

HOUSE BILL REPORT

ESSB 5616

As Reported By House Committee On:
Natural Resources

Title: An act relating to watershed restoration projects.

Brief Description: Establishing a single-application process for watershed restoration projects.

Sponsors: By Senate Committee on Natural Resources (originally sponsored by Senators Gaspard, Sellar, Haugen, Hochstatter, Drew, A. Anderson, Swecker, Newhouse, Deccio, Rasmussen, Winsley and Morton).

Brief History:

Committee Activity:

Natural Resources: 3/28/95, 3/29/95 [DPA].

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 14 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Basich, Ranking Minority Member; Regala, Assistant Ranking Minority Member; Beeksma; Cairnes; Elliot; G. Fisher; Jacobsen; Romero; Sheldon; Stevens and B. Thomas.

Staff: Rick Anderson (786-7114).

Background: Local governments are required to develop several types of water-related plans. Examples of these planning requirements include: shoreline management plans, stormwater plans, drinking water plans, flood plans, and local watershed action plans. Governmental agencies typically ensure compliance with these plans through various permits.

Summary of Amended Bill: By January 1, 1996, the Washington Conservation Commission is required to consolidate the process of applying for various watershed-related permits by developing a single application form. In developing the single application form, the commission must consult with affected governmental agencies.

The single application form applies only to projects that: 1) implement an approved watershed restoration plan; and 2) meet the definition of a watershed restoration project.

A "watershed restoration project" is defined as a project that is authorized by the sponsor of a watershed restoration plan, implements the plan, and meets one of the following criteria: 1) involves less than 10 miles of streamreach and disturbs less than 25 cubic yards of sand, gravel, or soil; 2) uses bioengineering principles to restore streambanks; and 3) improves fish and wildlife habitat. A "watershed restoration plan" is defined as a plan that: 1) is developed or sponsored by the departments of Ecology, Natural Resources, Fish and Wildlife, city, county, or conservation district; and 2) has had an environmental review under the State Environmental Policy Act.

Each state and local agency that requires a permit for a watershed restoration project must designate a permit recipient and inform the commission of that designation. All state agencies requiring a permit for a watershed restoration project must process the single application form within 45 days. State and local agencies may not charge a fee for processing the permits covered in the single application. Entities with permit review responsibilities may use the permit assistance center created through HB 1724 (regulatory reform bill), currently before the Legislature.

The following permits must be consolidated by the commission, and be processed within 45 days: permits for a watershed project required by county planning commissions, the Department of Ecology, the Department of Natural Resources, and permits required by the Growth Management Act and the State Hydraulics Code.

Watershed projects are exempt from environmental review under the State Environmental Policy Act and from substantial development permits under the shoreline management act. Local governments may review the project for consistency with its shoreline master program. Project review must be done within 45 days and no fee may be charged for reviewing the project.

Amended Bill Compared to Engrossed Substitute Bill: The amended bill deletes the \$50,000 appropriation. References to tribes are deleted in sections that establish specific requirements. The amended bill makes grammatical and minor technical changes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Volunteer watershed restoration efforts are being impeded by lengthy and expensive permit requirements. This bill will expedite watershed

restoration projects. The commission needs a \$50,000 appropriation to do a good job implementing this legislation.

Testimony Against: None.

Testified: Maureen Morris, Association of Washington Cities; Willy O'Neil, Long Live the Kings; Dick Dorsett, Pierce County; Ted Bottinger, Washington Association Conservation District; Linda Arcuri, Washington Association Conservation District; Ric Abbett, Trout Unlimited; and Dick Ireland, Chehalis Basin Fisheries Task Force (all in favor).