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**SENATE BILL 5611**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senators Zeiger, O'Ban, and Conway

1       AN ACT Relating to creating a demonstration project for  
2 preserving public infrastructure and agricultural lands in  
3 floodplains; adding a new section to chapter 43.23 RCW; and creating  
4 a new section.

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

6       NEW SECTION.   **Sec. 1.**   (1) The legislature finds that excessive  
7 accumulation of sediment and gravel in certain rivers in western  
8 Washington pose a threat to critical infrastructure. Failure to  
9 manage sediment and gravel accumulation has contributed to erosion  
10 and resulted in: The loss of productive farmland and mature treed  
11 riparian zones that cool the waters; flooding in residential areas;  
12 loss of recreational access to rivers; and loss of public  
13 infrastructure. Retreat of glaciers on Mount Rainier has and is  
14 contributing large volumes of sediment and gravel to the Pierce  
15 county river system. This is causing the river beds to rise and,  
16 consequently, the water levels to rise. This process is known as  
17 "aggradation." This aggradation has increased flooding, threatening  
18 agricultural land and public infrastructure within the floodplain. A  
19 demonstration project would enable Pierce county to show how to  
20 remove gravel from the rivers that would reduce flood risk to public

1 infrastructure and agricultural land, while remaining compliant with  
2 the federal endangered species act.

3 (2) In 2010, congress authorized a general investigation (GI) new  
4 start for the Puyallup/White river watershed area to be conducted by  
5 the United States army corps of engineers. The study goal was to  
6 recommend a plan that maximizes the national economic development  
7 benefits for flood risk management, which minimizes life/safety risks  
8 and results in the least amount of environmental impact within the  
9 Puyallup river basin. The United States army corps of engineers  
10 identified a number of potential projects that could achieve the  
11 study goal while helping to restore water quality and fish habitat in  
12 the watershed. The general investigation acknowledges that  
13 sedimentation has contributed to a decrease in channel capacity thus  
14 resulting in an increase in channel migration and flood risks  
15 throughout the Puyallup river basin.

16 (3) A demonstration project could be designed to show the  
17 effectiveness and determine the costs of gravel removal by using  
18 various sediment removal strategies and techniques. This  
19 demonstration project would have the following goals:

20 (a) Restoration or enhancement of fish runs;

21 (b) Protection of public infrastructure and recreational access;  
22 and

23 (c) Effectiveness monitoring to inform future projects.

24 (4) Pierce county has initiated a pilot project to select a site  
25 for potential sediment removal. This site selection process is  
26 substantially complete with further technical analysis and  
27 environmental studies beginning in the coming months. Because of  
28 these studies, Pierce county is uniquely positioned to conduct a  
29 demonstration project.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.23  
31 RCW to read as follows:

32 (1) The legislature intends that the departments of ecology,  
33 agriculture, fish and wildlife, and natural resources work together  
34 cooperatively, efficiently, and productively to facilitate the  
35 expeditious construction of a demonstration project. The legislature  
36 expects that the joint and contemporaneous participation of all these  
37 state agencies will expedite the permitting of this demonstration  
38 project. The legislature further intends that the short and long-term  
39 results (i.e., up to ten years) and gathered data from the

demonstration project will be used as a model for river management throughout the state.

(2) The legislature finds that the excessive accumulation of sediment and gravel in certain rivers of the state poses a threat to farmland and to the recovery or enhancement of certain fish populations. The legislature also finds that the failure to manage sediment and gravel accumulation has contributed to erosion and resulted in the loss of productive farmland and mature treed riparian zones that cool the waters, flooding in residential areas, loss of recreational access to rivers, and loss of public infrastructure.

(3) The departments of agriculture, natural resources, fish and wildlife, and ecology must expedite the permitting of a demonstration project in Pierce county that tests the effectiveness and costs of river management by using various sediment management strategies and techniques as applied to accomplish the following goals:

(a) Restoration or enhancement of fish runs;

(b) Protection of public infrastructure and recreational access;

and

(c) Effectiveness monitoring to inform future projects.

(4) At a minimum, the pilot project must include the following sediment management strategies and techniques:

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

(b) Certain gravel or sediment removal activities may be limited or restricted at times when fish runs are known to be in the river; and

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

(5) Pierce county must consider other sediment management strategies and techniques including, but not limited to, the following:

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

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

(c) Providing deeper river channels for fish passage;

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

1       (e) Providing stable riverbanks that will allow for long-term  
2 growth of riparian enhancement efforts, such as planting shade trees  
3 and hedgerows;

4       (f) Protecting existing mature treed riparian zones that cool the  
5 waters;

6       (g) Removing excess sediment and gravel that causes diversion of  
7 water and erosion of riverbanks and farmland;

8       (h) Restoring previously existing bank contours that protect the  
9 land from erosion caused by more intense and more frequent flooding;  
10 and

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

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