



2018 Legislative Priorities for Puget Sound Watershed Health and Salmon Habitat Recovery

Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Partners

Updated: November 2017

Federal Priorities

- **Support a Fiscal Year 2018 appropriations request of \$65 million for the Pacific Coast Salmon Recovery Fund (PCSRF) in Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill.**

While annual funding for PCSRF has been over \$100 million in the past, a \$65 million funding level would maintain the funding level appropriated since 2012 to advance implementation of critical habitat protection and restoration projects. These funds allow NOAA to award grants to Washington State, tribes, and local watershed partners to implement salmon recovery priorities through the annual Salmon Recovery Funding Board grant round process. Habitat protection and restoration projects enabled by PCSRF are consistent with the Action Agenda for Puget Sound recovery and tribal habitat priorities. The President's proposed FY 2017 budget includes \$65 million for PCSRF, which is equal to the FY 2016 appropriation. Federal PCSRF funds are matched by state funds in the Recreation and Conservation Office budget.

***Request:** Support \$65 million FY 2018 appropriation for PCSRF in communications with the Congressional delegation and NOAA leadership.*

- **Support the “Promoting United Government Efforts to Save Our Sound Act” (PUGET SOS Act; H.R. 3630).**
Introduced in 2015, this bill would establish a Puget Sound Recovery National Program Office in the Environmental Protection Agency (EPA) to provide for the coordination of federal Puget Sound recovery efforts with state, local and tribal recovery efforts. The bill enhances the federal government's role and investment in Puget Sound by amending the Clean Water Act to add a new section dedicated to Puget Sound recovery,

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providing lasting and structural recognition of the Puget Sound as a waterbody of national significance on par with the Chesapeake Bay and the Great Lakes. The bill, which was introduced by Congressmen Denny Heck and Derek Kilmer (co-chairs of the Puget Sound Recovery Caucus), would ultimately result in greater levels of federal funding for Puget Sound recovery.

***Request:** In communications with the Congressional delegation and EPA leadership, support the Puget SOS Act or a revised version of this bill.*

➤ **Support funding for the Army Corps of Engineers (Corps) to implement critical prioritized infrastructure repairs and updates to the Hiram M. Chittenden (Ballard) Locks.**

Repairs and updates are immediately necessary for continued safe operation of the Locks for navigation, maintaining lake levels (needed for the SR-520 and I-90 floating bridges), and providing safe passage for ESA-listed Chinook salmon. To date, Locks managers have been slowly implementing improvements as limited annual funding allows.

The summer of 2017 marked the Locks Centennial. Much of machinery and facilities are original, have not been upgraded, and are past their design life with some beginning to fail. A 2017 economic impact study of the Locks completed on behalf of a consortium of maritime industry groups documented that the Locks support over \$1.2 billion in annual economic activity. The study describes the benefits of reliable operation of the Locks, the potential losses in the event of a failure, and steps needed to repair the 100-year-old facility. While the study helps document a portion of the economic benefits of the Locks, a comprehensive assessment of benefits, including support for transportation and water supply infrastructure, environmental health, and public safety, would likely be orders of magnitude greater. The Corps needs to allocate and reserve \$60 million, beginning in 2018, to immediately accelerate critical repairs that ensure safe facility operation and reduce risks from a potential failure.

WRIA 8 encourages the Washington State Congressional delegation and other regional leaders to share their concern about the Locks' condition with Corps leadership in Washington, D.C. and request the Corps to allocate and reserve \$60 million for critical Locks infrastructure improvements, and fund a comprehensive regional assessment of Locks benefits and impacts from a potential failure.

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***Request:** Request Corps Headquarters to allocate and reserve \$60 million, beginning in FY 2018, to accelerate identified prioritized projects on the Corps' list of Locks infrastructure improvements developed in 2012.*

- **Support proposed federal legislation that seeks to increase funding and incentives for green stormwater infrastructure, including:**
 - Introduced legislation titled, “Green Stormwater Infrastructure Investment Act” (H.R. 4648), which would expand eligibility criteria in transportation grants to include green stormwater components, thereby creating incentives for states and local governments to adopt green stormwater practices. For states like Washington that already have high standards, this legislation would prioritize projects from a scoring standpoint and direct more federal funding to the state.
 - Draft bill amending Internal Revenue Code of 1986 that would provide a 30 percent tax credit for green stormwater expenditures from private businesses and individuals.

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State Priorities

Capital Budget

- **Support the Puget Sound Partnership’s original PSAR funding request of \$80 million for the 2017 – 2019 biennium (contained in the Recreation and Conservation Office budget).** PSAR funds support implementation of the highest priority habitat protection and restoration projects throughout Puget Sound. The program includes: 1) base funding allocated among Puget Sound watersheds for a list of grant round habitat projects, and 2) funding for a prioritized list of specific, large-scale, high-priority capital projects submitted by Puget Sound watersheds. Funds are derived from State general obligation bonds (RCW 77.85). A small portion of this funding also supports local watershed development of priority projects.

