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**Select Committee on Puget Sound**

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**HB 2250**

**Brief Description:** Concerning the issuance of hydraulic project permits for activities in aquatic reserves.

**Sponsors:** Representatives Cody, McDermott and Upthegrove.

**Brief Summary of Bill**

- Requires the Department of Fish and Wildlife to obtain concurrence from the Department of Natural Resources and from the local governmental authority before approving or renewing a hydraulic permit for dock reconstruction or other activities associated with gravel barging whenever such reconstruction or activities occur within an aquatic reserve.

**Hearing Date:** 2/20/07

**Staff:** Karen Rogers (786-7388).

**Background:**

Hydraulic Project Approvals

A person or agency must obtain a hydraulic permit approval from the Department of Fish and Wildlife (WDFW) to construct or perform works that use, divert, obstruct, or change the natural flow or bed of any saltwaters or freshwaters of the state. Currently, WDFW is the only entity with the authority to administer hydraulic permits, which WDFW must grant or deny within 45 calendar days of receiving a complete hydraulic permit application (HPA).

WDFW may issue an initial construction permit for a marina or a marine terminal. WDFW may also issue, upon request, a renewable, 5-year permit that allows for regular maintenance activities on a marina or marine terminal. Regular maintenance includes such activities as dredging, piling replacement, and float replacement.

Aquatic Lands Management

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Department of Natural Resources (DNR) manages state-owned aquatic lands, including all tidelands, shorelands, harbor areas, beds of navigable waters, and waterways. Management may include identifying and withdrawing public lands from conflicting uses for the benefit of the public. One of the tools used to identify and withdraw such lands is an aquatic reserve. Benefits of aquatic reserves may include environmental observation, study, enjoyment, and other ecological utilization.

**Summary of Bill:**

Before issuing or renewing an HPA for dock reconstruction occurring within an aquatic reserve, or for other activities associated with gravel barging occurring within an aquatic reserve, WDFW must first obtain concurrence from the DNR and from the county or city having land-use jurisdiction. This concurrence requirement applies to any HPA or permit renewal pending on or after January 1, 2007.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.