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**SUBSTITUTE HOUSE BILL 2480**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Agriculture & Natural Resources (originally sponsored by Representatives Blake, Buys, and Scott)

AN ACT Relating to state natural resource-related agencies providing financial assistance to agencies of the federal government; and amending RCW 43.41.270.

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

**Sec.**  RCW 43.41.270 and 2009 c 345 s 12 are each amended to read as follows:

(1)(a) The office of financial management shall assist natural resource-related agencies in developing outcome-focused performance measures for administering natural resource-related and environmentally based grant and loan programs. These performance measures are to be used in determining grant eligibility, for program management, and performance assessment.

((~~(2)~~)) (b) The office of financial management and the recreation and conservation office shall assist natural resource-related agencies in developing recommendations for a monitoring program to measure outcome-focused performance measures required by this section. ((~~The recommendations must be consistent with the framework and coordinated monitoring strategy developed by the monitoring oversight committee established in RCW 77.85.210.~~

~~(3)~~)) (c) Natural resource agencies shall consult with grant or loan recipients including local governments, tribes, nongovernmental organizations, and other interested parties, and report to the office of financial management on the implementation of this ((~~section~~)) subsection.

((~~(4)~~)) (2)(a)(i) Prior to awarding any grant or loan from a natural resource-related agency to an agency of the federal government, the granting natural resource-related agency must require the federal grant or loan recipient to agree, in writing, to voluntarily subject itself to all state and local permitting requirements for all aspects of the activity or project that would apply to the activity or project if the grant or loan recipient was a private, nongovernmental entity or if the funded activity or project occurred on private, nongovernmental land.

(ii) The finalization of any grant or loan award must be contingent on the funding recipient's compliance with all permitting terms and conditions.

(b) Nothing in this subsection applies to grants or loans funded with federal pass-through moneys.

(c) Nothing in this subsection applies to Indian tribes.

(3) For purposes of this section, "natural resource-related agencies" include the department of ecology, the department of natural resources, the department of fish and wildlife, the state conservation commission, the recreation and conservation funding board, the salmon recovery funding board, and the public works board within the department of ((~~community, trade, and economic development~~)) commerce.

((~~(5)~~)) (4) For purposes of this section, "natural resource-related environmentally based grant and loan programs" includes the conservation reserve enhancement program; dairy nutrient management grants under chapter 90.64 RCW; state conservation commission water quality grants under chapter 89.08 RCW; coordinated prevention grants, public participation grants, and remedial action grants under RCW 70.105D.070; water pollution control facilities financing under chapter 70.146 RCW; aquatic lands enhancement grants under RCW 79.105.150; habitat grants under the Washington wildlife and recreation program under RCW 79A.15.040; salmon recovery grants under chapter 77.85 RCW; and the public works trust fund program under chapter 43.155 RCW. The term also includes programs administered by the department of fish and wildlife related to protection or recovery of fish stocks which are funded with moneys from the capital budget.

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