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## Agriculture and Natural Resources Committee

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### SSB 5433

**Brief Description:** Concerning the removal of derelict aquatic structures and restoration of aquatic lands.

**Sponsors:** Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Muzzall, Shewmake, Liias, Lovelett, MacEwen, Nguyen and Salomon; by request of Department of Natural Resources).

#### Brief Summary of Substitute Bill

- Authorizes the Department of Natural Resources (DNR) to purchase or otherwise acquire lands and facilities related to derelict aquatic structures, and to remove, refurbish, or dispose of derelict aquatic structures.
- Requires the DNR to submit all derelict aquatic structure removal projects to a mitigation credits program in order to generate conservation credits, and requires any payments received for the sale of credits to be deposited into the Derelict Structure Removal Account created in the bill.
- Creates the Derelict Structure Removal Account.
- Directs the DNR to establish a grant program for lessees of state-owned aquatic land who need financial assistance to comply with the DNR's habitat stewardship measures for the construction and maintenance of aquatic structures.
- Authorizes the DNR to acquire aquatic structures that do not meet the definition of derelict aquatic structures, but that could provide habitat benefits or amenities for the local community if the structure were

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

refurbished or repurposed.

**Hearing Date:** 3/21/23

**Staff:** Robert Hatfield (786-7117).

**Background:**

The Department of Natural Resources.

The Department of Natural Resources (DNR) is tasked with managing state trust lands for the people of Washington. The DNR manages 5.6 million acres of forest, range, agricultural, aquatic, and commercial lands. The DNR manages more than 2.6 million acres of state-owned aquatic lands via its Aquatics Resources Division. The DNR also establishes stewardship measures, or guidelines outlining what the department believes are best practices for the construction and maintenance of aquatic structures.

Derelict Vessel Removal Program.

The Derelict Vessel Removal Program is administered by the DNR. Under the program, certain public entities including the DNR and most public agencies that own or manage aquatic lands may take custody and dispose of abandoned or derelict vessels on aquatic lands within their jurisdiction. The owner of an abandoned or derelict vessel is responsible for the cost of removal and disposal of the vessel.

Puget Sound Partnership Nearshore Credits Program.

The Puget Sound Partnership Nearshore Credits Program sells conservation credits to help federal permit applicants meet obligations to offset impacts to critical habitat and use funds from those credit sales to implement equivalent conservation projects. It is administered by the Puget Sound Partnership in collaboration with the Washington State Recreation and Conservation Office, and receives technical assistance from the National Marine Fisheries Service and the United States Fish and Wildlife Service.

**Summary of Bill:**

The Department of Natural Resources (DNR) is authorized to purchase or otherwise acquire lands and facilities related to derelict aquatic structures, and to remove, refurbish, or dispose of derelict aquatic structures.

The DNR is required to submit all derelict aquatic structure removal projects to a mitigation credits program in order to generate conservation credits, and requires any payments received for the sale of credits to be deposited into the derelict structure removal account created in the bill.

The Derelict Structure Removal Account, a fund within the State Treasury authorized to receive

fund transfers and appropriations from the State General Fund, deposits from the derelict structure removal surcharge, as well as gifts, grants, and endowments from public or private sources, is created.

The DNR may enter into contracts with private companies and individuals to exercise the authority granted by the act.

The DNR is authorized to acquire aquatic structures that do not meet the definition of derelict for purposes of refurbishing or repurposing these structures in the interest of habitat benefits or the creation of amenities for the local community.

The DNR is directed to establish a grant program for lessees of state-owned aquatic land who need financial assistance to comply with the department's habitat stewardship measures for the construction and maintenance of aquatic structures.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.