

# Request to salmon recovery regions to assist the Fish Barrier Removal Board

December 3, 2014

Please direct responses or questions to:

Julie Henning, WDFW

[Julie.Henning@dfw.wa.gov](mailto:Julie.Henning@dfw.wa.gov) or 360-902-2555

## **Background**

In 2014, legislation passed directing the creation of the Fish Barrier Removal FBRB (FBRB). The FBRB is tasked with developing a coordinated approach and schedule that identifies and prioritizes the projects necessary to eliminate fish passage barriers for anadromous salmonids caused by state and local roads, highways, and barriers owned by private parties across the state. The intent of the new law is to maximize anadromous fish access to high quality habitat through a coordinated strategy that prioritizes opportunities such as correcting fish barriers (single or multiple) across a watershed, including the barriers located furthest downstream. While many fish passage investments have already been completed, thousands of barriers still remain.

The duty of the FBRB is to identify and expedite the removal of human-made or human caused impediments to anadromous fish passage through the development of a coordinated approach and schedule that identifies and prioritizes the projects necessary to eliminate fish passage barriers. The coordinated approach must address all areas of the state with anadromous species.

The FBRB will develop recommendations by proposing funding mechanisms and methodologies to coordinate state, tribal, local, and volunteer barrier removal efforts across the state. The FBRB understands and has discussed the need for a program that includes watershed barrier inventories, landowner outreach, feasibility and design, and construction funding.

To develop a systematic approach, the FBRB is interested in utilizing the state's existing salmon recovery framework developed under the 1999 Statewide Strategy to Recovery Salmon and coordinating with existing salmon recovery programs. This effort is not an attempt to reshuffle existing resources but create new funding sources to address fish passage issues throughout the state. The goal is to provide a net gain in resources available to complete fish passage work. The FBRB would like to explore with the regional organizations the development of a statewide fish passage program with a regional frame. The FBRB needs the regions' assistance on where to begin.

The WDFW is available to work directly with regional organizations to share existing barrier information from the fish passage database if this would help with regional prioritization.

## **Request to salmon recovery regions**

The Fish Passage Barrier Removal FBRB is requesting regional organization input for developing a statewide fish passage program for addressing barriers on anadromous streams (salmon, steelhead, other species) The FBRB is requesting that each region provide the FBRB feedback on areas within your region (at the watershed or subwatershed level) where fish passage projects would have the largest benefit for salmon recovery and open high quality habitat. Watersheds should benefit depressed, threatened, and endangered stocks or support tribal treaty rights. Watersheds used by healthy or

undefined stock status should be considered if high quality habitat can be made accessible with barrier removals that would result in increased salmon/steelhead production.

These prioritized watersheds will help the FBRB determine how to get the most value out of future project investments. We request that each region provide their high priority watersheds or sub-watersheds (2-3 areas) using the guidance provided below. Please list in priority order and briefly describe the rationale you used to focus in these watersheds (in a page or less).

Once the focus watersheds are chosen by each region, the FBRB will be developing specific criteria to help guide project proposals that can be submitted by project proponents. The FBRB does not currently have dedicated funding, but we anticipate funding through legislative action in the future once we have developed a prioritization framework. Focus watersheds will be a starting point to correct fish barriers with the understanding that after barriers are removed in those selected watersheds, additional watersheds will be identified.

---

**Primary considerations to determine the focus watersheds are:**

- What critical anadromous populations would most benefit from fish passage projects within your region?
- If the barriers were fixed, which areas would have the highest contribution towards salmon recovery?
- Consider the Viable Salmon Population criteria (see questions below)
  - Are the parent populations classified as “primary” or otherwise considered essential to recovery of the ESU?
  - To what extent would the restored watershed contribute to achieving viable salmonid population(s), relative to other populations?
  - Spatial structure-does the watershed have potential to be a major or minor spawning area, would it contribute a meaningful area for expanded distribution and reduced population risk due to increased spatial structure.
  - Abundance-will the barrier restoration add a meaningful quantity of habitat to the population and to what extent might it contribute to improvements in abundance. Quantify the relationship of the fish potential in the restored watershed to the whole population (e.g., stream area, intrinsic potential, EDT or other life cycle model outputs).
  - Productivity-Is the quality of the habitat in the restored watershed worse than, similar to, or better than the quality of habitat in the rest of the population?
  - Diversity- Will the expanded distribution result in reduced risk for diversity? (e.g., unique habitat types, ecoregions, flow or temperature regimes that allow unique life history pathways to be successful).

