

SB 5104 - H COMM AMD

By Committee on Environment & Energy

NOT ADOPTED 04/11/2023

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that marine
4 nearshore habitat in Puget Sound is important for the recovery of
5 threatened and endangered species of salmon, orcas, and marine birds.
6 Critical nearshore components include forage fish spawning habitat,
7 submerged aquatic vegetation, benthic substrate, adjacent upland
8 vegetation, and the geomorphic processes that support a healthy
9 ecosystem and food web. Establishing and regularly updating a
10 publicly available baseline survey and map of general shoreline
11 conditions, including the presence, location, and condition of
12 nearshore development, is a critical tool for regulatory planning and
13 restoration and mitigation opportunity identification by state
14 agencies, local jurisdictions, tribal governments, and
15 nongovernmental organizations.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A
17 RCW to read as follows:

18 (1) The department must conduct and maintain a baseline survey of
19 Puget Sound marine shorelines that utilizes new technology to capture
20 georeferenced oblique aerial and 360 degree on-the-water imagery.
21 Nothing in this section creates a requirement for the department to
22 perform change analysis. However, the software used must have the
23 capacity for change analysis review. These identified technologies
24 are intended to be a minimum requirement and the department may
25 utilize and incorporate additional tools and technologies as they
26 become available. The survey must document and map existing general
27 shoreline conditions, structures, and structure conditions. This
28 information must be available to the public and incorporated into
29 state geographic information system mapping.

30 (2) The initial marine oblique aerial and on-the-water imagery
31 must be completed and publicly available by December 31, 2024, and

1 updated on a regular two-year cycle thereafter. The survey to
2 document and map existing shoreline conditions, structures, and
3 structure conditions must be completed and publicly available by June
4 30, 2025, and updated on a regular two-year cycle thereafter.

5 (3) For the purposes of this section, "Puget Sound" means Puget
6 Sound and related inland salt waters of the state of Washington
7 inside the boundary line between Washington and British Columbia, the
8 Strait of Juan de Fuca, Hood Canal, and the San Juan Islands.

9 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
10 this act, referencing this act by bill or chapter number, is not
11 provided by June 30, 2023, in the omnibus appropriations act, this
12 act is null and void."

13 Correct the title.

EFFECT: (1) Changes the date by which the department of ecology
must complete the initial aerial and on-the-water imagery from June
30, 2024, to December 31, 2024.

(2) Adds a null and void clause which provides that the act is
null and void if specific funding for the purposes of the act,
referencing the act by bill or chapter number, is not provided by
June 30, 2023, in the omnibus appropriations act.

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