

SB 5104 - H COMM AMD
By Committee on Appropriations

ADOPTED AS AMENDED 04/11/2023

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that marine
4 nearshore habitat in Puget Sound is important for the recovery of
5 threatened and endangered species of salmon, orcas, and marine birds.
6 Critical nearshore components include forage fish spawning habitat,
7 submerged aquatic vegetation, benthic substrate, adjacent upland
8 vegetation, and the geomorphic processes that support a healthy
9 ecosystem and food web. Establishing and regularly updating a
10 publicly available baseline survey and map of general shoreline
11 conditions, including the presence, location, and condition of
12 nearshore development, is a critical tool for regulatory planning and
13 restoration and mitigation opportunity identification by state
14 agencies, local jurisdictions, tribal governments, and
15 nongovernmental organizations.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A
17 RCW to read as follows:

18 (1) The department must conduct and maintain a baseline survey of
19 Puget Sound marine shorelines that utilizes new technology to capture
20 georeferenced oblique aerial and 360 degree on-the-water imagery.
21 Nothing in this section creates a requirement for the department to
22 perform change analysis. However, the software used must have the
23 capacity for change analysis review. These identified technologies
24 are intended to be a minimum requirement and the department may
25 utilize and incorporate additional tools and technologies as they
26 become available. The survey must document and map existing general
27 shoreline conditions, structures, and structure conditions. This
28 information must be available to the public and incorporated into
29 state geographic information system mapping with visual personally
30 identifiable information removed from on-the-water imagery prior to
31 posting.

1 (2) The initial marine oblique aerial and on-the-water imagery
2 must be completed and publicly available by December 31, 2024, and
3 updated on a regular two-year cycle thereafter. The survey to
4 document and map existing shoreline conditions, structures, and
5 structure conditions must be completed and publicly available by June
6 30, 2025, and updated on a regular two-year cycle thereafter.

7 (3) For the purposes of this section, "Puget Sound" means Puget
8 Sound and related inland salt waters of the state of Washington
9 inside the boundary line between Washington and British Columbia, the
10 Strait of Juan de Fuca, Hood Canal, and the San Juan Islands.

11 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
12 this act, referencing this act by bill or chapter number, is not
13 provided by June 30, 2023, in the omnibus appropriations act, this
14 act is null and void."

15 Correct the title.

EFFECT: (1) Directs the department of ecology (ecology) to
conduct a baseline survey of Puget Sound marine shorelines, including
creating a comprehensive on-the-water view of the shoreline, by
December 31, 2024, and a survey to document and map existing
shoreline conditions by June 30, 2025.

(2) Requires ecology to remove visual personally identifiable
information from on-the-water imagery prior to making the imagery
available to the public.

(3) Requires ecology to update marine surveys of Puget Sound
shorelines on a regular two-year cycle.

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