The following pages include the three RCW’s that govern the Fish Barrier Removal FBRB.

RCW 77.95.160

## Fish passage barrier removal FBRB — Membership — Duties.

(1) The department shall maintain a fish passage barrier removal FBRB. The FBRB must be composed of a representative from the department, the department of transportation, cities, counties, the governor's salmon recovery office, tribal governments, and the department of natural resources. The representative of the department must serve as chair of the FBRB and may expand the membership of the FBRB to representatives of other governments, stakeholders, and interested entities.

(2)(a) The duty of the FBRB 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.

(b) The coordinated approach must address fish passage barrier removals in all areas of the state in a manner that is consistent with a recognition that scheduling and prioritization is necessary.

(c) The FBRB must coordinate and mutually share information, when appropriate, with:

(i) Other fish passage correction programs, including local salmon recovery plan implementation efforts through the governor's salmon recovery office;

(ii) The applicable conservation districts when developing schedules and priorities within set geographic areas or counties; and

(iii) The recreation and conservation office to ensure that barrier removal methodologies are consistent with, and maximizing the value of, other salmon recovery efforts and habitat improvements that are not primarily based on the removal of barriers.

(d) Recommendations must include proposed funding mechanisms and other necessary mechanisms and methodologies to coordinate state, tribal, local, and volunteer barrier removal efforts within each water resource inventory area and satisfy the principles of RCW [77.95.180](#). To the degree practicable, the FBRB must utilize the database created in RCW [77.95.170](#) and information on fish barriers developed by conservation districts to guide methodology development. The FBRB may consider recommendations by interested entities from the private sector and regional fisheries enhancement groups.

(e) When developing a prioritization methodology under this section, the FBRB shall consider:

(i) Projects benefiting depressed, threatened, and endangered stocks;

(ii) Projects providing access to available and high quality spawning and rearing habitat;

(iii) Correcting the lowest barriers within the stream first;

- (iv) Whether an existing culvert is a full or partial barrier;
- (v) Projects that are coordinated with other adjacent barrier removal projects; and
- (vi) Projects that address replacement of infrastructure associated with flooding, erosion, or other environmental damage. (f) The FBRB may not make decisions on fish passage standards or categorize as impassible culverts or other infrastructure developments that have been deemed passable by the department.

[2014 c 120 § 4; 2000 c 107 § 110; 1997 c 389 § 6; 1995 c 367 § 2. Formerly RCW [75.50.160](#).]

Notes:

**Findings -- 1997 c 389:** See note following RCW [77.95.100](#).

**Severability -- Effective date -- 1995 c 367:** See notes following RCW [77.95.150](#).

RCW 77.95.170

## Salmonid fish passage — Removing impediments — Grant program — Administration — Database directory.

(1) The department may coordinate with the recreation and conservation office in the administration of all state grant programs specifically designed to assist state agencies, private landowners, tribes, organizations, and volunteer groups in identifying and removing impediments to salmonid fish passage. The transportation improvement FBRB may administer all grant programs specifically designed to assist cities, counties, and other units of local governments with fish passage barrier corrections associated with transportation projects. All grant programs must be administered and be consistent with the following:

- (a) Salmonid-related corrective projects, inventory, assessment, and prioritization efforts;
- (b) Salmonid projects subject to a competitive application process; and
- (c) A minimum dollar match rate that is consistent with the funding authority's criteria. If no funding match is specified, a match amount of at least twenty-five percent per project is required. For local, private, and volunteer projects, in-kind contributions may be counted toward the match requirement.

(2) Priority shall be given to projects that match the principles provided in RCW [77.95.180](#).

