

SHB 2081 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

ADOPTED 04/15/2005

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that Hood Canal
4 is a precious aquatic resource of our state. The legislature finds
5 that Hood Canal is a rich source of recreation, fishing, aquaculture,
6 and aesthetic enjoyment for the citizens of this state. The
7 legislature also finds that Hood Canal has great cultural significance
8 for the tribes in the Hood Canal area. The legislature therefore
9 recognizes Hood Canal's substantial environmental, cultural, economic,
10 recreational, and aesthetic importance in this state.

11 (2) The legislature finds that Hood Canal is a marine water of the
12 state at significant risk. The legislature finds that Hood Canal has
13 a "dead zone" related to low-dissolved oxygen concentrations, a
14 condition that has recurred for many years. The legislature also finds
15 that this problem and various contributors to the problem were
16 documented in the May 2004 *Preliminary Assessment and Corrective Action*
17 *Plan* published by the state Puget Sound action team and the Hood Canal
18 coordinating council.

19 (3) The legislature further finds that significant research,
20 monitoring, and study efforts are currently occurring regarding Hood
21 Canal's low-dissolved oxygen concentrations. The legislature also
22 finds numerous public, private, and community organizations are working
23 to provide public education and identify potential solutions. The
24 legislature recognizes that, while some information and research is now
25 available and some potential solutions have been identified, more
26 research and analysis is needed to fully develop a program to resolve
27 Hood Canal's low-dissolved oxygen concentrations.

28 (4) The legislature finds a need exists for the state to take
29 action to address Hood Canal's low-dissolved oxygen concentrations.
30 The legislature also finds establishing an aquatic rehabilitation zone

1 for Hood Canal will serve as a statutory framework for future
2 regulations and programs directed at recovery of this important aquatic
3 resource.

4 (5) The legislature therefore intends to establish an aquatic
5 rehabilitation zone for Hood Canal as the framework to address Hood
6 Canal's low-dissolved oxygen concentrations. The legislature also
7 intends to incorporate provisions in the new statutory chapter creating
8 the designation as solutions are identified regarding this problem.

9 NEW SECTION. **Sec. 2.** (1) Aquatic rehabilitation zones may be
10 designated by the legislature for areas whose surrounding marine water
11 bodies pose serious environmental or public health concerns.

12 (2) Aquatic rehabilitation zone one is established. Aquatic
13 rehabilitation zone one includes all watersheds that drain to Hood
14 Canal south of a line projected from Tala Point in Jefferson county to
15 Foulweather Bluff in Kitsap county.

16 NEW SECTION. **Sec. 3.** This chapter does not apply to forest
17 practices regulated under chapter 76.09 RCW.

18 NEW SECTION. **Sec. 4.** This chapter does not alter, diminish, or
19 expand the jurisdictional authorities in other statutes or affect the
20 application of other statutory requirements or programs that do not
21 specifically refer to aquatic rehabilitation zones. If this chapter
22 conflicts with other statutory provisions, however, this chapter
23 governs aquatic rehabilitation zones, provided that this chapter's
24 provisions meet or exceed the authorities, requirements, and standards
25 expressed in the statutory provisions found to be in conflict.

26 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
27 a new chapter in Title 90 RCW.

28 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of the
30 state government and its existing public institutions, and takes effect
31 immediately."

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1 On page 1, line 2 of the title, after "programs;" strike the
2 remainder of the title and insert "adding a new chapter to Title 90
3 RCW; and declaring an emergency."

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