

Support state funding for utility relocates associated with fish culvert repair projects

WPUDA urges the legislature to include in the state budget \$20 million to support utility relocates associated with the Department of Transportation and county culvert repair projects to facilitate fish passage.

The need: PUDs and other public utilities have faced significant and unanticipated costs associated with relocating utility infrastructure as part of state and county culvert repair projects. In some cases, the cost of the utility relocates has exceeded PUD capital budgets.

Background: The State is responsible for complying with the U.S. v. Washington fish passage injunction, and the outcome – compliance with state obligations under federal Indian treaties and improved salmon populations – benefits all citizens, not just the customers of PUDs. PUDs have demonstrated their willingness to provide local utility funding for a portion of project costs but will continue to need state grant funding assistance in future years.

Utility relocation funding has been something of a ping pong ball between the Transportation and Capital Budgets. Utility relocations are driven by state and local transportation projects, but to date the utility relocation costs are not considered by WSDOT as part of the project cost despite the billions of dollars in funding to WSDOT for these projects. In part, this is due to the incorrect assertion that the Transportation Budget cannot fund the utility relocation element of a road projects because of the 18th Amendment gas tax requirements. There are numerous sources of funding in the Transportation Budget that are not related to the state gas tax that could provide funding assistance for utility relocation. Most notably, the passage of the Move Ahead Washington package diverts \$57 million per year from the Public Works Assistance Account – funds attributable to utility ratepayers that could be available for utility relocation costs.

Because of the location of multiple PUDs in the U.S. v. Washington case area, many WSDOT fish culvert projects have required PUDs utility relocations. However, other types of public utilities, namely sewer and water districts, will be facing increasing impacts from State or County projects. Thus, a grant funding program should be open to all public utilities.

PUDs are doing more than just asking for State grant funding, and we need WSDOT's help to obtain available federal funding. The State has received significant federal funding for fish culvert projects, but no funding relating to the utility relocation component of the projects. WPUDA has been working with our federal Congressional delegation on this issue and they have encouraged us to ensure that WSDOT applies for utility relocation funding through the FY 23 Culvert Aquatic Organism Passage Grant Program (AOP Program).

The solution: Appropriating \$20 million in funding for fish culvert repair project utility relocates during the 2025-2027 biennium.

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