

ESB 6549 - H COMM AMD

By Committee on Agriculture & Natural Resources

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that accumulation
4 of sediment and gravel in certain rivers of the state may be a
5 contributing factor to threats faced by farmland and by successful
6 recovery or enhancement efforts for certain fish populations.

7 (2) The legislature further finds that improperly managed river
8 systems may contribute to erosion and an associated reduction in
9 acreage of productive farmland and the functions of riparian zones.
10 This loss could be a factor in warming of river waters, flooding in
11 residential areas, loss of recreational access to rivers, and loss of
12 public infrastructure.

13 (3) The legislature further finds that commissioning a
14 collaborative process to further the process of addressing river
15 management in the state will be useful in providing a model of
16 collaboration moving forward throughout the state.

17 NEW SECTION. **Sec. 2.** (1)(a) The state conservation commission
18 must take the administrative lead in a process to evaluate the
19 effectiveness, legal barriers, and costs of various river management
20 strategies and techniques. Each identified strategy and technique must
21 be compared in regards to their value in accomplishing the following
22 goals:

- 23 (i) The protection of agricultural lands;
24 (ii) The restoration or enhancement of fish runs; and
25 (iii) The protection of public infrastructure and recreational
26 access.

27 (b) The various river management strategies and techniques reviewed
28 by the process established in this act must ultimately be decided by

1 the expertise panel required by this act. In developing a list of
2 strategies and techniques to review, the following factors must be
3 considered:

4 (i) The types of techniques that are most likely to result in
5 decreased localized flooding events;

6 (ii) The types of data or analysis that are required to ensure
7 those techniques are appropriately sited and implemented;

8 (iii) Potential impacts and benefits to fish and wildlife and their
9 habitats that may result from the recommended techniques and how
10 negative impacts can be eliminated or minimized;

11 (iv) Potential impacts to downstream structures, properties, public
12 access and other uses, and safety; and

13 (v) The frequency and duration of post-project monitoring.

14 (c) The process required by this act must also result in
15 recommendations regarding funding mechanisms and incentives designed to
16 encourage participation in flood reduction programs. Funding
17 recommendations may include federal grants, federal loans, state grants
18 and loans, private donations, or, if other funding sources do not
19 appear to be available, legislative appropriations from the biennial
20 omnibus capital appropriations act or omnibus operating appropriations
21 act.

22 (2) The state conservation commission, as administrative lead, is
23 responsible for creating timelines, arranging and chairing the meetings
24 of the expertise panel required in this act, and reporting the
25 conclusions of the expertise panel.

26 (3) The end product of the implementation of this act must be
27 developed by an expertise panel appointed by the executive director of
28 the state conservation commission. This expertise panel must include,
29 at a minimum, representatives of the following:

30 (a) The department of agriculture;

31 (b) The department of natural resources;

32 (c) The department of fish and wildlife;

33 (d) The department of ecology;

34 (e) Local and statewide agricultural organizations;

35 (f) Land conservation organizations;

36 (g) Local governments with interest or experience in the use of
37 river management techniques to provide for flood control; and

1 (h) Any other perspective deemed insightful by the executive
2 director.

3 (4) The state conservation commission must offer all interested
4 Indian tribes the opportunity to send representatives to participate on
5 the expertise panel required under this act or to serve as a co-
6 administrative lead with the state conservation commission in the
7 implementation of this act.

8 (5) The work product resulting from the implementation of this act
9 must include an opinion regarding the appropriateness and feasibility
10 of conducting river management demonstration projects. If
11 demonstration projects are found to be appropriate and feasible, a
12 proposed detailed outline for one or more demonstration projects that
13 could be conducted to test various river management strategies and
14 techniques must be developed. Any proposed outline must be of
15 sufficient detail as to allow for a decision by future legislatures as
16 to whether to authorize and fund the project or projects. At a
17 minimum, the proposal must include recommendations as to:

18 (a) The river system or systems where the demonstration projects
19 should occur;

20 (b) The time of year when projects should occur and other steps to
21 ensure compliance with chapter 77.55 RCW;

22 (c) Steps that should be taken to avoid or reduce turbidity in the
23 rivers during the projects;

24 (d) The disposition of any gravel removed from rivers during a
25 demonstration project, if a project calls for gravel removal;

26 (e) The most efficient way for all necessary federal, state, and
27 local permits and approvals, if any, to be obtained;

28 (f) The appropriate timelines and benchmarks;

29 (g) The expected results; and

30 (h) The proposed funding amount needed to conduct the projects.

31 (6)(a) In implementing this act, the expertise panel must examine
32 river management techniques being studied or implemented in other
33 jurisdictions or currently underway in Washington.

34 (b) The requirements of (a) of this subsection must include a
35 review of river management techniques conducted in the Fraser river,
36 British Columbia, Canada, for any practices that are potentially
37 applicable in Washington.

1 (7) This act must be implemented in a way that coordinates with
2 other flood control and river management efforts in Washington.

3 (8) The findings, conclusions, and recommendations resulting from
4 the implementation of this act must be reported to the legislature,
5 consistent with RCW 43.01.036, by October 31, 2015.

6 (9) This section expires June 30, 2016."

7 Correct the title.

EFFECT: Strikes the underlying bill and replaces it with
direction for the State Conservation Commission to convene a panel of
experts to make recommendations regarding various river management
strategies and techniques by October 31, 2015.

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