(3) All projects subject to this section shall be reviewed and approved by the fish passage barrier removal FBRB created in RCW [77.95.160](#) or an alternative oversight committee

designated by the state legislature.

(4) Other agencies that administer natural resource-based grant programs shall use fish passage selection criteria that are consistent with this section when those programs are addressing fish passage barrier removal projects.

(5)(a) The department shall establish a centralized database directory of all fish passage barrier information. The database directory must include, but is not limited to, existing fish passage inventories, fish passage projects, grant program applications, and other databases. These data must be used to coordinate and assist in habitat recovery and project mitigation projects.

(b) The department must develop a barrier inventory training program that qualifies participants to perform barrier inventories and develop data that enhance the centralized database. The department may decide the qualifications for participation. However, employees and volunteers of conservation districts and regional salmon recovery groups must be given priority consideration.

[2014 c 120 § 3; 1999 c 242 § 4; 1998 c 249 § 16. Formerly RCW [75.50.165](#).]

Notes:

**Findings -- Purpose -- Report -- Effective date -- 1998 c 249:** See notes following RCW [77.55.181](#).

RCW 77.95.180

## Fish passage barrier removal program.

(1)(a) To maximize available state resources, the department and the department of transportation must work in partnership to identify and complete projects to eliminate fish passage barriers caused by state roads and highways.

(b) The partnership between the department and the department of transportation must be based on the principle of maximizing habitat recovery through a coordinated investment strategy that, to the maximum extent practical and allowable, prioritizes opportunities: To correct multiple fish barriers in whole streams rather than through individual, isolated projects; to coordinate with other entities sponsoring barrier removals, such as regional fisheries enhancement groups incorporated under this chapter, in a manner that achieves the greatest cost savings to all parties; and to correct barriers located furthest downstream in a stream system. Examples of this principle include:

(i) Coordinating with all relevant state agencies and local governments to maximize the habitat recovery value of the investments made by the state to correct fish passage barriers;

(ii) Maximizing the habitat recovery value of investments made by public and private forest landowners through the road maintenance and abandonment planning process outlined in the forest practices rules, as that term is defined in RCW [76.09.020](#);

(iii) Recognizing that many of the barriers owned by the state are located in the same stream systems as barriers that are owned by cities and counties with limited financial resources for correction and that state-local partnership opportunities should be sought to address these barriers; and

(iv) Recognizing the need to continue investments in the family forest fish passage program created pursuant to RCW [76.13.150](#) and other efforts to address fish passage barriers owned by private parties that are in the same stream systems as barriers owned by public entities.

(2) The department shall also provide engineering and other technical services to assist nonstate barrier owners with fish passage barrier removal projects, provided that the barrier removal projects have been identified as a priority by the department and the department has received an appropriation to continue that component of a fish barrier removal program.

(3) Nothing in this section is intended to:

(a) Alter the process and prioritization methods used in the implementation of the forest practices rules, as that term is defined in RCW [76.09.020](#), or the family forest fish passage program, created pursuant to RCW [76.13.150](#), that provides public cost assistance to small forest landowners associated with the road maintenance and abandonment processes; or

(b) Prohibit or delay fish barrier projects undertaken by the department of transportation or another state agency that are a component of an overall transportation improvement project or that are being undertaken as a direct result of state law, federal law, or a court order. However, the department of transportation or another state agency is required to work in partnership with the fish passage barrier removal FBRB created in RCW [77.95.160](#) to ensure that the scheduling, staging, and implementation of these projects are, to [the] maximum extent practicable, consistent with the coordinated and prioritized approach adopted by the fish passage barrier removal FBRB.

[2014 c 120 § 2; 2010 1st sp.s. c 7 § 83; 1995 c 367 § 3. Formerly RCW [75.50.170](#).]

Notes:

**Effective date -- 2010 1st sp.s. c 26; 2010 1st sp.s. c 7:** See note following RCW [43.03.027](#).

**Severability -- Effective date -- 1995 c 367:** See notes following RCW [77.95.150](#).