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

7 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) Floods pose threats to public health and safety including loss  
9 or endangerment to human life; damage to homes; damage to public roads,  
10 highways, bridges, and utilities; interruption of travel,  
11 communication, and commerce; damage to private and public property;  
12 degradation of water quality; damage to fisheries, fish hatcheries, and  
13 fish habitat; harm to livestock; destruction or degradation of  
14 environmentally sensitive areas; erosion of soil, stream banks, and  
15 beds; and harmful accumulation of soil and debris in the beds of  
16 streams or other bodies of water and on public and private lands;

17 (b) Alleviation of flood damage to property and to public health  
18 and safety is a matter of public concern;

19 (c) Many land uses alter the pattern of runoff by decreasing the  
20 ability of upstream lands to store waters, thus increasing the rate of  
21 runoff and attendant downstream impacts; and

22 (d) Prevention of flood damage requires a comprehensive approach,  
23 incorporating storm water management and basin-wide flood damage  
24 protection planning.

25 (2) It is the intent of the legislature to develop a coordinated  
26 and comprehensive state policy to address the problems of flooding and  
27 the minimization of flood damage."

1           "NEW SECTION.   **Sec. 2.** A new section is added to chapter 90.03 RCW  
2 to read as follows:

3           (1) A person unlawfully diverting, impounding, or altering the  
4 natural flow of surface waters or water flowing in a natural  
5 watercourse shall be liable in an action for property damages to a  
6 person whose property is damaged by such unlawful diversion,  
7 impoundment, or alteration. Such person shall not be liable under this  
8 section where the action was taken in compliance with a permit issued  
9 by a state agency or local government.

10          (2) For purposes of this section, "natural watercourse" means a  
11 channel with a defined bed and banks or a depression or swale that in  
12 its natural condition acts to drain water flowing perennially or  
13 intermittently.

14          (3) This section shall not apply to the diversion and collection of  
15 water for irrigation of agricultural lands, including the discharge of  
16 used irrigation water.

17          (4) This section shall apply only to actions taken subsequent to  
18 the effective date of this act."

19           "**Sec. 3.** RCW 36.70A.150 and 1990 1st ex.s. c 17 s 15 are each  
20 amended to read as follows:

21           Each county and city that is required or chooses to prepare a  
22 comprehensive land use plan under RCW 36.70A.040 shall identify lands  
23 useful for public purposes such as utility corridors, transportation  
24 corridors, landfills, sewage treatment facilities, storm water  
25 management facilities, recreation, schools, and other public uses. The  
26 county shall work with the state and the cities within its borders to  
27 identify areas of shared need for public facilities. The jurisdictions  
28 within the county shall prepare a prioritized list of lands necessary

1 for the identified public uses including an estimated date by which the  
2 acquisition will be needed.

3 The respective capital acquisition budgets for each jurisdiction  
4 shall reflect the jointly agreed upon priorities and time schedule."

5 "NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A  
6 RCW to read as follows:

7 Within one year of the adoption of comprehensive plans by  
8 jurisdictions required to plan or who choose to plan under RCW  
9 36.70A.040, such jurisdictions shall adopt ordinances that require the  
10 provision of storm water management facilities concurrently with  
11 development approval and that meet the standards for level of service  
12 provided in the comprehensive plan."

13 "NEW SECTION. **Sec. 5.** The purpose of sections 5 through 16 of  
14 this act is to permit counties to adopt a comprehensive system of flood  
15 control management and protection within drainage basins and to  
16 coordinate the flood control activities of the state, counties, cities,  
17 towns, and special districts within such drainage basins."

18 "NEW SECTION. **Sec. 6.** A new section is added to chapter 86.12 RCW  
19 to read as follows:

20 The county legislative authority of any county may adopt a  
21 comprehensive flood control management plan for any drainage basin that  
22 is located wholly or partially within the county.

