
HOUSE BILL 2400

State of Washington

68th Legislature

2024 Regular Session

By Representative Orcutt

1 AN ACT Relating to an adopt-a-waterway program; and adding a new
2 section to chapter 79A.05 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05
5 RCW to read as follows:

6 (1)(a) Subject to the availability of amounts appropriated for
7 this specific purpose, the commission shall establish a statewide
8 adopt-a-waterway program. The purpose of the program is to provide
9 organizations, businesses, and individuals an opportunity to clean,
10 protect, and preserve the state's waterways and contribute to the
11 protection of sensitive wildlife habitats. Participants shall adopt
12 commission-designated sections of state waterways, in accordance with
13 rules adopted by the commission. The commission may elect to
14 coordinate a consortium of participants for adopt-a-waterway
15 projects.

16 (b) The adopt-a-waterway program shall include, at a minimum,
17 litter control and clean-up activities the commission deems
18 appropriate for the adopted section of waterway. Selected
19 participants must engage in clean-up activities for the assigned
20 section or sections of waterways at least once during the duration of
21 the agreement, and at least once per year for agreements lasting

1 longer than a year. The commission shall not accept adopt-a-waterway
2 proposals that would have the effect of terminating classified
3 employees or classified employee positions.

4 (2) Organizations, businesses, and individuals are eligible to
5 participate in the adopt-a-waterway program, either as volunteers or
6 through sponsorship of private contracts, provided there is a section
7 of a waterway available, in the opinion of the commission, that can
8 be safely assigned. Interested participants must submit a proposal to
9 the commission. The commission shall review the proposal for
10 consistency with commission policies and rules. The commission may
11 accept, reject, or modify an applicant's proposal.

12 (3) The commission shall seek partnerships with volunteer groups
13 and businesses to facilitate the goals of this section. The
14 commission may solicit funding for the adopt-a-waterway program that
15 allows private entities to undertake all or a portion of financing
16 for the initiatives. The commission shall develop guidelines
17 regarding the cash, labor, and in-kind contributions to be performed
18 or provided by the participants.

19 (4) An applicant is not eligible if the applicant's name (a)
20 endorses or opposes a particular candidate for public office, (b)
21 advocates a position on a specific political issue, initiative,
22 referendum, or piece of legislation, (c) includes a reference to a
23 political party, or (d) includes a reference to anything that may be
24 considered or construed to be obscene or offensive to the general
25 public.

26 (5) Organizations, businesses, or individuals that have been
27 denied participation due to lack of compliance to a previous adopt-a-
28 waterway agreement shall not be eligible to participate for a period
29 of five years following the termination date of the previous
30 agreement.

31 (6) In administering the adopt-a-waterway program, the commission
32 shall:

33 (a) Assign each participating group a section or sections of
34 state waterways, for a specified period of time, excluding sections
35 of waterways that are deemed hazardous by the commission;

36 (b) Provide a standardized application form, contractual
37 agreement, and registration form for all participating groups. Each
38 participant must complete and sign a registration form before
39 participating in a clean-up activity. The registration form shall

1 notify the prospective participants of the risks and responsibilities
2 to be assumed by the commission and the participants;

3 (c) Approve requests by participating groups to participate in
4 clean-up activities on a given date;

5 (d) Require all participants to be at least 15 years of age;

6 (e) Require parental consent for all minor participants;

7 (f) Require at least one adult supervisor for every eight minor
8 participants;

9 (g) Require one designated leader for each participating group,
10 unless the commission chooses to coordinate a consortium of
11 participants;

12 (h) Provide the designated leader with trash bags and access
13 information to the desired location prior to any clean-up activities
14 on a specific waterway;

15 (i) Provide safety guidelines or training for all participants;

16 (j) Provide appropriate safety equipment. Safety equipment issued
17 to participating groups must be returned to the commission upon
18 termination of the applicable adopt-a-waterway agreement;

19 (k) Recognize the efforts of a participating organization,
20 business, or individual by erecting and maintaining signs with the
21 organization's, business's, or individual's name on both ends of the
22 organization's, business's, or individual's section of the waterway.
23 Signage must be consistent with criteria established by the
24 commission relating to size, materials, colors, wording, and
25 location. The commission may charge reasonable fees to defray the
26 cost of manufacture, installation, maintenance, and removal of
27 adopt-a-waterway signs;

28 (l) Pay any and all premiums or assessments required under RCW
29 51.12.035 to secure medical aid benefits under chapter 51.36 RCW for
30 all volunteers participating in the program;

31 (m) Require participating businesses to pay all employer premiums
32 or assessments required to secure medical aid benefits under chapter
33 51.36 RCW for all employees or agents participating in the program;

34 (n) Maintain records of dates of clean-up activities and of all
35 injuries and accidents that occur;

36 (o) Adopt rules that establish a process to resolve any question
37 of an applicant's eligibility to participate in the adopt-a-waterway
38 program;

39 (p) Obtain permission from property owners who lease a right-of-
40 way before allowing an organization, business, or individual to adopt

1 a section of waterway that would require access to such leased
2 property; and

3 (q) Establish procedures and guidelines for the adopt-a-waterway
4 program.

5 (7) Nothing in this section affects the rights or activities of,
6 or agreements with, adjacent landowners, including the use of rights-
7 of-way and crossings, nor impairs these rights and uses by the
8 placement of signs.

9 (8) As used in this section, "waterway" means any natural
10 waterway within the state.

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