
ENGROSSED SENATE BILL 6549

State of Washington

63rd Legislature

2014 Regular Session

By Senators Hobbs, Hatfield, and Pearson

Read first time 02/05/14. Referred to Committee on Agriculture,
Water & Rural Economic Development.

1 AN ACT Relating to creating demonstration projects for preserving
2 agricultural land and public infrastructure in flood plains; and adding
3 a new section to chapter 43.23 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.23 RCW
6 to read as follows:

7 (1) The legislature intends that the state conservation commission
8 and the departments of ecology, agriculture, fish and wildlife, and
9 natural resources work together cooperatively, efficiently, and
10 productively to facilitate the expeditious construction of two
11 demonstration projects. The legislature expects that the joint and
12 contemporaneous participation of all these state agencies will expedite
13 the permitting of these demonstration projects. The legislature
14 further intends that the collaborative process that the stakeholder
15 group creates, including local stakeholders among others, will be used
16 as a model for river management throughout the state.

17 (2) The legislature finds that the excessive accumulation of
18 sediment and gravel in certain rivers of the state poses a threat to
19 farmland and to the recovery or enhancement of certain fish

1 populations. The legislature also finds that the failure to manage
2 sediment and gravel accumulation has contributed to erosion and
3 resulted in the loss of productive farmland and mature treed riparian
4 zones that cool the waters, flooding in residential areas, loss of
5 recreational access to rivers, and loss of public infrastructure.

6 (3) The state conservation commission and the departments of
7 agriculture, natural resources, fish and wildlife, and ecology must
8 jointly identify and implement two demonstration projects that test the
9 effectiveness and costs of river management by using various sediment
10 management strategies and techniques as applied to accomplish the
11 following goals:

12 (a) Protection of agricultural lands;

13 (b) Restoration or enhancement of fish runs; and

14 (c) Protection of public infrastructure and recreational access.

15 (4)(a) The state conservation commission must convene a stakeholder
16 group consisting of the departments of agriculture, natural resources,
17 fish and wildlife, and ecology, local and statewide agricultural
18 organizations, tribes, land conservation organizations, and local
19 governments with interest and experience in the use of sediment
20 management techniques to provide for flood control. The stakeholder
21 group must develop and implement two demonstration projects, one
22 located in Whatcom county and one located in Grays Harbor county.

23 (b) In developing and implementing these demonstration projects,
24 the departments must examine sediment management conducted in the
25 Fraser river, British Columbia, Canada and include any potentially
26 applicable practices in the demonstration projects.

27 (c) The departments must: (i) Examine and find whether and how the
28 Fraser river experience applies to the goals of this act; and (ii) set
29 benchmarks and a timetable for progress toward achievement of the goals
30 of this act.

31 (d) Any gravel resources removed as a result of these pilot
32 projects must be: (i) Used at the departments' discretion in projects
33 related to fish programs in the local area of the project or by
34 property owners adjacent to the project; (ii) made available to a local
35 tribe for its use; or (iii) sold and the proceeds applied to funding
36 the demonstration projects.

37 (5) At a minimum, the pilot projects must include the following
38 sediment management strategies and techniques:

1 (a) At all times of sediment or gravel removal, a person must be on
2 hand to observe that the practices follow established pilot project
3 protocols and protect fish life;

4 (b) Gravel or sediment may not be removed at times when fish runs
5 are known to be in the river; and

6 (c) Reasonable steps must be taken to reduce turbidity resulting
7 from gravel and sediment removal activities.

8 (6) The departments must consider other sediment management
9 strategies and techniques including, but not limited to, the following:

10 (a) Reducing turbidity caused by year-round stream bank erosion
11 that is caused by accumulation of excess sediment and gravel that
12 changes the river course;

13 (b) Providing deeper, cooler holes for fish life;

14 (c) Providing deeper river channels for fish passage;

15 (d) Ensuring that any management activities leave sufficient gravel
16 and sediment for fish spawning and rearing;

17 (e) Providing stable river banks that will allow for long-term
18 growth of riparian enhancement efforts, such as planting shade trees
19 and hedgerows;

20 (f) Protecting existing mature treed riparian zones that cool the
21 waters;

22 (g) Removing excess sediment and gravel that causes diversion of
23 water and erosion of river banks and farmland;

24 (h) Restoring previously existing bank contours that protect the
25 land from erosion caused by more intense and more frequent flooding;
26 and

27 (i) Developing management practices that reduce the amount of
28 gravel, sediment, and woody debris deposited into farm fields.

29 (7) The departments must report to the legislative committees with
30 oversight of agriculture, water, rural economic development, ecology,
31 fish and wildlife, and natural resources by December 31, 2014, on: (a)
32 Their examination and findings of the applicability of the Fraser river
33 experience to the goals of this act; (b) their progress toward setting
34 benchmarks and meeting the stakeholder group's timetable; (c) any
35 decisions made in implementing the projects; and (d) agency
36 recommendations for funding of the projects from federal grants,
37 federal loans, state grants and loans, and private donations, or if
38 other funding sources are not available or complete, submitting the two

1 projects for consideration in the biennial capital budget request to
2 the governor and the legislature. The departments must report annually
3 thereafter by December 31st of each year.

4 (8) The stakeholder group must be staffed jointly by the
5 departments. Costs of the stakeholder group, including staffing, must
6 be borne jointly by the departments.

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