 are each amended to read
18 as follows:

19 (1) An amount not to exceed five percent of the funds available for
20 the Washington conservation corps may be expended on agency
21 administrative costs. (~~(Agency administrative costs are indirect~~
22 ~~expenses such as personnel, payroll, contract administration, fiscal~~
23 ~~services, and other overhead costs.)~~)

24 (2) An amount not to exceed twenty percent of the funds available
25 for the Washington conservation corps may be expended for costs
26 included in subsection (1) of this section and program support costs.
27 (~~(Program support costs include, but are not limited to, program~~
28 ~~planning, development of reports, job and career training, uniforms and~~
29 ~~equipment, and standard office space and utilities. Program support~~
30 ~~costs do not include direct scheduling and supervision of corps~~
31 ~~members.)~~)

32 (3) A minimum of eighty percent of the funds available for the
33 Washington conservation corps shall be expended for corps member
34 salaries and benefits and for direct supervision of corps members.

1 **Sec. 10.** RCW 43.220.250 and 1985 c 230 s 5 are each amended to
2 read as follows:

3 A nonprofit corporation which contracts with (~~(an agency listed in~~
4 ~~RCW 43.220.020)~~) the department to provide a specific service,
5 appropriate for the administration of this chapter which the (~~(agency)~~)
6 department cannot otherwise provide, may be reimbursed at the
7 discretion of the (~~(agency)~~) department for the reasonable costs the
8 (~~(agency)~~) department would absorb for providing those services.

9 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.220
10 RCW to read as follows:

11 (1) The director of the department of ecology and the commissioner
12 of public lands shall jointly host an annual meeting with other corps
13 program participants to serve as a forum for the partner agencies to
14 provide guidance and feedback concerning the management and function of
15 the corps.

16 (2) At a minimum, representatives of the following must be invited
17 to participate at the annual meeting: The department of fish and
18 wildlife; the state parks and recreation commission; the Puget Sound
19 partnership; the department of veterans affairs; the employment
20 security department; the Washington commission for national and
21 community service; conservation districts; the state conservation
22 commission; the salmon recovery funding board; the recreation and
23 conservation office; the department of commerce; the department of
24 health; or any similar successor organizations and any appropriate
25 nonprofit organizations, including those engaged in service corps
26 projects.

27 (3) Annual meeting participants shall, at a minimum:

28 (a) Review the conservation corps projects completed in the
29 previous year, including an analysis of successes and opportunities for
30 improvement; and

31 (b) Establish a work plan for the coming year, including the
32 setting of annual priorities or criteria consistent with this chapter
33 to guide crew development and the development of plans to pursue
34 funding from various sources to expand the conservation corps.

35 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.30 RCW

1 under the subchapter heading "Part 5 Powers and Duties--General" to
2 read as follows:

3 The department shall cooperate, when appropriate, as a partner in
4 the Washington conservation corps established in chapter 43.220 RCW.

5 **Sec. 13.** RCW 43.60A.152 and 2007 c 451 s 5 are each amended to
6 read as follows:

7 ~~((1))~~ The department shall collaborate with the ~~((state~~
8 ~~agencies))~~ department of ecology and the department of natural
9 resources and any of its partnering agencies in implementing the
10 Washington conservation corps, created in chapter 43.220 RCW, to
11 maximize the utilization of both conservation corps programs. These
12 agencies shall work together to identify stewardship and maintenance
13 projects on ~~((agency-managed))~~ public lands that are suitable for work
14 by veterans conservation corps enrollees. The department may expend
15 funds appropriated to the veterans conservation corps program to defray
16 the costs of education, training, and certification associated with the
17 enrollees participating in such projects.

18 ~~((2) By September 30, 2007, the department, in conjunction with~~
19 ~~the state agencies identified in subsection (1) of this section, shall~~
20 ~~provide to the office of financial management and to the appropriate~~
21 ~~committees of the senate and house of representatives a report that:~~

22 ~~(a) Identifies projects on state agency-managed lands that are~~
23 ~~currently planned for veterans conservation corps enrollee~~
24 ~~participation;~~

25 ~~(b) Identifies additional projects on state agency-managed lands~~
26 ~~that are suitable for veterans conservation corps enrollee~~
27 ~~participation and for which funding is currently in place for such~~
28 ~~participation; and~~

29 ~~(c) Identifies additional projects on state agency-managed lands~~
30 ~~for which project implementation has been funded or is included in the~~
31 ~~agency's multiannual stewardship plans, and that are suitable for~~
32 ~~veterans conservation corps enrollee participation in the event that~~
33 ~~additional funding is provided to the department for associated~~
34 ~~training, education, and certification.))~~

35 **Sec. 14.** RCW 79A.05.545 and 1999 c 249 s 701 are each amended to
36 read as follows:

1 The commission shall cooperate (~~(in implementing and operating~~
2 ~~the)~~), when appropriate, as a partner in the Washington conservation
3 corps (~~(as required by)~~) established in chapter 43.220 RCW.

