

# HOUSE BILL REPORT

## SHB 2045

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### As Amended by the Senate

**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:

#### Committee Activity:

Agriculture & Natural Resources: 1/17/24, 1/24/24 [DPS].

#### Floor Activity:

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

Senate Amended.

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

### Brief Summary of Substitute Bill

- Authorizes legislative authorities of local governments to enact "Adopt a Fish Passage" programs.
- Requires local governments to coordinate with the Recreation and Conservation Office on several aspects of adopt a fish barrier programs, including donor recognition.

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## HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba, Kretz, Orcutt, Schmick and Springer.

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*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.*

**Staff:** Rebecca Lewis (786-7339).

**Background:**

The Recreation and Conservation Office (RCO) administers several grant programs for numerous boards and councils to create outdoor recreational opportunities, protect the state's wildlife habitat and farmland, and assist salmon recovery efforts.

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. The 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 Substitute Bill:**

Adopt a Fish Passage Program Establishment.

Local government legislative authorities may enact "Adopt a Fish Passage" programs and accept money or property donated to the local government for the purpose of fish barrier removal. If a local government receives a property donation, the recipient local government may determine the value of the donated property for the purpose of recognizing fish barrier removal donations.

To the extent feasible, 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 an Adopt a Fish Passage Program are eligible for use as matching funds for other fund sources, such as state or federal grants.

Signage and Donor Recognition.

Upon completion of a project, the 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 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 that is 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 with interfere with the signage requirements, the 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.

#### **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment authorizes the Department of Transportation to establish an adopt-a-fish passage program with the same provisions about accepting donations, coordinating with the Recreation and Conservation Office, and installing signage as apply to adopt-a-fish passage programs adopted by local governments under the substitute House bill.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 23, 2024.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) This is part of a broader package of bills addressing salmon recovery that will directly benefit fish passage by allowing private entities to help to fund correcting fish barriers. There are still thousands of barriers to fish passage. Every little bit helps. Private forest landowners have already removed many barriers, opening up a great deal of habitat. The sooner other barriers can be corrected, the sooner salmon will be able to access cool, clean waters.

(Opposed) This would be okay for projects on main tributaries, but it is too arbitrary for non-main tributaries. There is not enough water in the summertime in some waterways.

(Other) The Governor's budget does not include funding for this program, however the idea has merit and it could help clear a path for private individuals to donate to help a fish passage project get across the finish line. There is concern that donations could be spread too thin. Donations should be coordinated through a central entity. Perhaps there could be a local-public funding match. Consider renaming the program to "Adopt a Fish Passage

Project," or allow the use of "fish passage project" on signage instead of "barrier."

**Persons Testifying:** (In support) Representative Kevin Waters, prime sponsor; Tom Davis, Washington Forest Protection Association; and Jason Callahan, Green Diamond Resource Company.

(Opposed) John Worthington.

(Other) Don Gourlie, Puget Sound Partnership; and Brock Milliern, Recreation and Conservation Office.

**Persons Signed In To Testify But Not Testifying:** None.