

**HB 1194** - S AMD TO LAW COMM AMD (S2413.1) **297**  
By Senators Parlette, Kline, Padden

ADOPTED 04/17/2013

1 On page 2, beginning on line 8 of the amendment, strike all of  
2 subsection (5) and insert the following:

3 "(5) A landowner whose land is used for a habitat project that is  
4 included on a habitat project list, and who has received notice from  
5 the project sponsor that the conditions of this section have been met,  
6 may not be held civilly liable for any property damages resulting from  
7 the habitat project regardless of whether or not the project was funded  
8 by the salmon recovery funding board. This subsection is subject to  
9 the following conditions:

10 (a) The project was designed by a licensed professional engineer  
11 (PE) or a licensed geologist (LG, LEG, or LHG) with experience in  
12 riverine restoration;

13 (b) The project is designed to withstand one-hundred year floods;

14 (c) The project is not located within one-quarter mile of an  
15 established downstream boat launch;

16 (d) The project is designed to allow adequate response time for in-  
17 river boaters to safely evade in-stream structures; and

18 (e) If the project includes large wood placement, each individual  
19 root wad and each log larger than ten feet long and one foot in  
20 diameter must be visibly tagged with a unique numerical identifier that  
21 will withstand typical river conditions for at least three years."

EFFECT: Removes liability for landowners whose land is used for  
a habitat project subject to certain conditions.

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