

SSB 5347 - S AMD 118

By Senators Hobbs, Hargrove, Warnick, Hatfield, Hill

ADOPTED 3/6/2015

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.23
4 RCW to read as follows:

5 (1) The legislature intends that the state conservation
6 commission and the departments of ecology, agriculture, fish and
7 wildlife, and natural resources work together cooperatively,
8 efficiently, and productively to facilitate the expeditious
9 construction of three demonstration projects. The legislature expects
10 that the joint and contemporaneous participation of all these state
11 agencies will expedite the permitting of these demonstration
12 projects. The legislature further intends that the collaborative
13 process that the stakeholder group creates, including local
14 stakeholders among others, will be used as a model for river
15 management throughout the state.

16 (2) The legislature finds that floodplain management must address
17 multiple benefits including: Reducing flood hazard to public
18 infrastructure and other land uses caused by sediment accumulation or
19 for other causes; improving fish and wildlife habitat; sustaining
20 viable agriculture; and public access.

21 (3) The state conservation commission and the departments of
22 agriculture, natural resources, fish and wildlife, and ecology must
23 jointly identify and assess three demonstration projects that test
24 the effectiveness and costs of river management by using various
25 management strategies and techniques as applied to accomplish the
26 following goals:

- 27 (a) Protection of agricultural lands;
- 28 (b) Restoration or enhancement of fish runs; and
- 29 (c) Protection of public infrastructure and recreational access.

30 (4)(a) The state conservation commission must convene a
31 stakeholder group consisting of the departments of agriculture,
32 natural resources, fish and wildlife, and ecology, local and
33 statewide agricultural organizations, land conservation

1 organizations, and local governments with interest and experience in
2 floodplain management techniques. The stakeholder group must develop
3 and assess three demonstration projects, one located in Whatcom
4 county, one located in Snohomish county, and one located in Grays
5 Harbor county. The departments must also consult with and obtain the
6 views of the federally recognized tribes that may be affected by each
7 pilot project.

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

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

16 (d) The disposition of any gravel resources removed as a result
17 of these pilot projects that are owned by the state must be
18 consistent with chapter 79.140 RCW, otherwise they must be: (i) Used
19 at the departments' discretion in projects related to fish programs
20 in the local area of the project or by property owners adjacent to
21 the project; (ii) made available to a local tribe for its use; or
22 (iii) sold and the proceeds applied to funding the demonstration
23 projects.

24 (5) At a minimum, the pilot projects must examine the following
25 management strategies and techniques:

26 (a) Setting back levees and other measures to accommodate high
27 flow with reduced risk to property, while providing space for river
28 processes that are vital to the creation of fish habitat;

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

30 (c) Removing excess sediment and gravel that causes diversion of
31 water and erosion of river banks and farmland;

32 (d) Providing off-channels for habitat as refuge during high
33 flows;

34 (e) Ensuring that any management activities leave sufficient
35 gravel and sediment for fish spawning and rearing;

36 (f) Providing stable river banks that will allow for long-term
37 growth of riparian enhancement efforts, such as planting shade trees
38 and hedgerows;

39 (g) Protecting existing mature treed riparian zones that cool the
40 waters;

1 (h) Restoring previously existing bank contours that protect the
2 land from erosion caused by more intense and more frequent flooding;
3 and

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

6 (6) The departments must report to the legislative committees
7 with oversight of agriculture, water, rural economic development,
8 ecology, fish and wildlife, and natural resources by December 31,
9 2015, on: (a) Their examination and findings of the applicability of
10 the Fraser river experience to the goals of this act; (b) their
11 progress toward setting benchmarks and meeting the stakeholder
12 group's timetable; (c) any decisions made in assessing the projects;
13 and (d) agency recommendations for funding of the projects from
14 federal grants, federal loans, state grants and loans, and private
15 donations, or if other funding sources are not available or complete,
16 submitting the three projects for consideration in the biennial
17 capital budget request to the governor and the legislature. The
18 departments must report annually thereafter by December 31st of each
19 year.

20 (7) The stakeholder group must be staffed jointly by the
21 departments.

22 (8) All requirements in this section are subject to the
23 availability of amounts appropriated for the specific purposes
24 described."

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25 On page 1, line 2 of the title, after "plains;" strike the
26 remainder of the title and insert "and adding a new section to
27 chapter 43.23 RCW."

EFFECT: Editorial clarification and correction.

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