

## Weekly Legislative Update: Rivers (includes some forests, water, shoreline and tribal bills also)

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**March 6, 2022**

Last Friday was the last day to pass bills out of the opposite house. Five bills we support have passed both Houses:

- [E2SHB 1691](#) Financial requirements related to oil spills
- [SB 5504](#) Discovery Pass free days extended
- [SB 5619](#) Conserving and restoring kelp forests and eelgrass meadows in Washington State.
- [SB 5747](#) Concerning the statewide master oil and hazardous substance vessel spill prevention. This bill is ready to go to the Governor.
- [HB 1700](#) Concerning sustainable funding for derelict vessel removal

Budgets and bills NTIB have longer. The end of the legislative session is March 10th, so we are moving quickly to the end.

### Bills Needing Action This Week

No actions needed. But thanks for all your previous help. As you can see E2SHB 1691 Financial requirements for oil spills is proceeding, so thank you to all who acted on the Action Alert.

### Bills We Support

**[HB 1172](#) Recognizes judicially affirmed and treaty-reserved fishing rights and promotes state-tribal cooperative agreements in the management of salmon, trout, and steelhead resources.**

The League was a strong opponent of the 1984 Initiative 456, which abrogated tribal treaty rights and contained very anti-Indian language. Attorney General Ferguson requested this bill to remove Initiative from the record. Passed out of House 96-0. Had public hearing February 17 in Senate Agriculture, Water, Natural Resources and Parks Committee and executive session February 24. Passed to Senate Rules Committee for second reading.

**[E2SHB 1691](#) Financial requirements related to oil spills.** Requires oil vessels and facilities to demonstrate financial ability to pay for a “worst case” oil spill. Bill would stop oil companies

from externalizing costs and relieve taxpayers of the financial burden. Passed out of House 83-13. On March 3 bill passed out of the Senate 48-0.

**HB 1700 Concerning sustainable funding for derelict vessel removal account using the watercraft excise tax.** Derelict vessels reduce near shoreline habitat for fish and pollute the water. Funding provided will help when vessel is abandoned or owner unable. HB 1700 passed out of House 94-0. Passed out of the Senate 45Y-3N on March 4th.

**HB 1978 Concerning Shoreline Master Programs.** Required review and revision of Shoreline Master Plans by counties and some cities would be revised from 8 to 10 years. They are way behind now and need to catch up. Passed out of House 93-1-0-4. Public hearing held February 16th in Senate Environment, Energy and Technology Committee and executive session February 22. Passed to Rules Committee for second reading.

**SB 5504 Discovery Pass free days extended** from state parks to other state recreation sites and lands. Bill has passed out of Senate 43-0. Passed out of the House March 3rd, 97-0.

**E2SSB 5619 Conserving and restoring kelp forests and eelgrass meadows in Washington State.** Substitute preserves both non-native and native eelgrass. 2nd Substitute passed out of Senate 49-0. Bill passed out of the House 96-1 March 2th. (See Forests for update.)

**SB 5747 Concerning the statewide master oil and hazardous substance vessel spill prevention and contingency plan by request of Department of Ecology.** Department of Ecology during preparation of the statewide master plan to schedule unannounced vessel oil spill drills to test oil spill contingency plans. Also, to include other federal and state agencies, Idaho and federally recognized tribes. Passed out of Senate 49-0. Passed out of the House 97-0 March 1st, President of the Senate and Speaker of the House signed on March 2nd. So on its way to victory.

**E2SSH 5803 Establishing a presumption of liability for wildfires caused by electric utility's equipment.** Trees falling on utility electric transmission lines is an important cause of wildfires. Bill addresses utility's responsibilities to prevent vegetation build up in rightaways under transmission lines. The bill passed out of Senate 49Y-0Nays. Currently in House Rules 2 Review, last minute striker, and not coming to the floor. Maybe NTIB.

**E2SHB 5885 Relating to marine shoreline habitat.** Substitute bill directs Department of Ecology to conduct baseline survey of Puget Sound marine shorelines using a on-the-water view of the shoreline, identifying unpermitted development, and to consider the results in their enforcement authority. Last year's bill on shoreline armoring bill was not as comprehensive as this is. Creates more near shore habitat for forage fish and juvenile salmon. Passed out of Senate 28Y-21N. Passed out of the House Environment & Energy Committee and referred to House Appropriations. Had a public hearing February 28th, but no action taken in executive session. Bill

probably dead. Problem may be many people signed in Con at the public hearing, I imagine it may be shoreline landowners impacted by bill.

## Bill We Are Watching

**NEW Bill: [SB 5411](#) NSO/Forests: Establishing a programmatic safe harbor agreement on forestlands for Northern Spotted Owls by request of the Department of Natural Resources.** Beneficial sounding bill, but may allow the timber industry, that strongly supported the bill, to exploit the program. No survey of ESA listed NSO's in our state done for some time, and only a small area of old growth deemed suitable as potential critical habitat. Bill passed out of Senate 49Y-0N. Currently on House floor calendar, so we may be too late to weigh in.

## Bills We Supported that Did Not Pass

**[HB 1640](#) Creates a joint legislative Tribal-State Committee.** Tribes to meet with state legislators to discuss and work on tribal issues together. A good idea for looking forwards to resolve issues. Had public hearing in State Government & Tribal Relations Committee January 12th. No further action, so bill is dead for session.

**[SHB 1653](#) Substitute bill creates the Salmon Advisory Cabinet** to convene agency directors, legislators and tribal leaders to develop recommendations regarding agency actions, legislation and budget priorities to enhance salmon and steelhead recovery. Original bill had public hearing on January 20th in House State Government and Tribal Relations Committee, and executive session January 26th, substitute bill passed and referred to Appropriations, but no public hearing scheduled, so dead for session.

**[HB 1838](#) State Salmon Strategy (Lorraine Loomis bill) sponsored by Governor Inslee with Tribes** to protect our remaining EPA listed salmon focusing on riparian and river habitat restoration. Public hearing in House Rural Development Agriculture & Natural Resources on January 19th brought out landowner and farmer strong opposition as they were not consulted on legislation and large (200'-350') riparian buffers would remove much of their land from production. They prefer the Voluntary Stewardship program. Second public hearing held January 21. Bill dead for session, but funding for some measures in bill may be included in the House Operating budget.

## Bills We Opposed that Did Not Pass

**[SB 5608](#) Related to free public access to state parks and lands.** Would repeal the Discovery Pass which State Parks needs for sustained revenue to maintain our parks. Public hearing in the

Senate Agriculture, Water, Natural Resources and Parks Committee January 13, has not proceeded on, so is dead.

**[SB 5632](#) Concerning public investment in critical water infrastructure projects.** Problem here is agencies promoting projects are evaluating which projects get selected and ranked for funding, and that there is no public input on the selected projects. Bill needs revision. Had public hearing held in Senate Agriculture, Water, Natural Resources and Parks Committee on June 18th, has not proceeded on, so is dead.

## How You Can Be Involved

- During the legislative session we will send Action Alerts in the [Legislative Newsletter](#). Please respond to these, which will direct you to an application to facilitate communicating with your legislators on an important vote in committees or on the chamber floor.
- Local Leagues in Washington have action chairs who coordinate action teams. Some local Leagues have environmental teams to take action locally. Contact your local League action chair to find out and join.
- You may also express your opinion on legislation with the LWVWA issue chairs. We will take your perspectives under considerations as we determine our support for legislation and prepare testimony. Raelene Gold, Rivers Issue Chair, [rgold@lwvwa.org](mailto:rgold@lwvwa.org).