

**SHB 2045** - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

**ADOPTED 02/28/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that fish barriers  
4 are a serious impediment to salmon and steelhead recovery. The  
5 legislature further finds that the state has limited financial  
6 resources to address its many challenges and that community members  
7 and businesses may want to offer their help in partnership with the  
8 state for the removal of fish barriers that are on lands owned by  
9 state or local governments. The legislature also finds that it is  
10 desirable to coordinate any such private donations with existing fish  
11 barrier removal projects on lands owned by state or local  
12 governments.

13 Therefore, the legislature intends to facilitate the removal of  
14 fish barriers on lands owned by state or local governments by  
15 creating the adopt a fish passage program through which state or  
16 local governments may receive such donations and to acknowledge  
17 project donors through appropriate public signage.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.95  
19 RCW to read as follows:

20 (1) The Washington state department of transportation and every  
21 county, city, and town may accept any money or property donated,  
22 devised, or bequeathed to it that is donated for the purpose of fish  
23 barrier removal. The Washington state department of transportation  
24 and local governments may determine the value of any property  
25 donated, devised, or bequeathed for the purpose of recognizing fish  
26 barrier removal donations in this section.

27 (2) Subject to subsection (3) of this section, and upon  
28 completion of the related project, the Washington state department of  
29 transportation, counties, cities, and towns receiving donations for  
30 removing a fish barrier must install a clearly marked sign that

1 acknowledges the individual donors and that is consistent with the  
2 requirements of RCW 47.40.105.

3 (3) Signs installed under subsection (2) of this section must be  
4 of a uniform design approved by the recreation and conservation  
5 office and may only include the words "adopt-a-fish passage," the  
6 names of project donors, and the species of fish affected by the  
7 project. Signage is also subject to the following limitations:

8 (a) The donor's name may not be displayed more predominantly than  
9 the remainder of the sign message.

10 (b) Trademarks or business logos may be displayed.

11 (c) To the extent that the Washington state department of  
12 transportation and local governments determine that the number of  
13 donors for individual projects would interfere with the signage  
14 requirements of subsection (2) of this section or the requirements of  
15 RCW 47.40.105, the Washington state department of transportation and  
16 local governments may determine the number of donors listed on signs  
17 but must endeavor to recognize the donors that provide the largest  
18 donations.

19 (d) The Washington state department of transportation and local  
20 governments receiving private donations under this section must only  
21 install signage pursuant to this section for individual donations  
22 that are equal in value to at least \$10,000.

23 (e) Notwithstanding other provisions of this subsection, a donor  
24 is not eligible to have their name displayed on the sign if the  
25 applicant's name: (i) Endorses or opposes a particular candidate for  
26 public office; (ii) advocates a position on a specific political  
27 issue, initiative, referendum, or piece of legislation; (iii)  
28 includes a reference to a political party; or (iv) includes a  
29 reference to anything that may be considered or construed to be  
30 obscene or offensive to the general public.

31 (4) To the extent feasible and with the goal of expediting fish  
32 barrier removals, the Washington state department of transportation,  
33 counties, cities, and towns receiving donations under this section  
34 must coordinate donations with any grant applications made for state  
35 grant funding for fish barrier removal pursuant to RCW 77.95.170. The  
36 recreation and conservation office must publish and maintain a list  
37 of fish barrier removal projects that are suited to receiving private  
38 donations pursuant to this section. Donations received under this  
39 section are eligible for use as match for other funding sources,  
40 including state and federal grants.

1 (5) Upon completion of a project funded with private donations  
2 pursuant to this section, the Washington state department of  
3 transportation or local government that owns the completed project  
4 must notify the recreation and conservation office. Upon receiving  
5 such a notification, the recreation and conservation office must  
6 gather information regarding the project sponsors, location, fish  
7 species affected, and the amounts of individual donations that  
8 supported the project. The recreation and conservation office must  
9 publish and maintain this information with the project list under  
10 subsection (4) of this section.

11 (6) For each individual donation equal to at least \$100,000 in  
12 value pursuant to this section, the recreation and conservation  
13 office must provide to the donor a recognition plaque that meets the  
14 following criteria: (a) The plaque must be signed by the governor;  
15 and (b) the plaque must include the name of the donor, the words  
16 "adopt-a-fish passage program," the location and name of the project  
17 funded, the amount and year of the donation, and the fish species  
18 affected.

19 **Sec. 3.** RCW 47.40.105 and 1990 c 258 s 3 are each amended to  
20 read as follows:

21 Local government legislative authorities may enact local "adopt-  
22 a-highway sign" and "adopt-a-fish passage" programs which are not  
23 inconsistent with state or federal law.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.40  
25 RCW to read as follows:

26 The department may participate in an "adopt-a-fish passage"  
27 program under section 2 of this act."

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28 On page 1, line 2 of the title, after "program;" strike the  
29 remainder of the title and insert "amending RCW 47.40.105; adding a  
30 new section to chapter 77.95 RCW; adding a new section to chapter  
31 47.40 RCW; and creating a new section."

EFFECT: Authorizes the Washington state department of transportation to participate in the "adopt-a-fish passage" program.

--- **END** ---