

1 **2SHB 1418 - H AMD 0216 ADOPTED 3-17-03**

2 By Representative Quall

3 On page 2, line 29, after "base." insert "The legislature also
4 declares that it is in the best interest of the state to implement
5 the hydraulics program and fish passage laws in ways that preserve
6 the agricultural land base, including cooperative agreements
7 between the department of fish and wildlife and affected land
8 owners, and that achieve mutual land owner and fish habitat goals."

9 On page 3, line 18, after "(b)" strike all material through
10 "(c)" on line 22

11 Renumber the remaining subsections consecutively and correct any
12 internal references accordingly.

13 On page 3, line 22, after "projects" insert "on specified
14 streams"

15 On page 4, line 20, after "installed" insert "as part of an
16 agricultural drainage system"

17 On page 7, line 34, after "unless" insert "the condition is
18 consistent with a salmon recovery plan adopted according to chapter
19 77.85 RCW or a plan developed according to section 12 of this act,"

20 On page 7, line 35, after "installation" insert ",."

21 On page 10, line 15, after "unless" insert "the condition is
22 consistent with a salmon recovery plan adopted according to chapter
23 77.85 RCW or a plan developed according to section 12 of this act,"

24 On page 10, line 16, after "installation" insert ",."

1 On page 11, line 30, after "department" strike "or" and insert
2 "and"

3 On page 11, line 30, after "landowner" insert "or, if
4 applicable, an associated special taxing district under RCW
5 85.38.180,"

6 On page 16, line 18, after "removal" insert "of the self-
7 regulating function"

8 On page 16, line 23, after "removal" insert "of the self-
9 regulating function of any self-regulating tide gate"

10 On page 16, line 23, strike "ninety" and insert "thirty"

11 On page 16, line 24, strike "owner's written request" and
12 insert "request of the owner or the associated special taxing
13 district under RCW 85.38.180"

14 On page 16, beginning on line 29, strike all of subsection (1)
15 of section 11 and insert the following:

16 "(1) A task force is created that shall be composed of the
17 following thirteen members and any members identified in subsection
18 (2) of this section who elect to participate:

19 (a) Two members of the house of representatives, one from each
20 major caucus, appointed by the speaker of the house of
21 representatives;

22 (b) Two members of the senate, one from each major caucus,
23 appointed by the senate majority leader;

24 (c) One representative of the fish and wildlife commission,
25 appointed by the chair of the commission;

26 (d) Two representatives of the agricultural industry familiar
27 with agricultural issues in Skagit county, with one appointed by an
28 organization active in Skagit County and one appointed by a
29 statewide organization representing the industry;

30 (e) Two representatives of environmental interest organizations
31 with familiarity and expertise in agricultural activities and
32 issues related to approvals issued under this chapter, with one

1 appointed by a Skagit county organization and the other appointed
2 by a statewide organization representing environmental interests;

3 (f) One representative of a Skagit county diking and drainage
4 district, appointed by the individual districts in Skagit County or
5 by an association of diking and drainage districts;

6 (g) One representative of the lead entity for salmon recovery
7 in Skagit county, appointed by the lead entity;

8 (h) One representative of Skagit county, appointed by its
9 legislative authority; and

10 (i) One representative from the office of the governor."

11 On page 17, line 31, strike "1(6)" and insert "1(7)"

12 On page 17, line 31, after "act" insert "as they relate to
13 Skagit county"

14 On page 17, line 36, after "facilities" insert "in Skagit
15 county"

16 On page 18, line 2, after "habitat" insert "to meet salmon
17 recovery goals"

18 On page 18, line 3, after "projects" insert "on the Skagit
19 river, the Samish river, Carpenter creek, and Colony creek"

20 On page 18, line 12, after "(6)" insert "The first meeting of
21 the task force shall be held within thirty days of the effective
22 date of this act."

23 On page 19, line 14, strike "lead entity" and insert "task
24 force"

EFFECT: (1) Adds legislative declaration regarding the state's
interest in implementing the hydraulics program and fish
passage laws in ways that preserve the agricultural land base

and achieve fish habitat goals. (2) Removes legislative purpose regarding a statutory process for the Department of Fish and Wildlife to follow when imposing hydraulic approval and fish passage conditions. (3) Requires demonstration projects to be located on the Skagit River, the Samish River, Carpenter Creek, and Colony Creek. (4) Applies exemption from fish passage requirements only to tide gates and flood gates that are installed as part of an agricultural drainage system. (5) Adds requirement that any self-regulating tide gate installed as a condition of hydraulic project approval be consistent with a salmon recovery plan adopted under the salmon recovery statutes or a plan developed by the task force created in this legislation. (6) Specifies the provisions of the act do not affect the ability of a special diking and drainage district authorized under chapter 85.38 RCW to enter into a voluntary habitat incentive agreement. (7) Specifies that the Department of Fish and Wildlife is required to remove the self-regulating function of any self-regulating tide gate (rather than the tide gate itself) if requested to do so. (8) Clarifies that this requirement for removal is based on owner or diking and drainage district request. (9) Revises the appointment of task force members by: (a) making the diking and drainage district representative a Skagit County district; (b) specifying the Senate members are appointed by the Senate majority leader (rather than President of the Senate); (c) requiring one agricultural representative to be a Skagit County organization; and (d) authorizing diking and drainage districts and agricultural and environmental organizations to appoint their representatives. (10) Makes certain task force duties specific to Skagit County and reflective of salmon recovery goals. (11) Requires the task force to hold its first meeting within 30 days of the legislation's effective date. (12) Includes technical revisions.