23 A comprehensive flood control management plan shall include the  
24 following elements:

25 (1) Designation of areas that are susceptible to periodic flooding,  
26 from inundation by bodies of water or surface water runoff, or both,  
27 including the river's meander belt or floodway;

1 (2) Establishment of a comprehensive scheme of flood control  
2 protection and improvements for the areas that are subject to such  
3 periodic flooding, that includes: (a) Determining the need for, and  
4 desirable location of, flood control improvements to protect or  
5 preclude flood damage to structures, works, and improvements, based  
6 upon a cost/benefit ratio between the expense of providing and  
7 maintaining these improvements and the benefits arising from these  
8 improvements; (b) establishing the level of flood protection that each  
9 portion of the system of flood control improvements will be permitted;  
10 (c) identifying alternatives to in-stream flood control work; (d)  
11 identifying areas where flood waters could be directed during a flood  
12 to avoid damage to buildings and other structures; and (e) identifying  
13 sources of revenue that will be sufficient to finance the comprehensive  
14 scheme of flood control protection and improvements;

15 (3) Establishing land use regulations that preclude the location of  
16 structures, works, or improvements in critical portions of such areas  
17 subject to periodic flooding, including a river's meander belt or  
18 floodway, and permitting only flood-compatible land uses in such areas;

19 (4) Establishing restrictions on construction activities in areas  
20 subject to periodic floods that require the flood proofing of those  
21 structures that are permitted to be constructed or remodeled; and

22 (5) Establishing restrictions on land clearing activities and  
23 development practices that exacerbate flood problems by increasing the  
24 flow or accumulation of flood waters, or the intensity of drainage, on  
25 low-lying areas. Land clearing activities do not include forest  
26 practices as defined in chapter 76.09 RCW.

27 A comprehensive flood control management plan shall be subject to  
28 the minimum requirements for participation in the national flood  
29 insurance program, requirements exceeding the minimum national flood  
30 insurance program that have been adopted by the department of ecology

1 for a specific flood plain pursuant to RCW 86.16.031, and rules adopted  
2 by the department of ecology pursuant to RCW 86.26.050 relating to  
3 flood plain management activities. When a county plans under chapter  
4 36.70A RCW, it may incorporate the portion of its comprehensive flood  
5 control management plan relating to land use restrictions in its  
6 comprehensive plan and development regulations adopted pursuant to  
7 chapter 36.70A RCW."

8 "NEW SECTION. **Sec. 7.** A new section is added to chapter 86.12 RCW  
9 to read as follows:

10 A comprehensive flood control management plan that includes an area  
11 within which a city or town, or a special district subject to chapter  
12 85.38 RCW, is located shall be developed by the county with the  
13 participation of officials from the city, town, or special district,  
14 including conservation districts, and appropriate state and federal  
15 agencies. Where a comprehensive flood control management plan is being  
16 prepared for a river that is part of the common boundary between two  
17 counties, the county legislative authority of the county preparing the  
18 plan may allow participation by officials of the adjacently located  
19 county.

20 A comprehensive flood control management plan shall be binding on  
21 each city, town, and special district that is located within an area  
22 included in the plan, except that the land use regulations and  
23 restrictions on construction activities contained in a comprehensive  
24 flood control management plan applicable to a city or town shall be  
25 minimum standards that the city or town may exceed."

26 "NEW SECTION. **Sec. 8.** A new section is added to chapter 86.12 RCW  
27 to read as follows:

1 A county may create one or more advisory committees to assist in  
2 the development of proposed comprehensive flood control management  
3 plans and to provide general advice on flood problems. The advisory  
4 committees may include city and town officials, officials of special  
5 districts subject to chapter 85.38 RCW, conservation districts,  
6 appropriate state and federal officials, and officials of other  
7 counties and other interested persons."

8 "Sec. 9. RCW 86.26.050 and 1988 c 36 s 64 are each amended to read  
9 as follows:

10 (1) State participation shall be in such preparation of  
11 comprehensive flood control management plans under this chapter and  
12 chapter 86.12 RCW, cost sharing feasibility studies for new flood  
13 control projects, and flood control maintenance projects as are  
14 affected with a general public and state interest, as differentiated  
15 from a private interest, and as are likely to bring about public  
16 benefits commensurate with the amount of state funds allocated thereto.

17 (2) No participation for flood control maintenance projects may  
18 occur with a county or other municipal corporation unless the director  
19 of ecology has approved the flood plain management activities of the  
20 county, city, or town having planning jurisdiction over the area where  
21 the flood control maintenance project will be, on the one hundred year  
22 flood plain surrounding such area.

