

HOUSE BILL REPORT

HB 2022

As Reported by House Committee On:
Rural Development, Agriculture, & Natural Resources
Capital Budget

Title: An act relating to providing funding options to local governments for addressing fish passage barrier removals.

Brief Description: Providing funding options to local governments for addressing fish passage barrier removals.

Sponsors: Representatives Chambers, Fey, Caldier, Walsh, Blake, McCaslin, Eslick, Young, Chapman, Senn and Van Werven.

Brief History:

Committee Activity:

Rural Development, Agriculture, & Natural Resources: 2/20/19, 2/22/19 [DP];
Capital Budget: 2/25/19, 2/26/19 [DPS].

Brief Summary of Substitute Bill

- Creates the Local Barrier Partnership Account and corresponding competitive grant program to fund the public portion of certain public-private fish passage barrier removal projects.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

Majority Report: Do pass. Signed by 14 members: Representatives Blake, Chair; Shewmake, Vice Chair; Dent, Assistant Ranking Minority Member; Chapman, Dye, Fitzgibbon, Kretz, Lekanoff, Orcutt, Pettigrew, Ramos, Schmick, Springer and Walsh.

Staff: Rebecca Lewis (786-7339).

Background:

The Washington State Department of Fish and Wildlife (WDFW) and the Washington State Department of Transportation both have the authority to administer and coordinate grant

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programs that involve the removal of impediments to fish passage. All grant programs must be consistent with prioritization efforts, competitive application processes, and minimum dollar match criteria. Priority must be given to projects that immediately increase access to spawning and rearing habitat for depressed or endangered fish stocks or that are otherwise coordinated with other projects in a watershed.

The WDFW maintains the Fish Barrier Removal Board (Board), composed of representatives from various state agencies, cities, counties, and tribal governments. The Board must identify and expedite the removal of human-made or human-caused impediments to anadromous fish passage in the most efficient manner practical through the development of a coordinated approach and schedule that identifies and prioritizes the projects necessary to eliminate fish passage barriers caused by state and local roads and highways, and barriers owned by private parties.

The Recreation and Conservation Office administers several grant programs for numerous boards and councils to create outdoor recreational opportunities, protect the state's wildlife habitat and farmland, and assist salmon recovery efforts.

Summary of Bill:

The Local Barrier Partnership Account (Account) is created as an appropriated account in the State Treasury. Expenditures from the Account may be used only for the public portion of certain fish passage barrier removal projects on city or county roads. In order to qualify for grant funds, a city or county government must secure a private sector partner to fund a portion of the cost of the fish passage barrier removal on city or county roads.

A competitive process for awarding Account funds is established, and several factors must be considered in the scoring process, including:

- the percentage of the project funded by the private sector partner;
- the habitat value of the proposed project;
- connectivity with other recent or planned projects in the same watershed; and
- other conformance with the Fish Passage Barrier Removal Program principles.

The Washington State Department of Fish and Wildlife (WDFW) is responsible for administering the competitive grant process. The WDFW may coordinate with the Recreation and Conservation Office (RCO), and may retain and share a reasonable amount of any project funding for administrative overhead with the RCO and applicant local government, as appropriate.

If the private sector partner is interested, they must be recognized with a permanent sign on or near the project site. The WDFW must design a sign template that accommodates a private partner's logo. The same sign design must be used for any other fish passage barrier removal funded through another mechanism that is privately funded, either in full or in part.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill creates an account by which city and county culverts can be addressed to help support fish recovery. It encourages private donations and provides a mechanism to recognize private organizations with a sign, much like the Adopt A Highway program. Private forest landowners are sometimes frustrated that the fish passage barrier removal projects they undertake on their land do not work because other barriers elsewhere prevent fish from getting to their land. The grant program created in the bill is novel idea to encourage the use of private investments to help fund projects that are on a smaller scale than Washington State Department of Transportation projects, and which can sometimes get lost in the shuffle.

(Opposed) None.

Persons Testifying: Representative Chambers, prime sponsor; and Jason Callahan, Washington Forest Protection Association.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Tharinger, Chair; Doglio, Vice Chair; Peterson, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Callan, Corry, Davis, Dye, Eslick, Gildon, Irwin, Jenkin, Leavitt, Lekanoff, Maycumber, Morgan, Riccelli, Santos, Sells, Stonier and Walsh.

Staff: Steve Masse (786-7115).

Summary of Recommendation of Committee On Capital Budget Compared to Recommendation of Committee On Rural Development, Agriculture, & Natural Resources:

The total administrative overhead fees are capped at 3 percent, and a technical correction was made to the Revised Code of Washington reference.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This new account allows for private contributions to go towards removing culverts. It is a novel idea to assist local efforts to install culverts. Forest landowners have contributed to removing culverts. There is not one solution, and the local culverts tend to get forgotten. The account would start small. A plaque would be included for the contributors. The private contributions may be used for matching purposes. If a private contributor would like a specific culvert, it could go to the top of the grant applications.

(Opposed) None.

Persons Testifying: Representative Chambers, prime sponsor; and Jason Callahan, Washington Forest Protection Association.

Persons Signed In To Testify But Not Testifying: None.