

SENATE BILL REPORT

SB 5611

As of February 7, 2017

Title: An act relating to creating a demonstration project for preserving public infrastructure and agricultural lands in floodplains.

Brief Description: Creating a demonstration project for preserving public infrastructure and agricultural lands in floodplains.

Sponsors: Senators Zeiger, O'Ban and Conway.

Brief History:

Committee Activity: Natural Resources & Parks: 2/07/17.

Brief Summary of Bill

- Directs several state agencies to expedite the permitting of a demonstration project in Pierce County relating to sediment management strategies.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Staff: Curt Gavigan (786-7437)

Background: Puyallup River Basin in General. The Puyallup River basin drains approximately 1000 square miles of western-central Washington and originates on the glaciers of Mount Rainier in the Cascade mountain range and flows in a northwesterly direction to Commencement Bay on Puget Sound. The basin is comprised of three glacially-fed rivers: the Puyallup River and its tributaries, the White River, and the Carbon River. Each of these major river systems originates on the northern slopes of Mount Rainier and join together upstream of Tacoma before draining into Puget Sound.

Puyallup River Basin Flood Risk Management General Investigation. The Puyallup River Basin Flood Risk Management is a flood risk management feasibility study relating to flood risks in the Puyallup River Basin. The stated purpose of the Puyallup River Flood Risk Management General Investigation Study is to identify, evaluate, and recommend an appropriate, coordinated, implementable solution to the identified flood risk problems and opportunities in the basin.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The U.S. Army Corps of Engineers is the lead federal agency for the study and the non-federal sponsor is Pierce County.

Summary of Bill: The Departments of Agriculture, Natural Resources, Fish and Wildlife, and Ecology must expedite the permitting of a demonstration project (project) in Pierce County that tests the effectiveness and costs of sediment management strategies. The stated goals of the project include restoration and enhancement of fish runs, protection of public infrastructure and recreational access, and effectiveness monitoring to inform future projects.

The following gravel or sediment management strategies must be used in the project:

- an observer must monitor gravel or sediment removal activities for proper pilot project protocol and protection of fish life;
- activities may be limited or restricted when fish runs are present; and
- reasonable steps must be taken to reduce turbidity from gravel and sediment removal activities.

In addition to gravel or sediment removal, Pierce County must consider other sediment management strategies such as: providing deeper holes and channels for fish and fish passage; ensuring that actions leave sufficient gravel and sediment for fish spawning and rearing; and protecting existing and promoting new riparian growth.

Legislative findings and intent are provided.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There has been frustration over time from landowners looking for options for dealing with sediment management. This will allow Pierce County to show how to protect infrastructure while protecting fish. Pierce County is in the process of identifying sites for a pilot project, and views the pilot as a way to combine sediment management and habitat improvement.

CON: There are concerns about expedited permitting and unavoidable fish impacts from the proposed project. Alternatives such as floodplains by design present opportunity, and should be examined. This issue has not been thoroughly vetted with the Puyallup Tribe and is not part of its long term vision.

OTHER: The Department of Fish and Wildlife supports Pierce County in looking at multiple ways to manage sediment. Sediment is an issue, but there are concerns about impacts on salmon.

Persons Testifying: PRO: Senator Hans Zeiger, Prime Sponsor; Tiffany Speir, Pierce County; Harold Smelt, Pierce County; Annette Pearson, Pierce County.

CON: Bruce Wishart, Sierra Club; Dawn Vyvyan, Puyallup Tribe.

OTHER: David Price, WDFW.

Persons Signed In To Testify But Not Testifying: No one.