

HOUSE BILL REPORT

HB 1491

As Passed Legislature

Title: An act relating to the use of dredge spoils on the LT-1 and Cook Ferry Road Site in Cowlitz County.

Brief Description: Regulating the use of dredge spoils in Cowlitz County.

Sponsors: Representatives Hatfield and Doumit.

Brief History:

Committee Activity:

Transportation: 2/11/99, 2/15/99 [DP].

Floor Activity:

Passed House: 3/8/99, 97-0.

Passed Senate: 4/6/99, 44-0.

Passed Legislature.

Brief Summary of Bill

- Land Conveyance agreement between the state of Washington and Cowlitz County is amended.
- Dredge spoils revenue may be reinvested for recreational purposes throughout the county.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members: Representatives Fisher, Democratic Co-Chair; K. Schmidt, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; G. Chandler; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Schual-Berke; Scott; Skinner and Wood.

Staff: Paul Johnson (786-7839).

Background:

Following the eruption of Mount St. Helens in 1980, emergency dredging of the Cowlitz and Toutle Rivers was undertaken. Initially, the U.S. Army Corps of Engineers obtained sites from property owners who were willing to donate their land in order to get the sediment removed from the rivers. These sediments are known as dredge spoils.

In 1982, the Legislature directed the Department of Transportation (DOT) to obtain additional lands due to its expertise in real estate acquisition. Two of the sites are known as LT-1 and Cook Ferry Road.

In 1991, the state of Washington conveyed the LT-1 and Cook Ferry Road sites to Cowlitz County under the Mount St. Helens Recovery Program. Any funds from the sale of dredge spoils must be reinvested directly into the two sites by the county for recreational purposes. The conveyance did not permit the use of dredge spoil funds for recreational activities throughout the county.

Within the sites there is a 200-foot shoreline restriction on development (a buffer zone) that supports both riparian habitat and public recreation. Additionally, the Army Corps of Engineers has determined that both sites may still be needed as future dredge disposal areas.

Summary of Bill:

The Legislature declares that the state of Washington conveyance agreement be amended to enable Cowlitz County to use the dredge spoil revenues for recreational purposes throughout Cowlitz County.

The DOT must execute sufficient legal releases to accomplish that dredge spoils revenue may be dedicated for recreational facilities and recreational administration throughout the county and that any mining excavation must meet the requirements of the Shoreline Management Act. In addition, the DOT must further execute a legal release to provide that the sites be preserved as a long-term dredging facility.

Both sites must remain preserved as long-term dredge facilities. Finally, the sites remain subject to any agreements with the federal government and with the other provisions of the conveyance between the state of Washington and Cowlitz County.

Appropriation: None.**Fiscal Note:** Not requested.

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

Testimony For: The present sites for dredge spoils need to be maintained, and funds from sales should be used throughout the county.

Testimony Against: None.

Testified: Jeff Rasmussen, Cowlitz County Commissioner.