
HOUSE BILL 3138

State of Washington

61st Legislature

2010 Regular Session

By Representatives McCune, Campbell, and Morrell

Read first time 01/27/10. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to Nisqually river emergency relief, preparedness,
2 and response; adding a new section to chapter 38.52 RCW; making an
3 appropriation; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 38.52 RCW
6 to read as follows:

7 (1) The legislature finds that recent flooding events over the last
8 several years have put citizens and businesses in devastating
9 situations that have resulted in extreme economic loss. This is
10 particularly acute in the Nisqually river area where miles of river
11 flow through forested mountainous terrain, rolling farmlands, past
12 small towns, through the Fort Lewis military reservation and the
13 Nisqually Indian reservation, and enters Puget Sound. While it is
14 important for the state to provide public safety and emergency response
15 during an emergency resulting from a natural disaster, it is equally
16 important to provide emergency preparedness and disaster mitigation
17 information prior to an emergency, and recovery and disaster mitigation
18 help after an emergency; all of which will contribute to making the
19 public more prepared during an emergency response.

1 (2) Washington state's topography, geography, location, and history
2 show that certain areas of the state are at particular risk to both
3 natural disasters and human-caused disasters. The economic impact from
4 the 2007 flood disasters alone in Washington were estimated at over
5 five hundred million dollars. The Nisqually river is unique in
6 Washington state in having as its headwaters a glacier in a national
7 park, and its estuary within a national wildlife refuge where severe
8 storms and weather conditions can often cause flooding on roads,
9 trigger landslides, and river overflows that greatly exceed river
10 capacity in the Nisqually river valley area. These changes may include
11 rapidly rising water, Nisqually river flooding, wildlife habitat
12 disruption, widespread inundation, road closures, utility disruptions,
13 loss of homes, and the loss and closure of many businesses in the
14 northern Thurston and lower Pierce county areas located in the
15 Nisqually river valley. Severe flooding has the potential to damage
16 businesses throughout the state and the western United States. In
17 response, Washington state and local governments have implemented all
18 hazards emergency management and disaster response plans. However,
19 recent studies have revealed the lack of a secure funding source that
20 impedes the Nisqually river valley's ability to fully integrate and
21 coordinate comprehensive disaster preparedness planning.

22 (3) Recognizing that all disasters are local disasters, the
23 legislature intends to strengthen emergency response, mitigation,
24 preparation, and coordination by establishing a source of funding for
25 flood control and relocation of those private citizens and businesses
26 that may be displaced during a flood disaster.

27 NEW SECTION. **Sec. 2.** (1) The sum of seven million five hundred
28 thousand dollars, or as much thereof as may be necessary, is
29 appropriated for the biennium ending June 30, 2011, from the state
30 building construction account to the Washington military department,
31 working in cooperation with the flood division of the department of
32 ecology, the Nisqually river council, and other respective local
33 governments, as appropriate, to participate in flood hazard mitigation
34 and response projects for the Nisqually river valley area.

35 (2) The Washington military department shall administer the
36 Nisqually river flood assistance funds and establish rules for its
37 administration in consultation with the emergency management council

1 and the Washington state emergency management association. The
2 Washington military department shall use the appropriated funds for
3 flood prevention, mitigation costs, emergency response, and relocation
4 costs (including, but not limited to, land acquisition) of public
5 facilities, infrastructure, and citizens and businesses that are
6 displaced by Nisqually river flooding conditions.

7 (3) Projects funded under this section shall include, but need not
8 be limited to, projects that will promote neighborhood level public
9 education on disaster preparedness.

10 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and takes effect
13 immediately.

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