



# FISH PASSAGE

## Streets and Highways Code 156 (Senate Bill 857)



Streets and Highways Code, Division 1, Chapter 1, Article 3.5, became effective January 1, of 2006.

Steelhead, Chinook Salmon, and Coho Salmon were once abundant in California rivers and streams. Man-made barriers, such as road-stream crossings, dams, water diversions, overfishing, and other factors have contributed to the dramatic decline in salmonid populations. The majority of salmon and Steelhead populations in California are state and federally listed as threatened, endangered, or extinct. One key strategy to enhance resilience of California's salmon and Steelhead populations is to improve habitat connectivity through the remediation of barriers to provide access to important, quality habitat for current and historic populations.

### Section 156.3 Repair and Construction

For any project using state or federal transportation funds programmed after January 1, 2006, Caltrans shall ensure that, if the project affects a stream crossing on a stream where salmon or Steelhead are, or historically were, a barrier assessment for fish passage is required prior to project initiation. If any barrier to passage exists, remediation of the barrier shall be part of project design. New projects shall be constructed so that they do not present a barrier to fish passage. When barriers to fish passage are being addressed, plans and projects shall be developed in coordination with the California Department of Fish and Wildlife (CDFW).

All maintenance, emergency, and construction projects on the State Highway System, in current and historic habitat for salmon and Steelhead, require assessment prior to initiation of any project, to determine the road-stream barrier status. Per Caltrans' Chief Engineer, District Fish Passage Coordinators have been assigned for each District with current or historic salmon and Steelhead habitat. Planning Divisions should consult with the District Fish Passage Coordinator prior to the initiation of culvert and bridge projects occurring within current and historic salmon and Steelhead habitat to ensure that projects do not create, or perpetuate, barriers to fish passage.

### Section 156.4 - Assessment of Inventory

For any repair or construction project using state or federal transportation funds that affects a stream crossing on a stream where anadromous fish are, or historically were, the department shall perform an assessment of the site for potential barriers to fish passage and submit the assessment to the California Department of Fish and Wildlife's Passage Assessment Database (PAD).

Barrier assessments must be conducted to identify all barriers and inform priority funding decisions made by the Fish Passage Advisory Committees (FishPAC). This section ensures that Caltrans inventory and assess all potential barriers to fish passage. Caltrans Headquarters Environmental contracted with the California Conservation Corps for 1st pass assessments (Reconnaissance), and the Pacific States Marine Fisheries Commission for 2nd pass assessments (Detailed) to complete the State Highway System



[Inventory. However, if current projects propose work on facilities that have not been assessed, the project must complete the needed 1st or 2nd pass assessment.](#)

## **Section 156.2 Streamlined Programmatic Permitting**

Caltrans shall pursue development of a programmatic environmental review process with appropriate state and federal regulatory agencies for remediating barriers to fish passage that will streamline the permitting process for fish passage remediation projects. The department shall include a description of its progress on this review process in the report to Legislature.

This section seeks to facilitate expedited remediation of fish passage barriers by ensuring that the California Department of Fish and Wildlife and National Marine Fisheries Service work cooperatively with Caltrans to streamline the environmental review and permitting. Caltrans and resource partners continue to collaborate to expedite full span Accelerated Bridge Construction (ABC) fish passage pre-design and programmatic efficiencies.

## **Section 156.5 Priority Barriers for Funding**

Caltrans and CDFW shall prioritize and expedite the remediation of barriers to fish passage on priority remediation projects.

This section ensures that Caltrans fund the most strategic investments for the recovery of salmon and Steelhead barrier remediation on the State Highway System, by prioritizing and targeting funding for priority barriers based on their importance for the recovery of threatened and endangered populations of salmon and Steelhead. Those barriers, once remediated, will provide the most benefit (i.e., quality and quantity of important spawning and rearing habitat). [Caltrans and CDFW work with other fish passage experts in statewide FishPAC's to prioritize barrier remediation for species recovery.](#)



## **Section 156.1 Annual Legislative Report**

Caltrans shall prepare an annual report to Legislature describing the status of progress assessing, and remediating barriers to salmon and Steelhead. Each report shall include a status on:

- Remediation of barriers to fish passage (Completed remediations).
- Project status for all funded locations (Active projects).
- Status of the salmon and Steelhead barrier inventory (Assessments).

This section mandates that Caltrans track and account for the progress of assessing, funding, and remediating fish passage barriers on the State Highway System. The Legislative annual report also documents science, data, and progress on programmatic review and permit efficiencies. Caltrans Headquarters Division of Environmental Analysis prepares the annual report in coordination with Caltrans District Fish Passage Coordinators and priority ranking decisions made by the statewide Fish Passage Advisory Committee.

