
SUBSTITUTE HOUSE BILL 2022

State of Washington

66th Legislature

2019 Regular Session

By House Capital Budget (originally sponsored by Representatives Chambers, Fey, Caldier, Walsh, Blake, McCaslin, Eslick, Young, Chapman, Senn, and Van Werven)

READ FIRST TIME 02/28/19.

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 77.95 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 77.95
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, the recreation and conservation office, and
9 any local applicant, may not retain more than a total of three
10 percent administrative overhead total among all public entities.

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

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

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

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