
SUBSTITUTE HOUSE BILL 2719

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Ericksen, Linville, Sump, Koster, Regala, Lambert, Morris, Eickmeyer, Anderson, Fortunato, Haigh, G. Chandler, Kagi and Rockefeller)

Read first time 02/04/2000. Referred to Committee on .

1 AN ACT Relating to providing immunity for placement of large woody
2 debris into streams; and adding a new section to chapter 75.46 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 75.46 RCW
5 to read as follows:

6 (1) The legislature recognizes that large woody debris was
7 frequently removed from streams decades ago because of concerns that it
8 may cause flooding downstream. The legislature finds that the
9 placement of large woody debris into streams serves an important
10 purpose in salmon recovery because it can create riffle pools for
11 salmon to rest and feed, and can provide protection for salmon from
12 predators. Large woody debris in streams can also benefit other fish
13 and wildlife, and can enhance water quality. The legislature has
14 encouraged volunteers and project sponsors to place large woody debris
15 into streams as part of the state's salmon recovery strategy. The
16 legislature also finds that landowners are sometimes required to place
17 large woody debris into streams as a condition of a hydraulic permit
18 approval, or because of rules adopted by the forest practices board.
19 Because landowners, project sponsors, and volunteers who place large

1 woody debris into streams serve an important state purpose, it is the
2 legislature's intent to provide immunity from liability that may occur
3 as a result of this activity.

4 (2) Any landowner, or any project sponsor or volunteer working on
5 a project from a habitat project list, who is involved in the design or
6 placement of large woody debris into a stream to enhance salmon or
7 other fish recovery shall not be held liable for any injury or damages
8 resulting from ordinary negligence associated with these actions, if
9 the placement of the large woody debris is in accordance with the terms
10 of a hydraulic permit and is consistent with generally accepted design
11 guidelines. The immunity provided in this section applies, but is not
12 limited to, personal injury, property damage, flooding, erosion, damage
13 to public improvements, and other injuries or damages of any kind or
14 character resulting from the placement of the large woody debris. For
15 purposes of this section, the immunity from injuries or damages caused
16 by the placement of large woody debris into a stream does not extend to
17 the agency which issued the hydraulic permit.

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