

SENATE BILL REPORT

SB 6363

As Reported By Senate Committee On:
Natural Resources & Parks, January 30, 1998
Ways & Means, February 10, 1998

Title: An act relating to eliminating fish passage barriers.

Brief Description: Eliminating fish passage barriers.

Sponsors: Senators Swecker and Oke.

Brief History:

Committee Activity: Natural Resources & Parks: 1/27/98, 1/30/98 [DPS-WM].
Ways & Means: 2/10/98 [DP2S].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 6363 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Jacobsen, Morton, Prentice, Snyder, Spanel, Stevens and Swecker.

Staff: Vic Moon (786-7469)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 6363 be substituted therefor, and the second substitute bill do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Fraser, Hochstatter, Long, McDonald, Roach, Rossi, Schow, Snyder, Spanel, Swecker and Zarelli.

Staff: Vic Moon (786-7469)

Background: One of the major problems in restoring anadromous fish runs is the fact that there are more than 2,000 barriers to fish passage at road crossings throughout the state. These culverts block fish access to extensive habitat of which could be used for spawning.

Summary of Second Substitute Bill: The Legislature finds that there are over 2,000 barriers to fish passage blocking fish access to as much as 3,000 linear miles of fresh water spawning and rearing habitat. The Legislature finds that correcting barriers to fish passage could be a cost effective way to restoring fish habitat and that there is a need to address known priority barriers immediately and over time develop a comprehensive system to inventory and prioritize barrier removal on a statewide basis.

The Department of Fish and Wildlife uses the existing recommendations of the Department of Fish and Wildlife and the Department of Transportation Fish Passage Barrier Removal Task Force. After recommendations of the task force are reported to the Legislature, implementation of the recommendations begin under the oversight of the task force. The task force must also include one representative from the Department of Natural Resources, the Department of Community, Trade, and Economic Development, the County Road Administration Board, the State Conservation Board and the School of Marine Affairs of the University of Washington. There are four legislative members added to the task force, one appointed from each of the two largest caucuses in the House of Representatives and the Senate. The task force oversees disseminating a standardized method for inventorying fish barriers, prioritize fish passage projects and the development of a comprehensive statewide data base of fish barriers. The task force develops criteria for ranking and evaluating fish passage projects and review and approve grant applications.

The Department of Transportation through its service center is authorized to administer a grant program to assist state agencies, local governments and private landowners, tribes and volunteer groups in identifying and removing impediments to anadromous fish passage. The program is administered consistent with the following objectives. Eligible projects must include corrective projects, inventory assessment and prioritization of efforts. Projects are subject to a competitive application process. Priority must be given to projects that immediately increase access to spawning and rearing habitat. All projects are reviewed and approved by the Fish Passage Barrier Removal Task Force.

A match of at least 25 percent per project is required. The Department of Transportation implements the grant program as soon as the summer of 1998. The amount of \$481,000 is appropriated from the general fund to the Department of Fish and Wildlife to provide technical assistance, training sessions and comprehensive statewide data.

By January 1, 1999, the Fish Passage Barrier Removal Task Force must report to the Legislature. The report must also include recommendations on future governance and administration of the program. As part of its regular program, the Department of Natural Resources must immediately begin assessment of fish passage barriers on department-managed lands. The report should include a proposed long-term funding plan to support both inventory of fish passage correction and work on department lands.

Second Substitute Bill Compared to Substitute Bill: The appropriation of \$481,000 to the Department of Fish and Wildlife is removed.

Substitute Bill Compared to Original Bill: The School of Marine Affairs is specified in the work group along with the Conservation Commission. The Department of Natural Resources section is clarified. The appropriation is increased to \$481,000 from \$321,000.

Appropriation: None.

Fiscal Note: Requested on January 23, 1998.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The removal of barriers to fish passage has already begun and it is a first step in salmon and steelhead restoration. There are additional projects which could begin this summer if the legislation is approved.

Testimony Against: None.

Testified: PRO: Kaleen Cottingham, DNR; Ed Manary, Dept. of Fish and Wildlife; Jerry Alb, DOT; Ric Abbett, Trout Unlimited; Ed Owens, Coastal Fisheries and Puget Sound Fisheries; Paul Parker, Association of Counties.