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**Agriculture & Natural Resources  
Committee**

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**HB 2902**

**Brief Description:** Ensuring that Washington aggressively acts to open fish habitat by removing barriers under all forms of ownership.

**Sponsors:** Representatives Wilcox, Blake, Chandler, Barkis, Griffey, DeBolt, Tharinger, Walsh, Chapman, Orcutt and Stokesbary.

**Brief Summary of Bill**

- Directs the Fish Passage Removal Board to provide funding for fish barrier removal projects.
- Appropriates \$50 million for the fiscal year ending June 30, 2019 from the state General Fund to the Washington Department of Fish and Wildlife for fish passage barrier removal projects.
- Requires the Director of the Washington Department of Fish and Wildlife to provide an estimated amount equal to 10 percent of any revenues to the General Fund accruing in amounts exceeding 2017 revenues, and at least 10 percent of any budget surpluses identified by the economic and revenue forecast council, to be committed to funding fish barrier removal projects.
- Requires that the estimates provided by the Director be included in the Governor's proposed budget without revision.

**Hearing Date:** 1/25/18

**Staff:** Robert Hatfield (786-7117).

**Background:**

Fish Passage Barrier Removal Board.

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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 a part of the legislation nor does it constitute a statement of legislative intent.*

The Washington Department of Fish and Wildlife maintains a Fish Passage Barrier Removal Board (Board), composed of representatives from various state agencies, cities, counties, and tribal governments. The duty of the Board is to identify and expedite the removal of human-made or caused impediments to anadromous fish passage in the most efficient manner practical through the development of a coordinated approach and schedule that identifies and prioritizes the projects necessary to eliminate fish passage barriers caused by state and local roads and highways and barriers owned by private parties.

#### Family Forest Fish Passage Program.

The Forests and Fish Law was enacted in 1999. Among other requirements, the Forests and Fish Law required forest landowners to file a road maintenance and abandonment plan (RMAP). The RMAP must contain, among other things, a schedule to complete necessary road work within 15 years and a storm maintenance strategy. On each anniversary date of an RMAP submission, the forest landowner must file with the Department of Natural Resources (DNR) a description of the work accomplished during the previous year and the work scheduled for the upcoming year.

A cost-sharing program for RMAP projects is administered by the Small Forest Landowner Office within the DNR, and is available to small forest landowners. The DNR is required to establish a prioritized list for the funding of fish passage barrier removal projects on land owned by small forest landowners.

To qualify as a small forest landowner, a person must be an owner of forestland who has harvested no more than an average timber volume of 2 million board feet per year in the three years preceding application to the DNR, and does not expect to harvest more than that amount in the 10 years following application to the DNR.

#### The Puget Sound Partnership.

The Puget Sound Partnership (Partnership) oversees the restoration of the environmental health of Puget Sound. As part of its work, the Partnership produces an Action Agenda, which must be updated every two years. Among other elements, the Action Agenda addresses all geographic areas of Puget Sound, describes problems affecting Puget Sound's health, identifies implementation strategies to restore and protect Puget Sound, and incorporates appropriate actions to carry out the science work plan. Biennial updates to the Action Agenda include revised implementation strategies, benchmarks for near-term actions, and prioritized actions.

#### Governor's Budget Proposal.

The Budget and Accounting Act establishes various requirements for the budget documents that the Governor must submit to the Legislature before each regular session. The required documents include: the Governor's budget message, which explains the budget and outlines proposed fiscal policies for the period covered by the budget; the budget bill; and other supporting information.

#### **Summary of Bill:**

The Fish Passage Barrier Removal Board must provide funding for fish barrier removal projects, consistent with the funding formula described below. Priority must be given to transportation projects consistent with the Fish Passage Barrier Removal Program, with other state projects, local projects, and projects included in the Family Forest Fish Passage Program. For investments

in Puget Sound watersheds, the Fish Passage Barrier Removal Board should coordinate with the Puget Sound Partnership to capture the priorities set forth in the Action Agenda.

By December 1 of each year, the Fish Passage Barrier Removal Board must document in a report to the appropriate committees of the Legislature its progress toward the goal of opening fish habitat.

The sum of \$50 million is appropriated for the fiscal year ending June 30, 2019 from the state General Fund to the Department of Fish and Wildlife for fish passage barrier removal projects.

As part of the development for the Department of Fish and Wildlife, the Governor must require the Director of the Department of Fish and Wildlife to provide an estimated amount equal to 10 percent of any revenues to the General Fund accruing in amounts exceeding 2017 revenues, and at least 10 percent of any budget surpluses identified by the economic and revenue forecast council, to be committed to funding fish barrier removal projects.

The estimates described above must be transmitted to the Governor and must be included in the budget without revision.

**Appropriation:** The sum of \$50 million is appropriated for the fiscal year ending June 30, 2019 from the state General Fund to the Department of Fish and Wildlife for fish passage barrier removal projects.

**Fiscal Note:** Requested on January 23, 2018.

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