

HB 1194 - S COMM AMD

By Committee on Law & Justice

ADOPTED AS AMENDED 04/17/2013

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

3 "Sec. 1. RCW 77.85.050 and 2009 c 345 s 3 and 2009 c 333 s 25 are
4 each reenacted and amended to read as follows:

5 (1)(a) Counties, cities, and tribal governments must jointly
6 designate, by resolution or by letters of support, the area for which
7 a habitat project list is to be developed and the lead entity that is
8 to be responsible for submitting the habitat project list. No project
9 included on a habitat project list shall be considered mandatory in
10 nature and no private landowner may be forced or coerced into
11 participation in any respect. The lead entity may be a county, city,
12 conservation district, special district, tribal government, regional
13 recovery organization, or other entity.

14 (b) The lead entity shall establish a committee that consists of
15 representative interests of counties, cities, conservation districts,
16 tribes, environmental groups, business interests, landowners, citizens,
17 volunteer groups, regional fish enhancement groups, and other habitat
18 interests. The purpose of the committee is to provide a citizen-based
19 evaluation of the projects proposed to promote salmon habitat.

20 (c) The committee shall compile a list of habitat projects,
21 establish priorities for individual projects, define the sequence for
22 project implementation, and submit these activities as the habitat
23 project list. The committee shall also identify potential federal,
24 state, local, and private funding sources.

25 (2) The area covered by the habitat project list must be based, at
26 a minimum, on a WRIA, combination of WRIs, or any other area as agreed
27 to by the counties, cities, and tribes in resolutions or in letters of
28 support meeting the requirements of this subsection. Preference will
29 be given to projects in an area that contain a salmon species that is

1 listed or proposed for listing under the federal endangered species
2 act.

3 (3) The lead entity shall submit the habitat project list to the
4 salmon recovery funding board in accordance with procedures adopted by
5 the board.

6 (4) The recreation and conservation office shall administer funding
7 to support the functions of lead entities.

8 (5) A landowner whose land is used for a habitat project that is
9 included on a habitat project list may not be held civilly liable for
10 any property damages resulting from the habitat project regardless of
11 whether or not the project was funded by the salmon recovery funding
12 board. Identification markers shall be attached to key pieces of large
13 woody material used in construction of the habitat restoration projects
14 in accordance with Washington department of fish and wildlife habitat
15 restoration guidelines."

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16 On page 1, line 1 of the title, after "projects;" strike the
17 remainder of the title and insert "and reenacting and amending RCW
18 77.85.050."

EFFECT: Requires large woody material to be tagged.

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