

Attachment 1: Summary of FHEP Acceptance or Rejection Criteria

Project Acceptance Criteria

Project type is one of the following:

- Removal of human-made fish passage barrier
- Restoration of eroded or unstable stream bank using bio-engineering
- Placement of large woody material or other in-stream structure that benefit naturally reproducing fish stocks

Project approval by one of the following:

- WDFW pursuant to Chapter 77.95 or 77.100 RCW;
- The sponsor of a watershed restoration plan as provided in chapter 89.08 RCW;
- WDFW as a WDFW-sponsored fish habitat enhancement or restoration project;
- Through the review and approval process for the jobs for the environment program¹;
- Through the review and approval process for conservation district-sponsored projects, where the project complies with design standards established by the conservation commission through interagency agreement with the United States Fish and Wildlife Service and the Natural Resource Conservation Service²;
- Through a formal grant program established by the legislature or the department for fish habitat enhancement or restoration;
- Through the department of transportation's environmental retrofit program as a stand-alone fish passage barrier correction project;
- Through a local, state, or federally approved fish barrier removal grant program designed to assist local governments in implementing stand-alone fish passage barrier corrections;

- By a city or county for a stand-alone fish passage barrier correction project funded by the city or county;
- Through the approval process established for forest practices hydraulic projects in chapter 76.09 RCW;³
- Through other formal review and approval processes established by the legislature.

Project is in freshwater or estuary

- Estuary is defined as "where distributary channels are visible at mean low water"

Purpose of the project is fish habitat enhancement

- Project is not compensatory mitigation for a development or other project impact

Project has no public health, safety or other environmental issues, including significant wildlife issues

- HPAs may only be conditioned for the protection of fish life and habitat
- Mitigation for public health, safety or wildlife must be accomplished through other venues or permits.

May be a large-scale restoration project, if:

- Project is not piecemeal; all phases of the project were reviewed concurrently
- All identified impacts, including public health, safety, or significant wildlife issues have been disclosed and fully mitigated
- No additional impacts not already fully mitigated are likely the identified through another review process

Project Rejection Criteria

- Project does not meet Project Type criteria
- Project does not meet Project Sponsor criteria
- Project is in the marine environment
- Project proposes use of explosives
- Project is compensatory mitigation for "development" or other project impacts
- Purpose of project is not fish habitat enhancement
- Public health or safety issues identified, but not fully mitigated
- Significant wildlife issues identified, but not fully mitigated
- Application is not complete or has insufficient information to assess the project for processing under the FHEP

¹ The Jobs for The Environment Program has been discontinued, so this option is not available.

² The agreement between NRCS and USFWS never materialized. Conservation District-sponsored projects

may be considered for WDFW sponsorship as directed in the May 11, 2015 memo from Assistant Director Jeff Davis.

³ Under RCW 77.55.351 WDFW no longer issues Forest Practice HPAs, so this option is not available.