23 The department of ecology shall adopt rules concerning the flood  
24 plain management activities of a county, city, or town that are  
25 adequate to protect or preclude flood damage to structures, works, and  
26 improvements, including the restriction of land uses within a river's  
27 meander belt or floodway to only flood-compatible uses. Whenever the  
28 department has approved county, city, and town flood plain management  
29 activities, as a condition of receiving an allocation of funds under

1 this chapter, each revision to the flood plain management activities  
2 must be approved by the department of ecology, in consultation with the  
3 department of fisheries and the department of wildlife.

4 No participation with a county or other municipal corporation for  
5 flood control maintenance projects may occur unless the county engineer  
6 of the county within which the flood control maintenance project is  
7 located certifies that a comprehensive flood control management plan  
8 has been completed and adopted by the appropriate local authority, or  
9 is being prepared for all portions of the river basin or other area,  
10 within which the project is located in that county, that are subject to  
11 flooding with a frequency of one hundred years or less.

12 (3) Participation for flood control maintenance projects and  
13 preparation of comprehensive flood control management plans shall be  
14 made from grants made by the department of ecology from the flood  
15 control assistance account. Comprehensive flood control management  
16 plans, and any revisions to the plans, must be approved by the  
17 department of ecology, in consultation with the department of fisheries  
18 and the department of wildlife. The department may only grant  
19 financial assistance to local governments that, in the opinion of the  
20 department, are making good faith efforts to take advantage of, or  
21 comply with, federal and state flood control programs."

22 "Sec. 10. RCW 86.26.090 and 1984 c 212 s 7 are each amended to  
23 read as follows:

24 The state shall participate with eligible local authorities in  
25 maintaining and restoring the normal and reasonably stable river and  
26 stream channel alignment and the normal and reasonably stable river and  
27 stream channel capacity for carrying off flood waters with a minimum of  
28 damage from bank erosion or overflow of adjacent lands and property;  
29 and in restoring, maintaining and repairing natural conditions, works

1 and structures for the maintenance of such conditions. State  
2 participation in the repair of flood control facilities may include the  
3 enhancement of such facilities. The state shall likewise participate  
4 in the restoration and maintenance of natural conditions, works or  
5 structures for the protection of lands and other property from  
6 inundation or other damage by the sea or other bodies of water. Funds  
7 from the flood control assistance account shall not be available for  
8 maintenance of works or structures maintained solely for the detention  
9 or storage of flood waters."

10 "Sec. 11. RCW 86.26.100 and 1986 c 46 s 4 are each amended to read  
11 as follows:

12 State participation in the cost of any flood control maintenance  
13 project shall be provided for by a written memorandum agreement between  
14 the director of ecology and the legislative authority of the county  
15 submitting the request, which agreement, among other things, shall  
16 state the estimated cost and the percentage thereof to be borne by the  
17 state. In no instance, except on emergency projects, shall the state's  
18 share exceed one-half the cost of the project, to include project  
19 planning and design. Grants for cost sharing feasibility studies for  
20 new flood control projects shall not exceed fifty percent of the  
21 matching funds that are required by the federal government, and shall  
22 not exceed twenty-five percent of the total costs of the feasibility  
23 study. However, grants to prepare a comprehensive flood control  
24 management plan required under RCW 86.26.050 shall not exceed seventy-  
25 five percent of the full planning costs, but not to exceed amounts for  
26 either purpose specified in rule and regulation by the department of  
27 ecology."



1        "NEW SECTION. Sec. 12. A new section is added to chapter 86.15  
2 RCW to read as follows:

3        A board may not establish a zone including an area located in  
4 another zone unless this area is removed from the other zone, or the  
5 other zone is dissolved, as part of the action creating the new zone."

6        "**Sec. 13.** RCW 86.15.178 and 1983 c 315 s 23 and 1983 c 167 s 212  
7 are each reenacted to read as follows:

8        (1) The supervisors may authorize the issuance of revenue bonds to  
9 finance any flood control improvement or storm water control  
10 improvement. The bonds may be issued by the supervisors in the same  
11 manner as prescribed in RCW 36.67.510 through 36.67.570 pertaining to  
12 counties. The bonds shall be issued on behalf of the zone or  
13 participating zones when the improvement has by the resolution,  
14 provided in RCW 86.15.110, been found to be of benefit to a zone or  
15 participating zones. The bonds may be in any form, including bearer  
16 bonds or registered bonds.

