

HOUSE BILL REPORT

ESHB 2217

As Passed House

March 15, 1997

Title: An act relating to fish passage barrier removal.

Brief Description: Removing fish passage barriers.

Sponsors: By House Committee on Transportation Policy & Budget (originally sponsored by Representatives K. Schmidt, Doumit, Buck, Blalock, Hatfield and Kessler).

Brief History:

Committee Activity:

Transportation Policy & Budget: 3/6/97, 3/7/97 [DPS].

Floor Activity:

Passed House: 3/15/97, 96-0.

HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Mitchell, Vice Chairman; Fisher, Ranking Minority Member; Blalock, Assistant Ranking Minority Member; Cooper, Assistant Ranking Minority Member; Backlund; Buck; Chandler; Constantine; Gardner; Hatfield; Johnson; Murray; O'Brien; Radcliff; Robertson; Romero; Scott; Sterk; Wood and Zellinsky.

Minority Report: Do not pass. Signed by 2 members: Representatives Mielke, Vice Chairman; and Cairnes.

Staff: Mary McLaughlin (786-7309).

Background: There is a growing need to remove fish passage barriers associated with transportation facilities. The increasing population and transportation system improvements needed to meet this growth have exacerbated the problems associated with culverts, creating barriers to fish passage.

In the past the Department of Fish and Wildlife (F&W) has worked with cities, counties and private organizations to achieve successful, but limited, correction of the problem. The current management efforts: (1) lack necessary coordination on a

watershed, regional and statewide basis; (2) have inadequate funding; and (3) fail to maximize the use of available resources.

The Department of Transportation (DOT) has a barrier removal program that is jointly managed with F&W. That program could be expanded to include cities and counties, and the funding and coordination efforts could be increased.

Summary of Bill: The purpose of this act is to: (1) develop a statewide coordination program for removal of transportation-related fish passage barriers; (2) develop a statewide coordination mechanism for identifying, prioritizing and funding the removal; and (3) fully coordinate the fish passage and stormwater programs.

The DOT and F&W are charged with development and implementation of a fish barrier identification program to coordinate funding and grants. Fish passage barriers in seasonal streams or drainage ditches are not included in the fish passage barrier identification program. A Fish Passage Removal Committee (FPRC) is established, consisting of representatives from the DOT (acting as chair), F&W, the Department of Ecology, Department of Natural Resources (DNR), cities, counties, Indian tribes, an environmental organization, and a business organization. Other representatives may be added to serve as members or in an advisory capacity.

The FPRC is charged with developing criteria for a grant program, prioritizing fish passage retrofit projects eligible for grant funding, determining the cost-saving and ecological benefits of the proposed projects, and making recommendations for ongoing funding sources for the program (federal dollars, motor vehicle fund, transportation fund, natural resource-based funds, contributions, user fees, etc.). Funds may be provided to cities, counties, port districts, municipal corporations, special purpose districts, conservation districts, Indian tribes, DNR, F&W and DOT. The DOT will coordinate committee activities and grant administration.

Other issues to be addressed in the program are greater statewide coordination, encouraging multijurisdictional projects, developing priorities on a watershed basis, sharing technical resources, inventorying and mapping, etc.

By January 1, 1999, the DOT and F&W will jointly submit to the Legislature a report on implementation of the fish barrier removal and funding program. The report will include proposed criteria for project selection, procedures for managing the program, and recommendations of achieving the program's objectives.

Appropriation: None.

Fiscal Note: Requested on March 5, 1997.

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

Testimony For: Developing a statewide coordination program similar to the stormwater program will be beneficial for the state, local governments, Indian tribes and the environment.

Testimony Against: None.

Testified: Eric Berger, County Road Administration Board; and Jerry Alb, Department of Transportation.