

2 **ESHB 1730** - S COMM AMD

3 By Committee on Agriculture & Environment

4 ADOPTED 4/14/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 90.03.320 and 1987 c 109 s 67 are each amended to  
8 read as follows:

9 Actual construction work shall be commenced on any project for  
10 which permit has been granted within such reasonable time as shall be  
11 prescribed by the department, and shall thereafter be prosecuted with  
12 diligence and completed within the time prescribed by the department.  
13 The department, in fixing the time for the commencement of the work, or  
14 for the completion thereof and the application of the water to the  
15 beneficial use prescribed in the permit, shall take into consideration  
16 the cost and magnitude of the project and the engineering and physical  
17 features to be encountered, and shall allow such time as shall be  
18 reasonable and just under the conditions then existing, having due  
19 regard for the public welfare and public interests affected(~~(:—and,~~  
20 ~~for good cause shown, it)~~). For good cause shown, the department shall  
21 extend the time or times fixed as aforesaid, and shall grant such  
22 further period or periods as may be reasonably necessary, having due  
23 regard to the good faith of the applicant and the public interests  
24 affected. If federal or state laws prevent or restrict water use  
25 otherwise authorized under the permit in a federal reclamation project,  
26 the department shall extend the time or times fixed for commencing  
27 work, completing work, and applying water to beneficial use and the  
28 extension shall be for a period that is not less than the period of  
29 nonuse or restricted use caused by the federal or state laws. If the  
30 terms of the permit or extension thereof, are not complied with the  
31 department shall give notice by registered mail that such permit will  
32 be canceled unless the holders thereof shall show cause within sixty  
33 days why the same should not be so canceled. If cause be not shown,  
34 said permit shall be canceled."

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3  
4 On page 1, line 2 of the title, after "90.03.320" strike "and  
5 90.14.140"

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