
SENATE BILL 6549

State of Washington

63rd Legislature

2014 Regular Session

By Senators Hobbs, Hatfield, and Pearson

Read first time 02/05/14. Referred to Committee on Agriculture, Water & Rural Economic Development.

1 AN ACT Relating to creating demonstration projects for preserving
2 agricultural land and public infrastructure in flood plains; and adding
3 a new section to chapter 43.23 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.23 RCW
6 to read as follows:

7 (1) The legislature finds that the excessive accumulation of
8 sediment and gravel in certain rivers of the state poses a threat to
9 farmland and to the recovery or enhancement of certain fish
10 populations. The legislature also finds that the failure to manage
11 sediment and gravel accumulation has contributed to erosion and
12 resulted in the loss of productive farmland and mature treed riparian
13 zones that cool the waters, flooding in residential areas, loss of
14 recreational access to rivers, and loss of public infrastructure.

15 (2) The department of agriculture and the department of natural
16 resources must jointly identify and implement two demonstration
17 projects that test the effectiveness and costs of river management by
18 using various sediment management strategies and techniques as applied
19 to accomplish the following goals:

- 1 (a) Protection of agricultural lands;
- 2 (b) Restoration or enhancement of fish runs; and
- 3 (c) Protection of public infrastructure and recreational access.

4 (3)(a) The departments must convene a stakeholder group consisting
5 of local and statewide agricultural organizations, tribes, and local
6 governments with interest and experience in the respective project
7 areas. The stakeholder group must develop and implement two
8 demonstration projects, one located in Whatcom county and one located
9 in Grays Harbor county.

10 (b) In developing and implementing these demonstration projects,
11 the departments must examine sediment management conducted in the
12 Fraser river, British Columbia, Canada and include any potentially
13 applicable practices in the demonstration projects.

14 (c) The departments must: (i) Examine and find whether and how the
15 Fraser river experience applies to the goals of this act; and (ii) set
16 benchmarks and a timetable for progress toward achievement of the goals
17 of this act.

18 (d) Any gravel resources removed as a result of these pilot
19 projects must be used at the departments' discretion: (i) In projects
20 related to fish programs in the local area of the project; (ii) by
21 property owners adjacent to the project; or (iii) made available to a
22 local tribe for its use or sale.

23 (4) At a minimum, the pilot projects must include the following
24 sediment management strategies and techniques:

25 (a) At all times of sediment or gravel removal, a person must be on
26 hand to observe that the practices follow established pilot project
27 protocols and protect fish life;

28 (b) Gravel or sediment may not be removed at times when fish runs
29 are known to be in the river; and

30 (c) Reasonable steps must be taken to reduce turbidity resulting
31 from gravel and sediment removal activities.

32 (5) The departments must consider other sediment management
33 strategies and techniques including, but not limited to, the following:

34 (a) Reducing turbidity caused by year-round stream bank erosion
35 that is caused by accumulation of excess sediment and gravel that
36 changes the river course;

37 (b) Providing deeper, cooler holes for fish life;

38 (c) Providing deeper river channels for fish passage;

1 (d) Ensuring that any management activities leave sufficient gravel
2 and sediment for fish spawning and rearing;

3 (e) Providing stable river banks that will allow for long-term
4 growth of riparian enhancement efforts, such as planting shade trees
5 and hedgerows;

6 (f) Protecting existing mature treed riparian zones that cool the
7 waters;

8 (g) Removing excess sediment and gravel that causes diversion of
9 water and erosion of river banks and farmland;

10 (h) Restoring previously existing bank contours that protect the
11 land from erosion caused by more intense and more frequent flooding;
12 and

13 (i) Developing management practices that reduce the amount of
14 gravel, sediment, and woody debris deposited into farm fields.

15 (6) The departments must report to the legislative committees with
16 oversight of agriculture, water, rural economic development, and
17 natural resources by December 31, 2014, on their examination and
18 findings of the applicability of the Fraser river experience to the
19 goals of this act and their progress toward setting its benchmarks and
20 meeting its timetable. The departments must report annually thereafter
21 by December 31 of each year.

22 (7) The stakeholder group must be staffed jointly by the
23 departments. Costs of the stakeholder group, including staffing, must
24 be borne jointly by the departments. The pilot programs must be paid
25 first by federal grants, then by federal loans, state grants and loans,
26 and private donations, as applicable.

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