

SENATE BILL REPORT

SHB 2423

As Reported By Senate Committee On:
Natural Resources, Parks & Recreation, February 17, 2000

Title: An act relating to dredge spoils.

Brief Description: Allowing for the disposal of Mt. St. Helen's dredge spoils from public or private lands.

Sponsors: House Committee on Natural Resources (originally sponsored by Representatives Pennington, Hatfield, Boldt and Haigh).

Brief History:

Committee Activity: Natural Resources, Parks & Recreation: 2/16/2000, 2/17/2000 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Morton, Oke, Rossi, Snyder, Spanel and Stevens.

Staff: Vic Moon (786-7469)

Background: Generally, any person may apply to remove valuable materials such as sand, rock, and gravel from state-owned beds of navigable waters. The Department of Natural Resources may approve such applications if it determines that such removal is in the best interest of the state. Such removal is subject to a royalty, which is paid to the department. The department may determine the royalty by negotiation, sealed bid, or through public auction. However, the department must consider the flood protection value to the public when establishing a royalty.

Dredge spoils that were removed from the beds of navigable waters following the eruption of Mt. St. Helens in 1980 and placed onto private lands are not subject to a royalty if sold by the private landowner. Dredge spoils placed onto public lands are subject to a royalty if the public landowner sells the dredge spoils.

When valuable materials are removed from aquatic lands by a public agency or under public contract for channel or harbor improvements, the department may authorize use of the materials for public purpose on public land. A royalty may not be required for the removal of these materials, unless they are subsequently sold. If it is necessary to dispose of such materials, the department may allow disposal without charge.

Summary of Bill: The Department of Transportation must amend its agreement that conveys a Mt. St. Helens' Recovery Program site to the city of Castle Rock to require the city to use the revenue generated from the sale of dredge spoils for recreational purposes.

Public landowners who sell dredge spoils removed from the beds and shores of the Toutle River, Coweeman River, and a portion of the Cowlitz River that were deposited between 1980 and 1995 are exempt from the Department of Natural Resources' royalty on valuable materials.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The land in Castle Rock will be transferred in a manner similar to the Cowlitz County transfer last year and will be used for public recreation.

Testimony Against: None.

Testified: Jeff Rasmussen, Cowlitz County Commissioner (pro); Jerry Gallinger, Department of Transportation.