17        Each revenue bond shall state on its face that it is payable from  
18 a special fund, naming the fund and the resolution creating the fund.

19        Revenue bond principal, interest, and all other related necessary  
20 expenses shall be payable only out of the appropriate special fund.

21        A zone or participating zones shall have a lien for delinquent  
22 service charges, including interest thereon, against the premises  
23 benefited by a flood control improvement or storm water control  
24 improvement, which lien shall be superior to all other liens and  
25 encumbrances except general taxes and local and special assessments.  
26 The lien shall be effective and shall be enforced and foreclosed in the  
27 same manner as provided for sewerage liens of cities and towns by RCW  
28 35.67.200 through 35.67.290.

1 (2) Notwithstanding subsection (1) of this section, such bonds may  
2 be issued and sold in accordance with chapter 39.46 RCW."

3 "Sec. 14. RCW 86.16.110 and 1987 c 109 s 23 are each reenacted and  
4 amended to read as follows:

5 Any person, association, or corporation, public, municipal, or  
6 private, feeling aggrieved at any order, decision, or determination of  
7 the department or director pursuant to this chapter, affecting his or  
8 her interest, may have the same reviewed pursuant to RCW 43.21B.310."

9 "NEW SECTION. Sec. 15. The department of fisheries and the  
10 department of wildlife shall process hydraulic project applications  
11 submitted under RCW 75.20.100 or 75.20.103 within thirty days of  
12 receipt of the application. This requirement is only applicable for  
13 the repair and reconstruction of legally constructed dikes, seawalls,  
14 and other flood control structures damaged as a result of flooding or  
15 windstorms that occurred in November and December 1990."

16 "NEW SECTION. Sec. 16. The following acts or parts of acts are  
17 each repealed:

18 (1) RCW 86.15.040 and 1961 c 153 s 4;

19 (2) RCW 86.16.027 and 1987 c 109 s 51 & 1935 c 159 s 9;

20 (3) RCW 86.16.030 and 1987 c 109 s 52 & 1935 c 159 s 5;

21 (4) RCW 86.16.040 and 1987 c 109 s 54 & 1935 c 159 s 11;

22 (5) RCW 86.16.060 and 1987 c 109 s 55 & 1935 c 159 s 13;

23 (6) RCW 86.16.065 and 1987 c 109 s 56 & 1935 c 159 s 14;

24 (7) RCW 86.16.067 and 1987 c 109 s 57, 1985 c 469 s 86, & 1935 c  
25 159 s 15;

26 (8) RCW 86.16.070 and 1987 c 109 s 58 & 1935 c 159 s 16;

27 (9) RCW 86.16.080 and 1987 c 109 s 59 & 1935 c 159 s 10;

1 (10) RCW 86.16.090 and 1987 c 109 s 60, 1939 c 85 s 2, & 1935 c 159  
2 s 7; and

3 (11) RCW 86.16.170 and 1987 c 109 s 62 & 1973 c 75 s 3."

4 "NEW SECTION. **Sec. 17.** The department of community development  
5 shall convene a state flood damage reduction commission composed of  
6 twenty-two members as follows: (1) Four members of the senate, two  
7 from each of the major caucuses, who are appointed by the president of  
8 the senate; (2) four members of the house of representatives, two from  
9 each of the major caucuses, who are appointed by the speaker of the  
10 house of representatives; (3) the director of the department of  
11 community development, or the director's designee, who shall act as  
12 chair of the commission; (4) the director of the department of  
13 fisheries, or the director's designee; (5) the director of the  
14 department of wildlife, or the director's designee; (6) the director of  
15 the department of agriculture, or the director's designee; (7) the  
16 director of the department of ecology, or the director's designee; (8)  
17 the director of the department of transportation, or the director's  
18 designee, (9) the commissioner of public lands, or the commissioner's  
19 designee; (10) the director of the parks and recreation commission, or  
20 the director's designee; (11) four persons appointed by the governor  
21 representing counties within which significant flood control  
22 improvements have been constructed; (12) two persons appointed by the  
23 governor representing conservation districts and special districts that  
24 provide flood control improvements; and (13) two persons appointed by  
25 the governor representing tribal governments.

