

SENATE BILL REPORT

2SHB 1539

As Reported By Senate Committee On:
Natural Resources, March 23, 1995

Title: An act relating to watershed restoration projects.

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

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Buck, Ebersole, Fuhrman, Wolfe, Chandler, Chappell, Kremen, Grant, Kessler, Basich, Hargrove, L. Thomas, G. Fisher, Johnson, Dyer, Elliot, Goldsmith, McMahan, Clements, Cooke, Brumsickle and Mastin).

Brief History:

Committee Activity: Natural Resources: 3/21/95, 3/23/95 [DPA].

SENATE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended.

Signed by Senators Drew, Chair; Spanel, Vice Chair; A. Anderson, Hargrove, Haugen, Morton, Oke, Owen, Snyder, Strannigan and Swecker.

Staff: Vic Moon (786-7469)

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 Conservation Commission must consult with affected governmental agencies. The single application form applies only to projects that are part of a watershed restoration plan and 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 watershed restoration plan that: 1) is developed or sponsored by the departments of Ecology, Natural Resources, Fish and Wildlife, Transportation or by a federally recognized Indian tribe, city, county, conservation district; and 2) has 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 Conservation Commission of that designation. All state agencies requiring a permit for a watershed restoration project must process the single application form within 45 days. Cities and counties may elect not to process the application. State and local agencies may not charge a fee for processing the permits covered in the single application.

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 (SEPA), and from substantial development permits under the shoreline management act. Local governments may review the project for consistency with the local shoreline master program. Permits reviewed by a local government must be processed within 45 days and no fee may be charged for processing the permit.

Amended Bill Compared to Substitute Bill: The striking amendment is the same as the bill with three changes: (1) the Department of Transportation is added to the agencies sponsoring projects; (2) the null and void clause is removed; (3) an appropriation of \$50,000 is made from the general fund.

Appropriation: \$50,000 from the general fund to the Conservation Commission.

Fiscal Note: Available.

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

Testimony For: This is a money saving bill and the permit coordination is needed. These are small projects and they should be encouraged to help fish and wildlife.

Testimony Against: None.

Testified: David Stevens, Dept. of Transportation; Ed Manary, Dept. of Fish and Wildlife; Ron Shultz, Audubon Society; Willy O'Neil, Long Live the Kings.