
SUBSTITUTE HOUSE BILL 2081

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Select Committee on Hood Canal (originally sponsored by Representatives Eickmeyer, McCoy, Chase, Appleton and Haigh)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to creating an aquatic rehabilitation zone
2 designation as a framework for Hood Canal recovery programs; adding a
3 new chapter to Title 90 RCW; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that Hood Canal is
6 a precious aquatic resource of our state. The legislature finds that
7 Hood Canal is a rich source of recreation, fishing, aquaculture, and
8 aesthetic enjoyment for the citizens of this state. The legislature
9 also finds that Hood Canal has great cultural significance for the
10 tribes in the Hood Canal area. The legislature therefore recognizes
11 Hood Canal's substantial environmental, cultural, economic,
12 recreational, and aesthetic importance in this state.

13 (2) The legislature finds that Hood Canal is a marine water of the
14 state at significant risk. The legislature finds that Hood Canal has
15 a "dead zone" related to low-dissolved oxygen concentrations, a
16 condition that has recurred for many years. The legislature also finds
17 that this problem and various contributors to the problem were
18 documented in the May 2004 *Preliminary Assessment and Corrective Action*

1 Plan published by the state Puget Sound action team and the Hood Canal
2 coordinating council.

3 (3) The legislature further finds that significant research,
4 monitoring, and study efforts are currently occurring regarding Hood
5 Canal's low-dissolved oxygen concentrations. The legislature also
6 finds numerous public, private, and community organizations are working
7 to provide public education and identify potential solutions. The
8 legislature recognizes that, while some information and research is now
9 available and some potential solutions have been identified, more
10 research and analysis is needed to fully develop a program to resolve
11 Hood Canal's low-dissolved oxygen concentrations.

12 (4) The legislature finds a need exists for the state to take
13 action to address Hood Canal's low-dissolved oxygen concentrations.
14 The legislature also finds establishing an aquatic rehabilitation zone
15 for Hood Canal will serve as a statutory framework for future
16 regulations and programs directed at recovery of this important aquatic
17 resource.

18 (5) The legislature therefore intends to establish an aquatic
19 rehabilitation zone for Hood Canal as the framework to address Hood
20 Canal's low-dissolved oxygen concentrations. The legislature also
21 intends to incorporate provisions in the new statutory chapter creating
22 the designation as solutions are identified regarding this problem.

23 NEW SECTION. **Sec. 2.** (1) Aquatic rehabilitation zones may be
24 designated by the legislature for areas whose surrounding marine water
25 bodies pose serious environmental or public health concerns.

26 (2) Aquatic rehabilitation zone one is established. Aquatic
27 rehabilitation zone one includes all watersheds that drain to Hood
28 Canal south of a line projected from Tala Point in Jefferson county to
29 Foulweather Bluff in Kitsap county.

30 NEW SECTION. **Sec. 3.** This chapter does not apply to forest
31 practices regulated under chapter 76.09 RCW.

32 NEW SECTION. **Sec. 4.** This chapter does not alter, diminish, or
33 expand the jurisdictional authorities in other statutes or affect the
34 application of other statutory requirements or programs that do not

1 specifically refer to aquatic rehabilitation zones. If this chapter
2 conflicts with other statutory provisions, however, this chapter
3 governs aquatic rehabilitation zones.

4 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
5 a new chapter in Title 90 RCW.

6 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and takes effect
9 immediately.

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