



**Washington State
Department of Transportation**

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October 20, 2023

Director David Schumacher
Office of Financial Management
PO Box 43113
Olympia, WA 98504-3113

Senator Marko Liias
Senate Transportation Committee
PO Box 40444
Olympia, WA 98504-0444

Representative Jake Fey, Chair
House Transportation Committee
PO Box 40600
Olympia, WA 98504-0600

RE: Reporting on federal grants received for fish passage barrier projects

Dear Director Schumacher, Senator Liias and Representative Fey:

The 2023 Transportation Budget (ESHB 1125, Sec. 305(12)(e)) requires the Washington State Department of Transportation to report semi-annually on federal grants received for fish passage barrier projects.

Through reporting period ending November 1, 2023, one project received a grant through the National Culvert Removal, Replacement, and Restoration Grant program:

*SR 166 Johnson Creek Fish Barrier Culverts Removal and Estuary Restoration --
\$4.1 million*

Please contact me at suingt@wsdot.wa.gov if you have questions or need additional information.

Sincerely,

[Signature on File]

Troy A. Suing, Director
Capital Program Development and Management
Washington State Department of Transportation

TS:ab
Enclosure

cc: Erik Hansen, OFM
Maria Thomas, OFM
Megan Cotton, WSDOT

Kelly Simpson, Senate Transportation Committee
Mark Matteson, House Transportation Committee

Laws of 2023

Chapter 472, Section 305(12)

- (12)(a) \$300,000,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$312,653,000 of the motor vehicle account—federal appropriation, \$427,459,000 of the move ahead WA account—state appropriation, and \$1,293,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (OBI4001) with the intent of fully complying with the federal U.S. v. Washington court injunction by 2030.
- (b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.
- (c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.
- (d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.
- (e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.