

SENATE BILL REPORT

EHB 1187

As of February 17, 2020

Title: An act relating to revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects.

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.

Brief History: Passed House: 2/14/19, 96-0; 2/12/20, 97-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/20/20.

Brief Summary of Bill

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

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Karen Epps (786-7424)

Background: Conservation Districts. A conservation district is a governmental subdivision of the state, which exercises public powers. Conservation districts work with landowners on a voluntary basis, providing incentive-based conservation help on private lands. The board of supervisors of a conservation district is composed of five members, three of whom are elected and two appointed by the Conservation Commission.

Hydraulic Project Approval for Fish Habitat Enhancement Projects. A hydraulic project approval (HPA) is required for any project that will use, divert, obstruct, or change the

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natural flow or bed of any of the salt or fresh waters of the state. The Department of Fish and Wildlife (DFW) issues HPAs to ensure the proper protection of fish life.

Fish habitat enhancement projects meeting a certain set of criteria may qualify for a streamlined administrative review and approval process. These are projects expected to result in beneficial impacts to the environment, and are of the size and scale, as determined by DFW, 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.

To qualify for streamlined review, a project must be approved by certain sponsoring entities, including DFW, a conservation district, the Department of Transportation, a city or county, or another formal review and approval process.

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

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

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.