26 The commission may seek assistance from appropriate federal  
27 agencies, including the United States army corp of engineers. The  
28 department of community development shall provide staff for the  
29 commission and pay the expenses of commission members who are appointed

1 by the governor. The expenses of the legislative members shall be paid  
2 by the legislature. The expenses of the state agency officials, or  
3 their designees, shall be paid by their state agencies."

4 "NEW SECTION. Sec. 18. The state flood damage reduction  
5 commission shall consider the development of comprehensive state flood  
6 policies and a comprehensive and coordinated flood damage reduction  
7 plan, including the following elements:

8 (1) Structural and nonstructural flood damage reduction projects;

9 (2) Forest practice effects on watershed hydraulics as determined  
10 by applicable research projects conducted under the timber-fish-  
11 wildlife cooperative monitoring, evaluation, and research program,  
12 including: (a) Percentage of watershed clearcut; (b) logging in very  
13 steep areas; and (c) logging in slide-prone areas;

14 (3) Growth management and land uses, including: (a) Flood plain  
15 development patterns; (b) loss of potential natural flood water storage  
16 areas; (c) future development restrictions in flood-prone areas; and  
17 (d) coordination with the state's growth management act and county  
18 flood comprehensive planning;

19 (4) Comprehensive watershed and flood damage management;

20 (5) Storm water runoff pattern alterations and accompanying  
21 liabilities;

22 (6) Analysis of the federal, state, and local permitting  
23 requirements necessary for projects designed to reduce future flood  
24 damage or to restore areas damaged by floods, including any conflicting  
25 requirements that may exist;

26 (7) Emergency work and coordination, and emergency preparedness  
27 planning;

28 (8) Determination of the need for requirements to disclose the  
29 flood hazard to purchasers or renters of flood-prone property;

1 (9) The role of dredging in flood damage reduction, including  
2 environmental effects, funding sources, and upstream uses that alter  
3 its effectiveness;

4 (10) The role of dikes and levees in flood damage reduction,  
5 including environmental effects, construction and maintenance  
6 standards, sources of funding for construction and maintenance, and  
7 resultant upstream and downstream hydrologic effects;

8 (11) Review criteria for evaluating and approving local plans and  
9 projects funded by grants from the flood control account; and

10 (12) Public acquisition of properties to reduce flood damage."

11 "NEW SECTION. Sec. 19. The state flood reduction commission  
12 shall report its findings to the legislature on or before December 31,  
13 1991. The report shall include the following: (1) Findings relating  
14 to a state flood damage reduction plan; (2) commitments to implement  
15 the plan; (3) recommended state agency regulation and policy changes;  
16 (4) proposed legislation and associated costs to implement the state  
17 flood damage reduction plan; and (5) recommended local flood reduction  
18 and mitigation measures."

19 "NEW SECTION. Sec. 20. A new section is added to chapter 86.16  
20 RCW to read as follows:

21 Local governments that have adopted flood plain management  
22 regulations pursuant to this chapter shall include provisions that  
23 allow for the establishment of livestock flood sanctuary areas at a  
24 convenient location within a farming unit that contains domestic  
25 livestock. Local governments may limit the size and configuration of  
26 the livestock flood sanctuary areas, but such limitation shall provide  
27 adequate space for the expected number of livestock on the farming unit  
28 and shall be at an adequate elevation to protect livestock.

1 Modification to flood plain management regulations required pursuant to  
2 this section shall be within the minimum federal requirements necessary  
3 to maintain coverage under the national flood insurance program."

4 "NEW SECTION. **Sec. 21.** A new section is added to chapter 75.20  
5 RCW to read as follows:

6 Whenever the placement of woody debris is required as a condition  
7 of a hydraulic permit approval issued pursuant to RCW 75.20.100 or  
8 75.20.103, the department of fisheries and the department of wildlife,  
9 upon request, shall invite comment regarding that placement from the  
10 local governmental authority, affected tribes, affected federal and  
11 state agencies, and the project applicant."

12 "NEW SECTION. **Sec. 22.** The department of fisheries, the  
13 department of wildlife, and the department of ecology will work  
14 cooperatively with the United States army corps of engineers to develop  
15 a memorandum of agreement outlining dike vegetation management  
16 guidelines so that dike owners are eligible for coverage under P.L. 84-  
17 99, and state requirements established pursuant to RCW 75.20.100 and  
18 75.20.103 are met."