- **Support the Recreation and Conservation Office’s (RCO) original state capital funding request for the Salmon Recovery Funding Board of \$55.3 million for the 2017 – 2019 biennium.** SRFB funds consist of federal PCSRF dollars and state capital funds that serve as the required match to federal funds. Together, these dollars support annual grant rounds for salmon habitat protection and restoration projects in watersheds around the state. This funding is a cornerstone of WRIA 8’s annual grant round, yet the funding from the state has been in decline for several years. For 2017 – 2019, the Salmon Recovery Funding Board intends to use a portion of the state funding to support Lead Entities’ cultivation and development of priority projects, which is intended to increase Washington’s competitiveness for federal PCSRF funds.

- **Support the Washington Department of Ecology’s (Ecology) original Floodplains by Design agency funding request of \$70 million for the 2017 – 2019 biennium.** In the past two biennial legislative sessions, the legislature allocated funding to Ecology to support a list of multiple benefit floodplain restoration and management projects, including the following WRIA 8 priorities:
 - In the 2013-2015 biennium, King County received a \$4.1 million grant to support completion of the Cedar River Rainbow Bend floodplain

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restoration project and assist with relocating residents of a mobile home park as part of the Riverbend floodplain restoration project.

- In the 2015-2017 biennium, King County and Seattle Public Utilities received a grant to acquire floodplain properties in priority reaches of the Cedar River and develop final design of the Riverbend floodplain restoration project.
 - For the 2017 – 2019 biennium, King County applied for funding to construct the Riverbend Floodplain Reconnection Project on the Cedar River.
- **Support Washington Department of Ecology’s original funding request of \$105.5 million for the Stormwater Financial Assistance Program in the 2017-2019 biennium.**
- The Stormwater Financial Assistance Program provides funding to local communities to prevent pollution of water bodies from stormwater and run-off from urbanized areas. These grants have come through various grant programs including the Capacity Grants, Grants of Regional or Statewide Significance, and capital construction grants. Stormwater funding comes from a combination of state bond and hazardous substance tax dollars.
- **Support the Puget Sound Partnership’s (PSP) legislative funding strategy for capital actions supporting implementation of the Action Agenda for Puget Sound.**
- The overall intent of PSP’s funding strategy is to protect Puget Sound, and funding will support the Partnership’s ability to implement the Action Agenda for Puget Sound, which directly and indirectly benefits salmon recovery. PSP’s salmon recovery habitat restoration priorities may fall more directly under the PSAR program, but the strategic initiatives are an avenue to support stormwater reduction priorities; multi-objective habitat enhancement projects; and integrated water infrastructure projects that address a mix of stormwater, habitat, water supply, and flood protection.

Policy Legislation

- **Track and support legislation that seeks to improve regulatory protections for areas that are important for salmon habitat.**
- During the legislative session various proposals are made to improve aspects of various regulations that protect important salmon habitat areas,

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including riparian areas, lake and marine shorelines, etc. WRIA 8 partners should consider support for proposed legislation that improves regulatory protections that seek to benefit salmon habitat.

➤ **Support and explore opportunities to engage in developing legislation that seeks to provide immunity from liability for entities that implement habitat restoration projects involving the placement of large wood.**

WRIA 8 has a goal to increase wood in the watershed's rivers and streams as a vital component of improving habitat conditions that support Chinook salmon. Concerns about liability associated with public safety related to placing large wood as part of habitat restoration projects can delay and/or limit restoration actions. Identify existing state law, such as the recreational use immunity statute that provides immunity to public and private landowners from liability for unintentional injuries, which could be amended to clearly provide immunity from liability for entities that implement habitat restoration projects.

➤ **Track and consider support for greater restrictions or a complete ban on Atlantic salmon net pen aquaculture in Puget Sound.**

The State of Washington is investigating the recent release of Atlantic salmon from net pens near Cypress Island, and a moratorium on new Atlantic salmon aquaculture facilities is in place until a report is complete. King County will be considering how to address aquaculture provisions in their Shoreline Master Program update. WRIA 8 should track this issue and consider engaging if there is a clear nexus to Chinook salmon recovery efforts.

➤ **Track and participate in continued efforts to explore new watershed-based funding authorities to support multiple-benefit projects that address salmon habitat protection and restoration, water quality, stormwater management, and flood management.**

Since 2011, recognizing the limited funding available to implement salmon recovery, WRIA 8 supported and participated in cross-watershed discussions to identify alternative funding mechanisms to implement multiple-benefit watershed priorities, including but not limited to salmon recovery habitat restoration, stormwater management, and flood management. These efforts and discussions are on-going and may result in future legislation.

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