

FINAL BILL REPORT

HB 1491

C 63 L 99

Synopsis as Enacted

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

Sponsors: Representatives Hatfield and Doumit.

House Committee on Transportation

Senate Committee on Natural Resources, Parks & Recreation

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, Washington conveyed the LT-1 and Cook Ferry Road sites to Cowlitz County under the Mount St. Helens Recovery Program. The county must reinvest any funds from the sale of dredge spoils directly into the two sites 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:

The Legislature declares that the 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 allow dredge spoils revenue to be dedicated for recreational facilities and recreational administration throughout the

county and to require 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 Washington and Cowlitz County.

Votes on Final Passage:

House 97 0

Senate 44 0

Effective: July 25, 1999