
Agriculture and Natural Resources Committee

HB 2286

Brief Description: Creating a capital grant program to support recovery of salmon and steelhead stocks.

Sponsors: Representatives Wilcox, Kretz, Dent, Cheney, Barkis and Barnard.

Brief Summary of Bill

- Establishes the high-risk salmon and steelhead capital grant program within the Recreation and Conservation Office (RCO).
- Directs the RCO to award grants pursuant to prioritization recommendations by the grant program advisory committee.
- Requires the advisory committee to consult with the Department of Fish and Wildlife and the National Oceanic and Atmospheric Administration to determine the watersheds that contain critical salmon and steelhead stocks.

Hearing Date: 1/23/24

Staff: Robert Hatfield (786-7117).

Background:

Salmon Recovery.

Several species of salmon, as well as Puget Sound steelhead trout, are listed as either threatened or endangered under the federal Endangered Species Act. The Department of Fish and Wildlife (DFW) is responsible for managing the state's fish and wildlife resources. Several other state agencies, including the Departments of Ecology and Natural Resources, the State Conservation

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.

Commission, and the Recreation and Conservation Office, either have regulatory authority with respect to various aspects of natural resource and land management related to salmon recovery, administering grant funding for salmon recovery projects, or both.

Recreation and Conservation Office.

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.

Salmon Recovery Funding Board.

The Salmon Recovery Funding Board (SRF Board) is responsible for making grants and loans for salmon habitat projects and salmon recovery activities from the amounts appropriated to the SRF Board for this purpose. The SRF Board consists of five voting Governor appointees and five state officials serving as ex officio nonvoting members.

Regional Fisheries Enhancement Groups.

The Washington Legislature authorized the creation of Regional Fisheries Enhancement Groups (RFEG) in 1990. Each of the 14 current RFEGs are separate, nonprofit organizations led by their own board of directors and supported by their members. The statutory goals of RFEGs are centered around enhancing the salmon and steelhead resources of the state, including developing projects designed to supplement fishery enhancement capability of the Department of Fish and Wildlife, and maximizing volunteer efforts and private donations to improve the salmon and steelhead resources for all citizens.

Summary of Bill:

High-risk Salmon and Steelhead Capital Grant Program.

The high-risk salmon and steelhead capital grant program (grant program) is established. Subject to the availability of funds, the Recreation and Conservation Office (RCO) must award grants pursuant to the grant program. Grants must be prioritized by the grant program advisory committee. The primary benefit of projects funded through the grant program must be directed to watersheds that contain the high-risk salmon and steelhead stocks identified by the advisory committee.

Only the following entities are eligible for grants through the high-risk salmon and steelhead capital grant program:

- tribes;
- private landowners;
- private institutions;
- counties;
- cities;
- towns;
- local governmental agencies;
- state agencies;

- nonprofit organizations;
- regional fisheries enhancement groups;
- lead entities; and
- federal agencies.

Only the following types of projects are eligible for grants through the high-risk salmon and steelhead capital grant program:

- habitat acquisition;
- habitat restoration, including fish passage projects, environmental clean-up projects, and instream habitat improvement projects;
- habitat conservation through long-term easements;
- irrigation efficiency projects that improve instream flow;
- emergency response; and
- future threat abatement.

High-risk Salmon and Steelhead Capital Grant Program—Advisory Committee.

The RCO must appoint an advisory committee to prioritize and award grants awarded through the high-risk salmon and steelhead capital grant program. The RCO must participate in the advisory committee in an administrative and nonvoting capacity. The RCO must invite tribal governments to participate as members of the advisory committee and the RCO must also make best efforts to include representation on the advisory committee from each of the following entities:

- the Salmon Recovery Funding Board;
- the Department of Fish and Wildlife;
- the Department of Natural Resources;
- the Washington State Association of Counties;
- the Association of Washington Cities;
- the lead entities; and
- the regional fisheries enhancement groups.

Prior to each application cycle of the grant program, the advisory committee must consult with the WDFW and the National Oceanic and Atmospheric Administration to determine the watersheds that contain salmon and steelhead stocks in the following categories:

- listed stocks deemed at highest risk of extinction;
- stocks deemed at highest risk of being listed under the federal Endangered Species Act; and
- listed stocks deemed closest to delisting.

Only the watersheds identified through this consultative process are eligible locations for grant funding in each application cycle under the grant program. The advisory committee must use this salmon and steelhead stock information to develop the project prioritization process for awarding grants.

The advisory committee must develop, by consensus, a grant application prioritization process

for ranking the applications in the grant program that results in the most long-term habitat benefit for the high-risk stocks.

In ranking project applications, the advisory committee must also consider how each project would be situated within the broader framework of existing state and federal salmon and steelhead recovery investments, to maximize project benefits to high-risk stocks. The prioritization criteria developed by the advisory committee must be updated periodically to reflect the WDFW's analysis of data collected under the grant program, other relevant data collection by state and federal agencies, and changes over time to scientific consensus regarding best practices for salmon and steelhead recovery.

Grant applicants must include estimates of the project's effects, including:

- fry and smolt survival rates for the relevant highest risk stocks;
- adult returns for the relevant high-risk stocks;
- water flow, quality, and temperature, as applicable; and
- water nutrients and ecology, as applicable.

High-risk Salmon and Steelhead Capital Grant Program—Role of the Department of Fish and Wildlife.

The WDFW must assist grant applicants by providing technical assistance. The WDFW must also collect data that measure changes in salmon and steelhead survival and habitat quality resulting from projects funded under the high-risk salmon and steelhead capital grant program.

High-risk Salmon and Steelhead Capital Grant Program—Role of the Recreation and Conservation Office.

The RCO must develop three lists of prioritized grants for the three classes of salmon and steelhead stock: those closest to extinction, those closest to listing under the ESA, and those closest to delisting under the ESA. The RCO must propose these lists of grants to the governor by September 1st of even-numbered years, beginning September 1, 2024.

Subject to the availability of viable proposals, the RCO and the Governor must each propose a total appropriation of at least \$50,000,000 in their respective omnibus capital appropriations act requests to support grants under the grant program. The omnibus capital appropriations act requests of the RCO and the governor pursuant must also follow the prioritized lists prepared by the advisory committee unless new information determines that a specific project is no longer viable as proposed.

Grant Amounts, Matching Nonstate Funding, and Administrative Expenses.

Individual grants awarded under the grant program may not exceed \$5,000,000. Grant applicants must provide matching nonstate funding equal to at least 15 percent of the total project cost.

The RCO may use up to 4.12 percent of any amounts appropriated for the grant program for administrative purposes.

Appropriation: None.

Fiscal Note: Requested on January 17, 2024.

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