

SB 6070 - H COMM AMD

By Committee on Agriculture & Natural Resources

NOT CONSIDERED 04/14/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 79.140.120 and 2005 c 155 s 111 are each amended to  
4 read as follows:

5 (1) The legislature finds and declares that, due to the  
6 extraordinary volume of material washed down onto beds of navigable  
7 waters and shorelands in the Toutle river, Coweeman river, and portions  
8 of the Cowlitz river, the dredge spoils placed upon adjacent publicly  
9 and privately owned property in the areas, if further disposed, will be  
10 of nominal value to the state and that it is in the best interests of  
11 the state to allow further disposal without charge.

12 (2) All dredge spoil or materials removed from the state-owned beds  
13 and shores of the Toutle river, Coweeman river, and that portion of the  
14 Cowlitz river from two miles above the confluence of the Toutle river  
15 to its mouth deposited on adjacent public and private lands not  
16 currently being used for the resale of those materials during the years  
17 1980 through December 31, (~~(1995)~~) 2017, as a result of dredging of  
18 these rivers for navigation and flood control purposes may be sold,  
19 transferred, or otherwise disposed of by owners of the lands without  
20 the necessity of any charge by the department and free and clear of any  
21 interest of the department (~~(of the state of Washington)~~). However,  
22 prior to selling or otherwise using any of the materials for commercial  
23 purposes, written notification must be provided by the owners of the  
24 lands to the department outlining the type and amount of material that  
25 is planned to be sold or otherwise used.

26 (3) The department shall report to the appropriate committees of  
27 the legislature each biennium through the end of the 2015-2017 biennium  
28 a summary of any notifications received under subsection (2) of this  
29 section. The report must include a determination of whether any  
30 revenue that would otherwise accrue to the state has been diverted by

1 the provisions of this section and a summation of the diverted amount  
2 for the previous biennium. The initial report is due by January 2,  
3 2012, with subsequent reports due by January 2nd of each even-numbered  
4 year."

5 Correct the title.

EFFECT: Changes the expiration date for using Mt. St. Helens dredged materials free of charge from the year 2035 to the year 2017, limits the lands that may use the dredge materials free of charge to those lands not currently being used for the resale of dredge materials, requires landowners using the materials for commercial purposes to notify the department of natural resources as to what and how much is being removed, and directs the department of natural resources to report biennially to the legislature regarding how much revenue is being diverted.

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