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**SUBSTITUTE HOUSE BILL 2709**

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**State of Washington**                      **63rd Legislature**                      **2014 Regular Session**

**By** House Environment (originally sponsored by Representatives Fitzgibbon, Fey, and Appleton)

READ FIRST TIME 02/05/14.

1            AN ACT Relating to protecting the state's cultural resources; and  
2 amending RCW 36.70B.070, 36.70B.140, and 36.70B.150.

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

4            **Sec. 1.** RCW 36.70B.070 and 1995 c 347 s 408 are each amended to  
5 read as follows:

6            (1) Within twenty-eight days after receiving a project permit  
7 application, a local government planning pursuant to RCW 36.70A.040  
8 shall mail (~~or provide in person~~) or e-mail a written determination  
9 to the applicant, any persons requesting such notification, the  
10 department of archaeology and historic preservation, and any affected  
11 tribes that request ongoing notice, stating either:

- 12            (a) That the application is complete; or  
13            (b) That the application is incomplete and what is necessary to  
14 make the application complete.

15            To the extent known by the local government, the local government  
16 shall identify other agencies of local, state, or federal governments  
17 that may have jurisdiction over some aspect of the application.

18            (2) A project permit application is complete for purposes of this  
19 section when it meets the procedural submission requirements of the

1 local government and is sufficient for continued processing even though  
2 additional information may be required or project modifications may be  
3 undertaken subsequently. The determination of completeness shall not  
4 preclude the local government from requesting additional information or  
5 studies either at the time of the notice of completeness or  
6 subsequently if new information is required or substantial changes in  
7 the proposed action occur.

8 (3) The determination of completeness may include the following as  
9 optional information:

10 (a) A preliminary determination of those development regulations  
11 that will be used for project mitigation;

12 (b) A preliminary determination of consistency, as provided under  
13 RCW 36.70B.040; or

14 (c) Other information the local government chooses to include.

15 (4)(a) An application shall be deemed complete under this section  
16 if the local government does not provide a written determination to the  
17 applicant that the application is incomplete as provided in subsection  
18 (1)(b) of this section.

19 (b) Within fourteen days after an applicant has submitted to a  
20 local government additional information identified by the local  
21 government as being necessary for a complete application, the local  
22 government shall notify the applicant whether the application is  
23 complete or what additional information is necessary.

24 **Sec. 2.** RCW 36.70B.140 and 1995 c 347 s 418 are each amended to  
25 read as follows:

26 (1) A local government by ordinance or resolution may exclude the  
27 following project permits from the provisions of RCW 36.70B.060  
28 (~~(through 36.70B.090)~~), 36.70B.080, and 36.70B.110 through 36.70B.130:  
29 Landmark designations, street vacations, or other approvals relating to  
30 the use of public areas or facilities, or other project permits,  
31 whether administrative or quasi-judicial, that the local government by  
32 ordinance or resolution has determined present special circumstances  
33 that warrant a review process different from that provided in RCW  
34 36.70B.060 (~~(through 36.70B.090)~~), 36.70B.080, and 36.70B.110 through  
35 36.70B.130.

36 (2) A local government by ordinance or resolution also may exclude  
37 the following project permits from the provisions of RCW 36.70B.060 and

1 36.70B.110 through 36.70B.130: Lot line or boundary adjustments and  
2 building and other construction permits, or similar administrative  
3 approvals, categorically exempt from environmental review under chapter  
4 43.21C RCW, or for which environmental review has been completed in  
5 connection with other project permits.

6 **Sec. 3.** RCW 36.70B.150 and 1995 c 347 s 419 are each amended to  
7 read as follows:

8 (1) A local government not planning under RCW 36.70A.040 may  
9 incorporate some or all of the provisions of RCW 36.70B.060 ((through  
10 ~~36.70B.090~~ and)), 36.70B.080, 36.70B.110 ((through ~~36.70B.130~~)), and  
11 36.70B.120 into its procedures for review of project permits or other  
12 project actions.

13 (2) A local government not planning under RCW 36.70A.040 shall  
14 incorporate the provisions of RCW 36.70B.070 and 36.70B.130 into its  
15 procedures for review of project permits or other project actions.

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