

RCW 90.84.050 Approval of use of credits by the department—

Requirements. Prior to authorizing use of credits from a bank as a means of mitigation under a permit issued or approved by the department, the department must assure that all appropriate and practicable steps have been undertaken to first avoid and then minimize adverse impacts to wetlands. In determining appropriate steps to avoid and minimize adverse impacts to wetlands, the department shall take into consideration the functions and values of the wetland, including fish habitat, groundwater quality, and protection of adjacent properties. The department may approve use of credits from a bank when:

- (1) The credits represent the creation, restoration, or enhancement of wetlands of like kind and in close proximity when estuarine wetlands are being mitigated;
 - (2) There is no practicable opportunity for on-site compensation;
- or
- (3) Use of credits from a bank is environmentally preferable to on-site compensation. [1998 c 248 § 6.]