

SENATE BILL REPORT

SHB 1491

**AS REPORTED BY COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES,
APRIL 2, 1991**

Brief Description: Creating the flood control improvement study commission.

SPONSORS: House Committee on Local Government (originally sponsored by Representatives R. Johnson, Haugen, Roland, Edmondson, Kremen, Nealey, Rayburn, Lisk, Spanel, Neher, Rasmussen, P. Johnson, Rust, Braddock, Wynne, Scott and Paris).

HOUSE COMMITTEE ON LOCAL GOVERNMENT

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: Do pass as amended and be referred to Committee on Agriculture & Water Resources.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Owen, Patterson, Snyder, and Sutherland.

Staff: Gary Wilburn (786-7453); Gabrielle Horner (786-7717)

Hearing Dates: April 2, 1991

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Staff: Steve Nelsen (786-7535)

Hearing Dates: April 4, 1991

BACKGROUND:

Prior to 1987, the state administered a flood control management program within 18 control zones, each covering a river system. Permits were required for constructing or modifying any structures within the flood control zone.

In 1987, most elements of the state program were delegated to local governments, provided that minimum state requirements for flood plain management were satisfied. The Department of Ecology is given the authority, under the Flood Plain Management Act, to review, approve, and if needed, assist in the establishment of all local flood plain management ordinances.

State law also authorizes local governments to establish diking districts, drainage districts, diking improvement districts, drainage improvement districts, flood control districts, and flood control zone districts for financing and planning the construction of any flood related improvements.

Other state and federal agencies that issue permits for any alterations to water bodies include the Departments of Wildlife and Fisheries, which issue hydraulic project permits, the Department of Ecology, which issues shoreline development permits under the Shoreline Management Act, and the U.S. Army Corps of Engineers, which issues permits for the construction of improvements in navigable waters.

SUMMARY:

The Department of Community Development shall convene a 22-member state Flood Reduction Commission.

The commission is to be composed of (1) four members of the Senate; (2) four members of the House of Representatives; (3) the Director of the Department of Community Development; (4) the Director of the Department of Fisheries; (5) the Director of the Department of Wildlife; (6) the Director of the Department of Agriculture; (7) the Director of the Department of Ecology; (8) the Director of the Department of Transportation; (9) the Commissioner of Public Lands; (10) the Director of the Parks and Recreation Commission; and (11) six persons appointed by the Governor, four persons representing counties which have constructed significant flood control improvements, constructed, and two persons representing conservation districts and special districts that provide flood control improvements. The Flood Reduction Commission may seek assistance from appropriate federal agencies, including the U.S. Army Corps of Engineers.

The Department of Community Development provides staff, and pays the expenses of gubernatorial appointees. Each agency pays the expenses of its commission members.

The commission is to study the development of comprehensive state flood policies and flood damage reduction plans, including issues related to forest practices, growth management, storm water runoff and liabilities, and public acquisition of properties to reduce flood damage.

The commission shall report its findings to the Legislature by December 31, 1991.

Appropriation: none

Revenue: none

Fiscal Note: none requested

SUMMARY OF PROPOSED SENATE ENVIRONMENT & NATURAL RESOURCES AMENDMENT:

The striking amendment provides additional direction to study storm water runoff patterns and liabilities, including peak flood flows from inadequate storm water controls; minimum standards for storm water conveyance; and need for statutory damages action.

TESTIMONY FOR (Environment & Natural Resources):

Comprehensive study needed of complex causes and impacts of flooding.

TESTIMONY AGAINST (Environment & Natural Resources): None

TESTIFIED (Environment & Natural Resources): Representatives Rob Johnson and John Wynne, prime sponsors; Susan Markey, Department of Fisheries (pro); Tim Boyd, Washington Forest Protection Association (pro); Kathleen Sullivan, Weyerhaeuser Company (pro)