



## Washington's Hydraulic Project Approval Program Hydraulic Code Implementation Citizen Advisory Group

Quarterly Meeting  
Thursday, December 14<sup>th</sup>, 2023  
2:00 PM – 4 PM  
Online meeting via Teams

### Attendance

#### Citizen Advisory Group (CAG) Members

Clay Antieau, Dave Risvold, Edrie Risdon, Kimbal Sundberg, Lacey Hoffman, Laura Gurley, John Nelson, Steve West, Tricia Gullion\*, Edrie Risdon, Traci Sanderson

\*Tricia is the interim BIAW representative.

**Washington Department of Fish and Wildlife (WDFW) Staff:** Theresa Nation (Environmental Planner and HCICAG Chair), Matt Curtis (Protection Division Manager), Tom McBride (Legislative Director, WDFW)

**Facilitation (Triangle Associates):** Joy Juelson, Drew Katz

### Action Items

Item	Responsible
Confirm date, location, and venue for June 2024 quarterly in-person meeting	Triangle/WDFW

### Welcome

The facilitator opened the meeting and reviewed the agenda.

### WDFW 2024 Legislative Update – Tom McBride, WDFW

Legislative Director Tom McBride provided an overview of the Governor's recently announced 2024 State Budget. This is the first step in developing the state budget. Both the legislative bodies (House and Senate) will also publish budgets, and then work to approve a final budget to be signed by the Governor. Tom focused on the budget's provisions and their anticipated impact on WDFW's work and priorities. Notably, he outlined several budget and policy updates relevant to the HCICAG. These updates included:

#### ***Funding Allocations in the Governor's 2024 WA State Budget for WDFW and Environmental Projects:***

**WDFW Funding: \$34 million**

- **Endangered Species Assessment:** Allocate funds for reviewing and assessing NOAA's biological opinions on in-state species under the Endangered Species Act.
- **Coastal and River System Projects:** Continue and expand projects, particularly for the protection of coastal and river systems, especially for steelhead and spring chinook populations.
- **Safety and Training Improvements:** Update and improve internal WDFW safety and training practices, in light of the tragic loss of a WDFW employee in a snorkeling accident.

***State-wide Climate Change Initiatives: \$941 million***

- A significant portion of this budget is dedicated to climate change mitigation and adaptation projects state-wide. **Post-meeting update:** WSDOT will receive \$15 million for stormwater retrofits to reduce pollution in stormwater while improving water quality and protecting coho salmon and other aquatic species.

***Fish Passage Improvements - \$140 Million***

This money will be allocated to improve fish passage throughout the state:

- Focus on enhancing fish passage, primarily for coho salmon protection. Clarification needed on the specific allocation for WDFW versus other agencies. **Post-meeting update:** \$58 million to expand salmon habitat restoration and fish passage efforts - Additional grants will be provided through the Recreation and Conservation Office for salmon recovery projects through the Salmon Recovery Funding Board, the Puget Sound Restoration and Protection program, and the Brian Abbot Fish Passage Barrier Board.
- Address rising costs in culvert construction. Funding is believed to be designated for work not included in the projects listed under the Culvert Injunction. **Post-meeting update:** \$22 million to the Brian Abbott Fish Barrier Removal Board. This money is not for cost adjustments of already funded projects as WDFW had requested. Instead, it is to fund an additional 38 projects that did not receive money in the 2023 legislative session.
- Additional funding (amount unspecified) for WDFW to acquire Olson's Boat Launch in Sekiu, WA.

***Policy Review - Confidentiality of Fisheries Data***

Funds were proposed to support continued interagency and multi-state (OR, WA, CA) conversations focused on the management and protection of private and/or sensitive information when sharing data about fisheries on private lands.

Member Comment: there is a growing concern about the skyrocketing costs associated with designing and building culverts relative to the value to fish and habitat gains. Notably, WSDOT culvert design and build estimates and costs are typically higher compared to other agencies.

***Looking Ahead to the 2024-2025 Budget:***

Expected WDFW budget asks for 2024/2025 included:

- Additional Biodiversity funding for all species and ecosystems. One-third of the initial

budget request for this work remains to be funded.

- Human/Wildlife Conflict: conflict is increasing due to population growth, especially in rural areas. Additional funds will be sought so that WDFW can do more planning and prevention (instead of just focusing on enforcement).
- Additional funding for increased WDFW personnel safety training.

## **General Updates - Theresa Nation, WDFW**

### WDFW Personnel Updates

- Existing Habitat Director Margen Carlson is now WDFW's Conservation Policy Director.
- Liz Bockstiegel has moved on from the statewide HPA Coordinator position to be the Climate Resilience Planner in the Ecosystem Services Division.

