

SENATE BILL REPORT

SHB 2045

As Passed Senate - Amended, February 28, 2024

Title: An act relating to the creation of an adopt a fish barrier program.

Brief Description: Creating an adopt a fish barrier program.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Waters, Chapman, Timmons, Harris and Reeves).

Brief History: Passed House: 2/7/24, 93-2.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/15/24, 2/19/24 [DPA].

Floor Activity: Passed Senate - Amended: 2/28/24, 47-0.

Brief Summary of Bill
(As Amended by Senate)

- Authorizes the Washington State Department of Transportation and local governments to participate in Adopt-A-Fish Passage programs for the purpose of fish barrier removal.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass as amended.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Muzzall, Ranking Member; Short, Stanford, Wagoner and Warnick.

Staff: Jeff Olsen (786-7428)

Background: The Recreation and Conservation Office (RCO) administers several grant programs for numerous boards and councils to create outdoor recreational opportunities,

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

protect the state's wildlife habitat and farmland, and assist salmon recovery efforts.

The Washington State Legislature established the grant program of the Fish Barrier Removal Board (FBRB) in 2014 to identify and remove impediments to salmon and steelhead migration. The FBRB evaluates fish passage projects and submits a priority project list to the Governor's Office and the Legislature for funding consideration. The Washington Department of Fish and Wildlife (WDFW) and RCO jointly administer the FBRB's grant program.

The statewide Adopt-A-Highway Program is a roadside cleanup program administered by the Department of Transportation (WSDOT). Through the program, volunteers adopt a section of highway by agreeing to take care of it for two to four years. WSDOT installs signs giving recognition to the group or individuals adopting the highway, provides safety training and equipment, and picks up the bags of litter left along the roadside by the volunteers. Local governments also have authority to enact local Adopt-A-Highway Sign programs as long as they are not inconsistent with state or federal law.

Summary of Amended Bill: WSDOT and local government legislative authorities may participate in Adopt-A-Fish Passage programs and accept money or property donated for the purpose of fish barrier removal. If WSDOT or a local government receives a property donation, the WSDOT or recipient local government may determine the value of the donated property for the purpose of recognizing fish barrier removal donations.

To the extent feasible, WSDOT and local governments must coordinate donations with any grant applications for state funding of fish barrier removal with the goal of expediting the removal of fish passage barriers. The RCO must publish and maintain a list of fish barrier removal projects suitable for receiving private donations. Private donations to Adopt-A-Fish Passage programs are eligible for use as matching funds for other fund sources, such as state or federal grants.

Upon completion of a project, the WSDOT or local government receiving a private donation of at least \$10,000 for the project must install a clearly marked sign that acknowledges individual donors. To do this, the WSDOT or local government must notify the RCO, who must gather information regarding the project sponsors, location, species affected, and the amounts of individual donations that supported the project.

The signs must be of a uniform design approved by the RCO, and only include the names of project donors, the species affected by the project, and the words "adopt a fish passage." The donors' names may not be displayed more predominantly than the remainder of the sign message. Trademarks or business logos may be used. A donor may not have their name displayed on the sign if the donor's name endorses or opposes a candidate for public office; advocates a position on a specific political issue, initiative, referendum, or piece of legislation; includes a reference to a political party; or includes a reference that could be considered obscene or offensive to the general public.

If there are multiple donors and the number of donors interfere with the signage requirements, the WSDOT or local government may determine the number of donors listed on the sign but must endeavor to recognize the donors that provide the largest donations.

For individual donations of at least \$100,000, the RCO must provide a recognition plaque to the donor that is signed by the Governor and includes the name of the donor, the words "adopt a fish passage program," the location and name of the project funded, the amount and year of donation, and the fish species affected.

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.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Private forestland owners have been removing fish passage barriers since 2001 and have removed approximately 9200 barriers and opened up 6500 miles of habitat. However, there are still 19,000 barriers remaining. Having local support and another funding source for fish passage will allow barriers to be removed sooner. Every tool is needed, and this may allow some projects to get across the finish line. The RCO is ready to implement the bill.

Persons Testifying: PRO: Representative Kevin Waters, Prime Sponsor; Tom Davis, WA Forest Protection Association; Brock Milliern, Recreation Conservation Office.

Persons Signed In To Testify But Not Testifying: No one.