19 "**Sec. 23.** RCW 38.52.030 and 1986 c 266 s 25 are each amended to  
20 read as follows:

21 (1) The director may employ such personnel and may make such  
22 expenditures within the appropriation therefor, or from other funds  
23 made available for purposes of emergency management, as may be  
24 necessary to carry out the purposes of this chapter.

25 (2) The director, subject to the direction and control of the  
26 governor, shall be responsible to the governor for carrying out the  
27 program for emergency management of this state. The director shall

1 coordinate the activities of all organizations for emergency management  
2 within the state, and shall maintain liaison with and cooperate with  
3 emergency management agencies and organizations of other states and of  
4 the federal government, and shall have such additional authority,  
5 duties, and responsibilities authorized by this chapter, as may be  
6 prescribed by the governor.

7 (3) The director shall develop and maintain a comprehensive, all-  
8 hazard emergency plan for the state which shall include an analysis of  
9 the natural and man-caused hazards which could affect the state of  
10 Washington, and shall include the procedures to be used during  
11 emergencies for coordinating local resources, as necessary, and the  
12 resources of all state agencies, departments, commissions, and boards.  
13 The comprehensive emergency management plan shall direct the department  
14 in times of state emergency to administer and manage the state's  
15 emergency operations center. This will include representation from all  
16 appropriate state agencies and be available as a single point of  
17 contact for the authorizing of state resources or actions, including  
18 emergency permits. The comprehensive, all-hazard emergency plan  
19 authorized under this subsection may not include preparation for  
20 emergency evacuation or relocation of residents in anticipation of  
21 nuclear attack. This plan shall be known as the comprehensive  
22 emergency management plan.

23 (4) In accordance with the comprehensive emergency management plans  
24 and the programs for the emergency management of this state, the  
25 director shall procure supplies and equipment, institute training  
26 programs and public information programs, and shall take all other  
27 preparatory steps, including the partial or full mobilization of  
28 emergency management organizations in advance of actual disaster, to  
29 insure the furnishing of adequately trained and equipped forces of  
30 emergency management personnel in time of need.

1       (5) The director shall make such studies and surveys of the  
2 industries, resources, and facilities in this state as may be necessary  
3 to ascertain the capabilities of the state for emergency management,  
4 and shall plan for the most efficient emergency use thereof.

5       (6) The director may appoint a communications coordinating  
6 committee consisting of six to eight persons with the director, or his  
7 or her designee, as chairman thereof. Three of the members shall be  
8 appointed from qualified, trained and experienced telephone  
9 communications administrators or engineers actively engaged in such  
10 work within the state of Washington at the time of appointment, and  
11 three of the members shall be appointed from qualified, trained and  
12 experienced radio communication administrators or engineers actively  
13 engaged in such work within the state of Washington at the time of  
14 appointment. This committee shall advise the director on all aspects  
15 of the communications and warning systems and facilities operated or  
16 controlled under the provisions of this chapter.

17       (7) The director shall appoint a state coordinator of search and  
18 rescue operations to coordinate those state resources, services and  
19 facilities (other than those for which the state director of  
20 aeronautics is directly responsible) requested by political  
21 subdivisions in support of search and rescue operations, and on request  
22 to maintain liaison with and coordinate the resources, services, and  
23 facilities of political subdivisions when more than one political  
24 subdivision is engaged in joint search and rescue operations.

25       (8) The director, subject to the direction and control of the  
26 governor, shall prepare and administer a state program for emergency  
27 assistance to individuals within the state who are victims of a natural  
28 or man-made disaster, as defined by RCW 38.52.010(6). Such program may  
29 be integrated into and coordinated with disaster assistance plans and  
30 programs of the federal government which provide to the state, or



1 through the state to any political subdivision thereof, services,  
2 equipment, supplies, materials, or funds by way of gift, grant, or loan  
3 for purposes of assistance to individuals affected by a disaster.  
4 Further, such program may include, but shall not be limited to, grants,  
5 loans, or gifts of services, equipment, supplies, materials, or funds  
6 of the state, or any political subdivision thereof, to individuals who,  
7 as a result of a disaster, are in need of assistance and who meet  
8 standards of eligibility for disaster assistance established by the  
9 department of social and health services: PROVIDED, HOWEVER, That  
10 nothing herein shall be construed in any manner inconsistent with the  
11 provisions of Article VIII, section 5 or section 7 of the Washington  
12 state Constitution.