4 NEW SECTION. **Sec. 15.** A new section is added to chapter 77.12 RCW
5 to read as follows:

6 The department shall cooperate, when appropriate, as a partner in
7 the Washington conservation corps established in chapter 43.220 RCW.

8 **Sec. 16.** RCW 77.85.130 and 2007 c 341 s 36 and 2007 c 257 s 1 are
9 each reenacted and amended to read as follows:

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

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

25 (i) Are based upon the limiting factors analysis identified under
26 RCW 77.85.060;

27 (ii) Provide a greater benefit to salmon recovery based upon the
28 stock status information contained in the department of fish and
29 wildlife salmonid stock inventory (SASSI), the salmon and steelhead
30 habitat inventory and assessment project (SSHIAP), and any comparable
31 science-based assessment when available;

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

33 (iv) Will preserve high quality salmonid habitat;

34 (v) Are included in a regional or watershed-based salmon recovery
35 plan that accords the project, action, or area a high priority for
36 funding;

1 (vi) Are, except as provided in RCW 77.85.240, sponsored by an
2 entity that is a Puget Sound partner, as defined in RCW 90.71.010; and

3 (vii) Are projects referenced in the action agenda developed by the
4 Puget Sound partnership under RCW 90.71.310.

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

7 (i) Are the most cost-effective;

8 (ii) Have the greatest matched or in-kind funding;

9 (iii) Will be implemented by a sponsor with a successful record of
10 project implementation;

11 (iv) Involve members of the Washington conservation corps
12 established in chapter 43.220 RCW or the veterans conservation corps
13 established in RCW 43.60A.150; and

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

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

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

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

1 funding from federal and state sources to minimize delays in the award
2 of funding while recognizing the differences in state and legislative
3 appropriation timing.

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

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

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

28 (9) After January 1, 2010, any project designed to address the
29 restoration of Puget Sound may be funded under this chapter only if the
30 project is not in conflict with the action agenda developed by the
31 Puget Sound partnership under RCW 90.71.310.

32 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
33 each repealed:

34 (1) RCW 43.220.010 (Legislative declaration) and 1983 1st ex.s. c
35 40 s 2;

36 (2) RCW 43.220.030 (Program goals) and 1999 c 280 s 2, 1987 c 367
37 s 1, & 1983 1st ex.s. c 40 s 3;

- 1 (3) RCW 43.220.080 (Selection of corps members--Development of
2 corps program) and 1983 1st ex.s. c 40 s 8;
- 3 (4) RCW 43.220.090 (Conservation corps established in department of
4 ecology--Work project areas) and 1994 c 264 s 33 & 1983 1st ex.s. c 40
5 s 9;
- 6 (5) RCW 43.220.120 (Conservation corps established in department of
7 fish and wildlife--Work project areas) and 1999 c 280 s 6, 1994 c 264
8 s 34, 1988 c 36 s 24, & 1983 1st ex.s. c 40 s 12;
- 9 (6) RCW 43.220.130 (Conservation corps established in department of
10 natural resources--Work project areas) and 1983 1st ex.s. c 40 s 13;
- 11 (7) RCW 43.220.160 (Conservation corps established in state parks
12 and recreation commission--Work project areas) and 1999 c 249 s 702 &
13 1983 1st ex.s. c 40 s 16;
- 14 (8) RCW 43.220.180 (Identification of historic properties and sites
15 in need of rehabilitation or renovation--Use of corps members) and 1983
16 1st ex.s. c 40 s 18;
- 17 (9) RCW 43.220.190 (Duties of agencies) and 1999 c 151 s 1302, 1987
18 c 367 s 3, & 1983 1st ex.s. c 40 s 20; and
- 19 (10) RCW 43.220.210 (Selection, review, approval, and evaluation of
20 projects--Recruitment, job training and placement services) and 1999 c
21 151 s 1303, 1987 c 367 s 4, & 1985 c 230 s 1.

--- END ---