

---

SENATE BILL 5495

---

State of Washington

53rd Legislature

1993 Regular Session

By Senators Loveland, Barr, A. Smith, Anderson, Owen, Snyder, Deccio,  
M. Rasmussen and Roach

Read first time 02/01/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to environmental policy; and amending RCW  
2 43.21C.060.

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

4 **Sec. 1.** RCW 43.21C.060 and 1983 c 117 s 3 are each amended to read  
5 as follows:

6 The policies and goals set forth in this chapter are supplementary  
7 to those set forth in existing authorizations of all branches of  
8 government of this state, including state agencies, municipal and  
9 public corporations, and counties. Any governmental action may be  
10 conditioned or denied pursuant to this chapter: PROVIDED, That such  
11 conditions or denials shall be based upon (~~policies identified by the~~  
12 ~~appropriate governmental authority and incorporated into~~)  
13 ~~regulations(, plans, or codes)~~ which are formally designated by the  
14 agency (~~(or appropriate legislative body, in the case of local~~  
15 ~~government)~~) as possible bases for the exercise of authority pursuant  
16 to this chapter, or passed as ordinances by a local government. (~~(Such~~  
17 ~~designation shall occur at the time specified by RCW 43.21C.120.)~~)  
18 Such action may be conditioned only to mitigate specific adverse  
19 environmental impacts which are identified in the environmental

1 documents prepared under this chapter. These conditions shall be  
2 stated in writing by the decisionmaker. Mitigation measures shall be  
3 reasonable and capable of being accomplished. In order to deny a  
4 proposal under this chapter, an agency must find that: (1) The  
5 proposal would result in significant adverse impacts identified in a  
6 final or supplemental environmental impact statement prepared under  
7 this chapter; and (2) reasonable mitigation measures are insufficient  
8 to mitigate the identified impact. Except for permits and variances  
9 issued pursuant to chapter 90.58 RCW, when such a governmental action,  
10 not requiring a legislative decision, is conditioned or denied by a  
11 nonelected official of a local governmental agency, the decision shall  
12 be appealable to the legislative authority of the acting local  
13 governmental agency unless that legislative authority formally  
14 eliminates such appeals. Such appeals shall be in accordance with  
15 procedures established for such appeals by the legislative authority of  
16 the acting local governmental agency.

--- END ---