

SENATE BILL REPORT

SB 6386

As Reported by Senate Committee On:
Natural Resources, Ocean & Recreation, January 28, 2010

Title: An act relating to disposal of dredged riverbed materials from the Mount St. Helen's eruption

Brief Description: Concerning the disposal of dredged riverbed materials from the Mount St. Helen's eruption.

Sponsors: Senators Hatfield and Parlette.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/20/10, 1/28/10 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton, Ranking Minority Member; Hargrove, Hatfield, Stevens and Swecker.

Staff: Sherry McNamara (786-7402)

Background: Last session, the Legislature passed legislation allowing a landowner that has accepted materials dredged from specified rivers onto his or her property prior to January 1, 2009, to sell, transfer, or otherwise dispose of the materials without having to pay compensation to the state.

The law also allows dredge spoils removed from specified rivers between January 1, 2009, and December 31, 2017, to be sold, transferred, or disposed without paying compensation to the state if the land where the materials are located was not used as a source for the commercial sale of similar materials prior to the beginning of the year 2009.

Prior to removing and selling the materials, the landowner is required to notify the Department of Natural Resources (DNR) as to how much and what type of material is being removed. DNR must provide a biennial report to the Legislature that provides a summation of funds that would have accrued to the state if landowners were required to compensate DNR for the materials.

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.

Summary of Bill: All dredge spoils removed from the Toutle River, the Coweeman River, and a portion of the Cowlitz River deposited on adjacent public and private lands before December 31, 2035, as a result of dredging the affected rivers for navigation and flood control purposes that have not been sold, transferred, or otherwise disposed of by owners of the lands, may be sold, transferred, or otherwise disposed of by the owners without the necessity of any charge by DNR, as long as the materials have not already been sold or transferred prior to the effective date of the legislation.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill will allow the U.S. Army Corps of Engineers in partnership with both the state and county government to continue dredging to deal with the ongoing sediment from the Mt. St. Helen's volcanic eruption. There are millions of yards of dredge materials sitting on the land and there is little to no value for these materials. Since there is very little market value for the materials, DNR would not be able to obtain any royalties.

Persons Testifying: PRO: Senator Hatfield, prime sponsor; George Raiter, Cowlitz County Commissioner; Ken Stone, Cowlitz County.