
HOUSE BILL 3278

State of Washington 60th Legislature 2008 Regular Session

By Representatives Kretz, Williams, Blake, and McCune

Read first time 01/28/08. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to wood debris; and amending RCW 76.42.030,
2 76.42.060, and 77.55.041.

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

4 **Sec. 1.** RCW 76.42.030 and 1994 c 163 s 3 are each amended to read
5 as follows:

6 (1) The department of natural resources may by contract, license,
7 or permit, or other arrangements, cause such wood debris to be removed
8 by private contractors, department of natural resources employees, or
9 by other public bodies.

10 (2) When wood debris is interfering or threatening to interfere
11 with the operation of a dam, the department of natural resources must
12 use the authority granted in this section to either remove or authorize
13 the removal of the wood debris within thirty days of the dam operator
14 or affected utility district providing written notice to the
15 commissioner of public lands that wood debris is interfering or
16 threatening to interfere with a dam's operation.

17 (3) Nothing contained in this chapter shall prohibit any individual
18 from using any nonmerchantable wood debris for ~~((his))~~ the individual's
19 own personal use.

1 **Sec. 2.** RCW 76.42.060 and 2003 c 39 s 37 are each amended to read
2 as follows:

3 (1) Except as otherwise provided in this section, it shall be
4 unlawful to dispose of wood debris by depositing such material into any
5 of the navigable waters of this state(~~(, except as)~~).

6 (2)(a) Wood debris may be deposited into navigable waters of the
7 state if authorized by law ((including)). Lawful wood debris deposits
8 include any discharge or deposit allowed to be made under and in
9 compliance with chapter 90.48 RCW and any rules duly adopted thereunder
10 or any deposit allowed to be made under and in compliance with chapter
11 76.09 or 77.85 RCW and any rules duly adopted under those chapters.

12 (b) Wood debris that is removed under RCW 76.42.030 for
13 interference with a dam's operation may not be returned to the
14 navigable waters of the state or deposited upon river banks or riparian
15 shoreline areas.

16 (3) Violation of this section shall be a misdemeanor.

17 **Sec. 3.** RCW 77.55.041 and 2005 c 146 s 302 are each amended to
18 read as follows:

19 The removal of (~~derelict fishing gear~~) the following material
20 does not require a permit under this chapter:

21 (1) Derelict fishing gear if the gear is removed according to the
22 guidelines described in RCW 77.12.865; and

23 (2) Wood debris if the wood debris is removed under RCW 76.42.030
24 for interference with a dam's operation.

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