



DRAFT 2019 Legislative Priorities for Salmon Recovery and Puget Sound Watershed Health

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

Updated: July 2018

SUMMARY

**NOTE: Highlights indicate placeholders awaiting state agency budget request numbers or other information*

Federal Priorities:

- Support \$70 million Fiscal Year 2019 appropriation for the Pacific Coast Salmon Recovery Fund (PCSRF) in Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill.
- Support **\$XX million** in the Army Corps of Engineers (Corps) Fiscal Year 2019 Work Plan to implement critical prioritized infrastructure repairs to the Hiram M. Chittenden (Ballard) Locks.
- Support the “Promoting United Government Efforts to Save Our Sound Act” (PUGET SOS Act).
- Support proposed federal legislation that seeks to increase funding and incentives for green stormwater retrofits and infrastructure. *[To be updated based on confirmation of legislation status]*

State Budget Priorities:

State Agency / Program	Budget	2019-2021 Budget Request	2019-2021 Governor’s Budget
Recreation and Conservation Office			
Puget Sound Acquisition and Restoration	Capital	\$XX	TBD
Salmon Recovery (SRFB-State portion)	Capital	\$XX	TBD
Washington Wildlife and Recreation Program	Capital	\$XX	TBD
Aquatic Lands Enhancement Account	Capital	\$XX	TBD
Estuary and Salmon Restoration Program	Capital	\$XX	TBD
Fish Barrier Removal Board	Capital	\$XX	TBD
Lead Entity Program	Operating	\$XX	TBD
Department of Ecology			
Floodplains by Design	Capital	\$XX	TBD
Stormwater Financial Assistance Program	Capital	\$XX	TBD

FOR INFORMATION ABOUT THESE PRIORITIES PLEASE CONTACT:

Jason Mulvihill-Kuntz, Salmon Recovery Manager, Lake Washington/Cedar/Sammamish Watershed (WRIA 8)
jason.mulvihill-kuntz@kingcounty.gov • (206) 477-4780 • <http://www.govlink.org/watersheds/8/>

State Policy Legislation Priorities:

- Support state agency budget requests for monitoring and studies of predation, disease, and other issues that affect WRIA 8 salmon populations.
- Track and support legislation that seeks to improve regulatory protections for areas that are important for 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.
- Track and participate in continued efforts to explore new watershed-based and/or regional funding authorities to support multiple-benefit projects that address salmon habitat protection and restoration, water quality, stormwater management, and flood management.

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Federal Priorities

- **Support \$70 million Fiscal Year 2019 appropriation 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 \$70 million request supports the funding level approved by the Senate Appropriations Committee (\$65 million has been appropriated since 2012, and “at least” \$65 million was requested by a joint letter from governors of the five western states that receive PCSRF funds). These funds advance implementation of critical habitat protection and restoration projects, allowing 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. Federal PCSRF funds are matched by state funds in the Recreation and Conservation Office budget. Support should be directed to the Congressional delegation, Office of Management and Budget, and NOAA leadership.

- **Support \$XX million in the Army Corps of Engineers (Corps) Fiscal Year 2019 Work Plan to implement critical prioritized infrastructure repairs and updates to the Hiram M. Chittenden (Ballard) Locks.**
The Corps should allocate \$XX million in their Fiscal Year 2019 Work Plan, to fully fund the Seattle District’s request for work they are capable of undertaking in 2019, to immediately accelerate critical repairs that ensure safe facility operation and reduce risks from a potential failure. The Corps allocated \$23 million to the Locks in Fiscal Year 2018, representing an additional \$13 million above the routine operations and maintenance funding need. This funding will replace the large lock filling culvert valves and machinery, one of the most critical fish passage improvements. Based on the Corps’ prioritized list of Locks repairs, approximately \$50 million in additional repairs and updates are immediately necessary for continued safe operation of the Locks for navigation, maintaining lake levels (needed for the I-90 floating bridge), and providing safe passage for ESA-listed Chinook salmon. To date, Locks managers have slowly implemented improvements as limited annual funding allows.

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The Locks are over 100 years old, and 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.

