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HOUSE BILL 2022

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Chambers, Fey, Caldier, Walsh, Blake, McCaslin, Eslick, Young, Chapman, Senn, and Van Werven

Read first time 02/12/19. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to providing funding options to local governments  
2 for addressing fish passage barrier removals; adding a new section to  
3 chapter 77.55 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that although  
6 only the state of Washington is technically subject to recent  
7 judicial instructions to remove fish passage barriers, removing only  
8 state-owned barriers in isolation is an incomplete effort in the goal  
9 of salmon recovery. Unplanned and uncoordinated state removals will  
10 continue to lead to the sort stranded investments that have been made  
11 in forestlands if other barriers are not addressed.

12 (2) The legislature further finds that a significant portion of  
13 our state's road infrastructure is owned or managed by the cities and  
14 counties. These local government roads are critical in daily efforts  
15 to transport people and are directly connected to the quality of life  
16 in every community across Washington. However, many of these roads  
17 were constructed in an era with standards that failed to accommodate  
18 the passage needs of our state's anadromous species. A complete,  
19 planned, and prioritized fish passage improvement effort must include  
20 financial support to cities and counties so that local roads are not  
21 left behind in state efforts to clear passage blockages and allow

1 fish to travel freely from the estuaries all the way to the forested  
2 headwaters.

3 (3) The legislature further finds that it will likely take more  
4 than one funding source to fully fund fish passage barrier removals.  
5 It is the intent of this act to provide an additional tool to the  
6 funding option mix. Private parties in Washington, be them  
7 individuals or businesses, also have an interest in seeing salmon  
8 return to blocked habitat. This act creates a path to allow for  
9 private entities to partner with a city or county and participate  
10 proactively in the restoration of habitat in their communities. These  
11 investments alone will not be sufficient to fully assist local  
12 governments with their funding needs. However, they should be  
13 included as an option when local, private interest exists.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.55  
15 RCW to read as follows:

16 (1) The local barrier partnership account is created in the state  
17 treasury. All receipts from appropriated funds designated for the  
18 account, along with any private donations or any other private or  
19 public source directed to the account, must be deposited into the  
20 account. Moneys in the account may be spent only after appropriation.  
21 Expenditures from the account may be used only for public-private  
22 fish passage barrier removals on city or county roads consistent with  
23 this section.

24 (2)(a) Except as otherwise provided in this section, moneys in  
25 the local barrier partnership account created under this section may  
26 only be used as the public portion of public-private partnerships  
27 entered into for the removal of fish passage barriers resulting from  
28 the construction or location of roads owned or managed by cities or  
29 counties.

30 (b) Moneys in the local barrier partnership account may only be  
31 awarded, on a competitive basis, to city or county governments that  
32 have secured a private sector partner to help fund a portion of the  
33 cost of a fish passage barrier removal on or associated with a road  
34 owned or managed by the applicant local government.

35 (c) The competitive process for awarding funds from the local  
36 barrier partnership account must consider in its scoring process:

37 (i) The percentage of the project being funded by the private  
38 sector partner, both in monetary and in-kind contributions;

39 (ii) The habitat value of the proposed project;

1 (iii) Connectivity with other recent or planned fish passage  
2 barrier removal projects located in the same watershed; and

3 (iv) Other conformance with the principles provided in RCW  
4 77.95.180.

5 (3) (a) The department is responsible for the administration of  
6 this section and may coordinate with the recreation and conservation  
7 office as appropriate.

8 (b) The department may retain a reasonable amount of any project  
9 funding for administrative overhead, to be shared as appropriate with  
10 the recreation and conservation office and the applicant local  
11 government.

12 (c) The department may also use an additional, reasonable amount  
13 of money from the local barrier partnership account to promote the  
14 account and conduct outreach, directly or through cities and  
15 counties, to potential local private sector partners.

16 (4) (a) The private sector partner in a fish passage barrier  
17 removal funded by the local barrier partnership account must be  
18 recognized, if interested, with a permanent sign located on or near  
19 the project site indicating that the public sector partner made the  
20 fish passage barrier removal possible.

21 (b) The department shall design uniform signage to be used with  
22 any fish passage barrier removals funded under this section. The sign  
23 template must accommodate a private partner logo if requested by the  
24 partner. The same uniform sign template may also be used for any  
25 other wholly or partially privately funded fish passage barrier  
26 removal funded through another mechanism.

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