

RCW 77.55.241 Off-site mitigation. (1) The legislature finds that the construction of hydraulic projects may require mitigation for the protection of fish life, and that the mitigation may be most cost-effective and provide the most benefit to the fish resource if the mitigation is allowed to be applied in locations that are off-site of the hydraulic project location. The department may approve off-site mitigation plans that are submitted by permit applicants.

(2) If a permit applicant proposes off-site mitigation and the department does not approve the permit or conditions the permit in such a manner as to render off-site mitigation unpracticable, the project proponent may appeal the decision as provided in *RCW 77.55.021(4). [2010 c 210 § 30; 2005 c 146 § 602; 1996 c 276 § 1. Formerly RCW 77.55.230, 75.20.190.]

***Reviser's note:** RCW 77.55.021 was amended by 2012 1st sp.s. c 1 § 102, changing subsection (4) to subsection (8).

Intent—Effective dates—Application—Pending cases and rules—
2010 c 210: See notes following RCW 43.21B.001.

Part headings not law—2005 c 146: See note following RCW 77.55.011.