

HOUSE BILL REPORT

HB 1855

*As Reported By House Committee on:
Revenue*

Title: An act relating to imposing fees for hydraulic permits issued for construction projects in state waters.

Brief Description: Imposing fees for permits for hydraulic projects.

Sponsor(s): Representatives Wang and Holland; by request of Office of Financial Management, Department of Fisheries and Department of Wildlife.

Brief History:

Reported by House Committee on:
Revenue, March 10, 1991, DPS.

**HOUSE COMMITTEE ON
REVENUE**

Majority Report: *That Substitute House Bill No. 1855 be substituted therefor, and the substitute bill do pass.*
Signed by 8 members: Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Leonard; Morris; Phillips; and Rust.

Minority Report: *Do not pass.* Signed by 7 members: Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Morton; Silver; and Van Luven.

Staff: Rick Peterson (786-7150).

Background: A hydraulic project approval permit is required for any construction or other work that will use, divert, obstruct or change the flow or bed of any salt or fresh water. The purpose of the hydraulic permit process is to protect fish life. The Department of Wildlife and the Department of Fisheries issue the permits. Approximately 5,800 permits were issued in 1990. No fees are charged for the review and evaluation of hydraulic permit applications.

Summary of Substitute Bill: A \$20 fee is established for the review and evaluation of hydraulic permit applications. The fee is not refundable if the permit is denied. Permit fee revenue is deposit in the general fund.

Substitute Bill Compared to Original Bill: The \$20 fee in the substitute bill replaces the fee schedule in the original bill. That schedule included a \$1,000 fee for commercial projects that also require a U.S. Army Corps of Engineers permit, a \$650 fee for other commercial projects, a \$50 fee for noncommercial projects and small scale agriculture and a \$35 fee for renewals.

Fiscal Note: Requested March 13, 1991.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect July 1, 1991.

Testimony For: The departments of Fisheries and Wildlife spend approximately \$3.8 million a biennium administering the hydraulics permit application review process. The permit fee schedule is designed to recover the costs of administering the review process.

Testimony Against: The bill does not clearly define the different categories for fees. The \$650 commercial fee will apply to eastern Washington farmers while the noncommercial \$50 fee will apply to the western Washington farmers that generally have small scale water projects. The fees are too high for projects that are for repair and maintenance.

Witnesses: Marlyta Deck, Washington Cattlemen's Assoc. (con); Eric Johnson, Washington Public Ports Assoc. (con); and Ed Manary, Department of Fisheries (pro).