

FINAL BILL REPORT

EHB 1187

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Synopsis as Enacted

Brief Description: Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects.

Sponsors: Representatives Dent, Blake, Chandler, Kretz, Schmick and Bergquist.

House Committee on Rural Development, Agriculture, & Natural Resources
Senate Committee on Agriculture, Water, Natural Resources & Parks

Background:

Hydraulic Project Approval for Fish Habitat Enhancement Projects.

A person must obtain a hydraulic project approval (HPA) prior to commencing any construction project that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state. Hydraulic project approvals are issued by the Washington Department of Fish and Wildlife (WDFW) to ensure the proper protection of fish life. To receive a HPA, the applicant must provide certain information to the WDFW. This information includes general plans for the overall project and complete plans for the proper protection of fish life.

Fish habitat enhancement projects that meet a certain set of criteria may qualify for a streamlined administrative review and approval process. These are projects that are expected to result in beneficial impacts to the environment, and are of the size and scale, as determined by the WDFW, to accomplish one or more of the following:

- elimination of human-made or human-caused fish passage barriers;
- restoration of an eroded or unstable streambank employing the principle of bioengineering; or
- placement of woody debris or other instream structures that benefit naturally reproducing fish stocks.

An eligible project must also be approved by certain sponsoring entities including the WDFW, a conservation district, the Department of Transportation, or a city or county, or through certain other formal review and approval processes.

Conservation District-Sponsored Fish Habitat Enhancement Projects.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Fish habitat enhancement projects that qualify for streamlined review and are sponsored by conservation districts must comply with design standards established by the Washington Conservation Commission through an interagency agreement with the United States Fish and Wildlife Service and the Natural Resource Conservation Service.

Summary:

The requirement that conservation district-sponsored fish habitat enhancement projects must follow design standards established by the Washington Conservation Commission through an interagency agreement with the United States Fish and Wildlife Service and the Natural Resource Conservation Service to be eligible for streamlined hydraulic project review is removed. Instead, conservation district-sponsored fish habitat enhancement projects determined to be eligible for streamlined review must be approved by conservation districts.

Votes on Final Passage:

House	96	0
House	97	0
Senate	49	0

Effective: June 11, 2020