H-3986.1 _____

HOUSE BILL 2719
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State of Washington   **56th Legislature**   **2000 Regular Session**

By Representatives Ericksen, Linville, Sump, Koster, Regala, Lambert, Morris, Eickmeyer, Anderson, Fortunato, Haigh, G. Chandler, Kagi and Rockefeller

Read first time 01/19/2000.   Referred to Committee on Natural Resources.

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 finds
14 that landowners who are required to place large woody debris into
15 streams for fish recovery, and volunteers who place large woody debris
16 into streams as part of salmon recovery projects serve an important
17 state purpose and should be immune to any liability that may occur as
18 a result of this activity.

1   (2) Any landowner, volunteer, state and local government agency
2 personnel, or other person involved in the design or placement of large
3 woody debris into a stream to enhance salmon or other fish recovery
4 shall not be held liable for any injury or damages resulting from
5 ordinary negligence associated with these actions, including but not
6 limited to personal injury, property damage, flooding, erosion, damage
7 to public improvements, and other injury or damages of any kind or
8 character resulting from the placement of the large woody debris.

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