WRIA 8 encourages the Washington State Congressional delegation and other regional leaders to share their concern about the Locks' condition with Corps leadership and the Office of Management and Budget in Washington, D.C., and request the Corps fully fund the District's FY 2019 capability request.

- **Support the “Promoting United Government Efforts to Save Our Sound Act” (PUGET SOS Act).**
Introduced in 2015 (H.R. 3630) and set to be reintroduced this year, 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, 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. Support should be directed to the Congressional delegation and EPA leadership.
- ***[To be updated based on confirmation of legislation status]* Support proposed federal legislation that seeks to increase funding and incentives for green stormwater retrofits and infrastructure, including:**

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- 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

**NOTE: State agencies are currently developing budget requests, which should be available by late August. WRIA 8 anticipates aligning its budget priorities with agency requests, which will be added to an updated version of this document.*

Capital Budget

- **Support \$XX million for Puget Sound Acquisition and Restoration (PSAR) 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.
 - In the 2019-2021 biennium, King County applied for PSAR large capital funding to construct the Riverbend Floodplain Reconnection Project on the Cedar River (Leg District 11)
- **Support \$XX million for Salmon Recovery Funding Board in Recreation and Conservation Office budget.**
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 \$XX million for Washington Wildlife and Recreation Program in Recreation and Conservation Office budget.**
Washington Wildlife and Recreation Program provides funding for a broad range of land protection and outdoor recreation, including park acquisition

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and development, habitat conservation, farmland and forestland preservation, and construction of outdoor recreation facilities. Project sponsors often seek grants from this program to combine with WRIA 8 grant funds to implement projects.

- **Support \$XX million for Aquatic Lands Enhancement Account in Recreation and Conservation Office budget.**
Aquatic Land Enhancement Account (ALEA) provides funding to protect and restore natural aquatic ecosystem processes, providing or restoring public access to the water, and increasing public awareness of aquatic lands. These funds often serve as a significant compliment to WRIA 8 grant funding for priority restoration projects. Project sponsors often seek grants from this program to combine with WRIA 8 grant funds to implement projects.
- **Support \$XX million for Estuary and Salmon Restoration Program in Recreation and Conservation Office budget.**
The Estuary and Salmon Restoration Program provides grants to protect and restore the Puget Sound nearshore. Project sponsors seeking to implement projects in the WRIA 8 nearshore are likely seek grants from this program.
- **Support \$XX million for Fish Barrier Removal Board in in Recreation and Conservation Office budget.**
The Fish Barrier Removal Board provides funding to remove barriers to fish passage. While only a few barriers remain for Chinook salmon in WRIA 8, significant barriers do exist for other salmon species, such as kokanee and coho salmon that limit access to valuable habitat. This is a relatively new state funding source that can support removal of these barriers.
- **Support \$XX million for Floodplains by Design in Washington Department of Ecology (Ecology) budget.**
In the past three biennial legislative sessions (since 2013), 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 \$5 million 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 received a \$7.2 million grant to construct the Riverbend Floodplain Reconnection Project on the Cedar River.
 - For the 2019-2021 biennium, Seattle Public Utilities applied for funding to continue property acquisitions and restore floodplain areas in the Royal Arch Reach of the Cedar River (Leg District 5), and King County applied for funding to complete design on the Willowmoor Floodplain Restoration project on the Sammamish River (Leg District 48).
- **Support \$XX million for Stormwater Financial Assistance Program in Washington Department of Ecology's budget.**
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.

Operating Budget

- **Support \$XX million for salmon recovery Lead Entities in Recreation and Conservation Office's budget (\$907,000 was requested in 2017-2019 budget, but supplemented by state capital funds for full funding).**
These funds support Lead Entities in watersheds around the state to administer a locally-based process to develop and prioritize projects for funding to the state Salmon Recovery Funding Board (per RCW 77.85). These funds provide an annual \$60,000 grant to WRIA 8 as the designated Lead Entity for our watershed.

Policy Legislation

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- **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, 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 participate in continued efforts to explore new watershed-based and/or regional 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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