

HOUSE BILL REPORT

HB 2406

As Reported By House Committee On:

Natural Resources

Title: An act relating to salmon recovery projects and activities.

Brief Description: Changing salmon recovery provisions.

Sponsors: Representatives Regala and Buck.

Brief History:

Committee Activity:

Natural Resources: 1/25/00, 2/2/00 [DPS].

Brief Summary of Substitute Bill

- Definitions are provided for salmon habitat projects and salmon recovery activities.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; Clements; Eickmeyer; Rockefeller and Stensen.

Minority Report: Do not pass. Signed by 2 members: Representatives Erickson and Pennington.

Staff: Bill Lynch (786-7092).

Background:

The Legislature created the Salmon Recovery Funding Board during the 1999 legislative session to make grants and loans for salmon recovery projects and activities. The Governor vetoed the definition section to this legislation, 2E2SSB 5595, which included a definition for "salmon recovery activities." There is no statutory direction regarding what constitutes an appropriate salmon recovery activity for purposes of funding by the

board. There are no provisions which make assistance available to areas that have fish species listed as endangered under the federal Endangered Species Act and that also lack baseline hydrological data to address the listing.

The interagency review team, which is scheduled to terminate on July 1, 2000, is required to consider habitat projects that make use of side channels, off-stream rearing enhancement, improvement in overwintering habitat, or use of acclimation ponds. As a result of the Governor's veto of the definition section in 2E2SSB 5595, there is no requirement for the Salmon Recovery Funding Board to consider these types of projects.

There is no statutory direction given to the Salmon Recovery Funding Board regarding how much time a project sponsor must complete a project after a grant or loan is awarded.

Summary of Substitute Bill:

Salmon recovery activities funded by the Salmon Recovery Funding Board must have as a principle purpose the protection and restoration of salmonid populations. Local governments, tribes, other public entities, and private entities may conduct salmon recovery activities. Salmon recovery activities include, but are not limited to developing baseline hydrological data in areas in which at least one fish species is listed as endangered under the federal Endangered Species Act due to insufficient streamflows, and this baseline data is needed to respond to the listing; preparing stream corridor guidelines; programmatic permitting; and preparing geographic information system protocols; and project scoping, predesign, and engineering for fish passage, screening, habitat restoration, and acquisition.

Definitions pertaining to salmon recovery funding are modified. "Habitat projects" that make use of side channels, off-stream rearing enhancement, improvement in overwintering habitat, or acclimation ponds must receive consideration for funding. Fish passage correction projects, fish screening projects, and projects that accelerate the recovery process are included within the definition of habitat projects.

The Salmon Recovery Funding Board is directed to establish a time limit for completing projects that are awarded grants or loans. The time limit may not exceed five years from the time the funds are awarded. The board cannot require a project sponsor to reapply for the same funds in subsequent funding cycles within the time limit imposed by the board.

Substitute Bill Compared to Original Bill: The substitute bill added fish passage correction projects, fish screening projects, and projects that accelerate the recovery process to the definition of habitat projects. The three-year minimum time period to complete a project is removed. The definition of a habitat work schedule is corrected.

Project scoping, pre-design, and engineering for fish passage, screening, habitat restoration and acquisition are added to the definition of salmon recovery activities.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (Original bill) These changes will add clarity to existing law. The addition of some of these projects and activities will provide greater flexibility to local communities.

(With concerns) The board should focus more of its efforts on restoration rather than protection. Money should not be spent on more studies. The three-year minimum time period to complete a project is unworkable. Additional clarifications would be helpful. Stormwater control should be added as a potential eligible project.

Testimony Against: None.

Testified: (In support) Laura Johnson, Interagency Committee for Outdoor Recreation; Jerry Alb, Department of Transportation; Ron Shultz, Audubon Society; Tim Smith, Department of Fish and Wildlife; and Doug Levy, city of Everett.

(In support with concerns) Karla Kay Fullerton, Washington Cattlemen's Association; and Linda Johnson, Washington Farm Bureau.