### Volunteer Registration

WDFW is now offering volunteering members reimbursements for their time and expenses associated with participating with HCICAG (i.e. for meeting attendance time, childcare, transportation, etc.). Reimbursements do not apply to those who are paid through their job to participate. **Please let Theresa know if you attend HCICAG meetings as a volunteer.**

## **Habitat Restoration Pilot Program – Matt Curtis, WDFW**

Matt gave a presentation on the Habitat Recovery Pilot Program (HRPP), which included background information, details on the streamlined permitting process, the difference between HRPP and Fish Habitat Enhancement Project (FHEP) processes, and challenges related to Department of Archaeology and Historic Preservation (DAHP) long turnaround time when assessing a project's potential impact on cultural resources. Highlights from Matt's presentation include:

### Habitat Restoration Pilot Program Overview:

HRPP is a multi-agency pilot effort that allows for a streamlined permitting process (45 days) for projects that improve/uplift fish habitat. The program exempts qualifying projects from most state and local permits, except as required by federal programs. The HRPP is run through the HPA permitting program and results in the issuance of an HPA permit for each project. The program became effective in July 2021 and will run through 2025. Projects that qualify for HRPP must:

- Directly benefit fish or their habitat.
- Be reviewed, approved, and funded by selected, existing restoration programs.
- Document consistency with flood risk reduction requirements in the region.
- Be reviewed by DAHP, making sure no cultural resources are impacted by HRPP projects.

**HRPP & FHEP:** Both programs aim to streamline the permitting process, however there are some differences between the two. Under HRPP there are minimal restrictions on what type of projects can be proposed. The FHEP process only approves a limited range of project types. FHEP is a simpler process and thus more commonly used if a project can qualify for it.

**HRPP and DAHP:** All HRPP projects must complete DAHP review prior to the expedited permitting process. In some cases, due to DAHP having a long turnaround time, projects are sometimes stalled, and their funding can subsequently be jeopardized. As a solution, WDFW has requested that the legislature amend the HRPP process to allow DAHP and HRPP review to happen simultaneously. This request will be considered in a bill during the 2024 legislative session.

Member comments/questions:

- Members and Matt noted that there have been issues with local governments around the exemption allowances under HRPP. This is primarily due to the fact that each jurisdiction often has its own permitting regulations and protocols. HRPP staff are doing their best to work with local governments to help them become aware of and prepare for these differences during the application process.
- Q: Is this pilot expedited permitting process saving time and money?
  - A: Matt: initial survey results (albeit from a small data set) demonstrate that ~2 week to 3 months, and up to 80K, are being saved per project.
- Members and Matt also discussed how slow the Federal permitting processes can be for fish related projects. Matt confirmed that work is being done at the Federal level to improve coordination, and that WDFW is doing what it can to collaborate with federal agencies.

### **APPS Update – Matt Curtis, WDFW**

Matt gave a brief update on the online APPS platform. Salesforce has been selected as the platform host, and WDFW is currently interviewing 3 platform implementers. The aim is to choose an implementer by February 2024, with 2025 (month TBD) set as the target date for the release of a new APPS platform.

### **Group Roundtable Discussion - CAG**

Question prompts included:

- *Please share your or your entities' successes, opportunities, and any obstacles whether they are directly linked to HPA or pertain to wider issues.*
- *Are there any updates or announcements about upcoming events?*
- *Any other questions?*

Summary of member responses:

- HCICAG meetings are a great way to be able to see behind the scenes at WDFW
- There is concern about growing public pushback regarding the high costs of culvert construction.
- There was a question and brief discussion about how work windows can be confirmed, modified, and extended if/when fish return to streams at certain times of the year.
- One member expressed their appreciation of the work that has been done to mitigate lamprey in streams
- American Ports Association gave an award to the Port of Everett for its work on salt marsh restoration.

### **HB 1085 Plastics Reduction Bill and Rule Making Overview – Theresa Nation**

Theresa gave an overview of the Plastics Reduction Bill which amends an environmental health and safety law (regulated by Dept. of Ecology) and aims to limit plastic pollution in the environment. The bill prohibits the sale and use of unencapsulated foam flotation in overwater structures such as docks. WDFW already regulates flotation materials through the HPA permitting program and so the public will see no changes in their HPA permits. However, the agency is conducting rule making to align existing Hydraulic Code Rule language (WAC 220-660) with the new law in order to avoid confusion. Other changes to the rules include editing the language of the freshwater and marine flotation provisions to make them match, and eliminating all references to plastic wrap.

The proposed rule will be published in early February, and adoption by the Fish and Wildlife Commission is anticipated for April 18, 2024. This is an expedited rule, so there will be no formal public comment period. However, comments from HCICAG members and the public are still welcome.

Member Comment: Laura Gurley offered the Port of Everett's participation in a WDFW report to the legislature on flotation materials. The report is mandated in HB 1085 and due Nov. 1, 2025.

**The meeting adjourned at 4:10pm.**