13 (9) The director shall appoint a state coordinator for radioactive  
14 and hazardous waste emergency response programs. The coordinator shall  
15 consult with the state radiation control officer in matters relating to  
16 radioactive materials. The duties of the state coordinator for  
17 radioactive and hazardous waste emergency response programs shall  
18 include:

19 (a) Assessing the current needs and capabilities of state and local  
20 radioactive and hazardous waste emergency response teams on an ongoing  
21 basis;

22 (b) Coordinating training programs for state and local officials  
23 for the purpose of updating skills relating to emergency response;

24 (c) Utilizing appropriate training programs such as those offered  
25 by the federal emergency management agency, the department of  
26 transportation and the environmental protection agency; and

27 (d) Undertaking other duties in this area that are deemed  
28 appropriate by the director."

1        "NEW SECTION.   **Sec. 24.**   A new section is added to chapter 75.20  
2   RCW to read as follows:

3        The department of fisheries, the department of wildlife, the  
4   department of ecology, and the department of natural resources shall  
5   jointly develop an informational brochure that describes when permits  
6   and any other authorizations are required for flood damage prevention  
7   and reduction projects, and recommends ways to best proceed through the  
8   various regulatory permitting processes."

9        "NEW SECTION.   **Sec. 25.**       (1) This section shall apply only to  
10  projects:

11       (a) Needed to repair damage done by the November or December 1990,  
12  flood events, or remove accumulated debris and gravel that  
13  significantly contributed to flooding during the November and December  
14  1990, flood events; and

15       (b) That are not a substantial development as defined in chapter  
16  90.58 RCW; and

17       (c) That require permits or other authorization for removal of  
18  valuable materials as defined in RCW 79.90.060 or permits or  
19  authorization under RCW 75.20.100 or 75.20.103.

20       (2) Any project undertaken under the provisions of this section  
21  shall be completed by September 15, 1991.

22       (3) The department of fisheries, the department of wildlife, the  
23  department of ecology, and the department of natural resources shall  
24  expedite and coordinate any required responses to the project  
25  application. A complete application for approval shall contain general  
26  plans for the overall project, and complete plans and specifications of  
27  the proposed construction or work. Upon receipt of a completed  
28  application, the agency that first receives that application shall,  
29  within fifteen days, schedule and hold a coordination meeting with all

1 appropriate state, local, or county permitting or authorizing agencies.  
2 The project applicant shall be invited to this meeting. The  
3 appropriate city, county, or town may coordinate their permit approval  
4 processes with the state agencies. As soon as possible, but no later  
5 than thirty days after the receipt of a complete application, all  
6 appropriate state agencies will deny or approve the project. Any  
7 conditions placed upon project approvals shall be coordinated among the  
8 state agencies so that those conditions do not conflict."

9 "NEW SECTION. Sec. 26. Section 25 of this act is necessary for  
10 the immediate preservation of the public peace, health, or safety, or  
11 support of the state government and its existing public institutions,  
12 and shall take effect immediately."

13 **ESSB 5411** - H COMM AMD  
14 By Committee on Natural Resources & Parks

15  
16 On page 1, line 1 of the title, after "damage;" strike the  
17 remainder of the title and insert "amending RCW 36.70A.150, 86.26.050,  
18 86.26.090, 86.26.100, and 38.52.030; reenacting and amending RCW  
19 86.16.110; reenacting RCW 86.15.178; adding a new section to chapter  
20 90.03 RCW; adding a new section to chapter 36.70A RCW; adding new  
21 sections to chapter 86.12 RCW; adding a new section to chapter 86.15  
22 RCW; adding a new section to chapter 86.16 RCW; adding new sections to  
23 chapter 75.20 RCW; repealing RCW 86.15.040, 86.16.027, 86.16.030,  
24 86.16.040, 86.16.060, 86.16.065, 86.16.067, 86.16.070, 86.16.080,  
25 86.16.090, and 86.16.170; creating new sections; and declaring an  
26 emergency."