

SENATE BILL REPORT

ESB 6549

As Passed Senate, February 18, 2014

Title: An act relating to creating demonstration projects for preserving agricultural land and public infrastructure in flood plains.

Brief Description: Creating demonstration projects for preserving agricultural land and public infrastructure in flood plains.

Sponsors: Senators Hobbs, Hatfield and Pearson.

Brief History:

Committee Activity: Agriculture, Water & Rural Economic Development: 2/06/14 [DP].
Passed Senate: 2/18/14, 47-0.

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Hatfield, Chair; Honeyford, Ranking Member; Brown, Eide, Hobbs and Schoesler.

Staff: Diane Smith (786-7410)

Background: Rivers are receiving deposits of gravel and other sedimentation from up stream. This is causing the river beds to rise and the water levels, consequently, to rise. This is putting some rivers over and under their dikes, and flooding and eroding lands adjacent to them. This erosion and channel relocation affects farm and dairy lands as well as previously planted riparian buffers, public highways, and public access. Another consequence of sedimentation is that some river deltas are becoming essentially channel-less, turning into areas threaded by numerous rivulets. This can impede fish runs.

Summary of Engrossed Bill: The Legislature intends that the Washington Department of Fish and Wildlife, the Department of Ecology, the Conservation Commission, the Washington State Department of Agriculture, and the Department of Natural Resources working together cooperatively, efficiently, and productively facilitate permitting and the expeditious construction of two demonstration projects. The Legislature also intends that the collaborative stakeholder process be used as a model for river management throughout the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A stakeholder group convened by the State Conservation Commission is created to develop and implement two demonstration projects. The projects are in Grays Harbor County and Whatcom County.

The state agencies are participants in the stakeholder group which also includes local and statewide agricultural organizations, tribes, land conservation organizations, and local governments.

The state agencies must examine the successful river management being conducted on the Fraser River, set benchmarks, and establish a timetable for progress toward implementing the demonstration projects.

The projects must require a person to be on hand to observe that the practices follow established pilot project protocols and protect fish life; that gravel or sediment not be removed at times when fish runs are known to be in the river; and that reasonable steps be taken to reduce turbidity resulting from gravel and sediment removal activities. The five agencies must consider nine other sediment management strategies and techniques.

One option for any removed gravel is that it may be sold and the proceeds applied to funding the demonstration projects.

The stakeholder group must report to the Legislature by December 31, 2014, on its examination and findings of the applicability of the Fraser River experience to the goals of the projects; its findings whether funding from federal and state grants and loans and from private sources is inadequate, and if so, then recommend funding amounts needed from the biennial capital budget; its progress toward setting benchmarks and meeting its timetable; and any implementation decisions it may have made.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is tremendous damage to agricultural, residential, and recreational land from the non-management of rivers. When rivers are managed, farmland stays intact, the sediments do not impede fish runs, and the roads and other infrastructure can be maintained. We need to take the lessons already learned from the Fraser River and apply them here, if successful. Inclusion of other groups is acceptable so long as a demonstration project is actually done.

OTHER: The Department of Fish and Wildlife and environmental and land preservation groups should also participate.

Persons Testifying: PRO: Senator Hobbs, prime sponsor; Dan Wood, WA Dairy Federation.

OTHER: Michael Rechner, DNR.