
SENATE BILL 6254

State of Washington

52nd Legislature

1992 Regular Session

By Senators Snyder, Matson, Vognild, Amondson, Barr, Gaspard, Owen, Conner, Oke, Bailey, Bauer, Newhouse, Rasmussen, Sellar, McCaslin, West, Jesernig and Erwin

Read first time 01/22/92. Referred to Committee on Agriculture & Water Resources.

1 AN ACT Relating to consistency with the federal wetland regulatory
2 program; adding a new section to chapter 36.70A RCW; and declaring an
3 emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW
6 to read as follows:

7 (1) The legislature finds that the Congress of the United States
8 has enacted, and the president of the United States has approved, a
9 policy directive to the United States army corps of engineers that
10 requires the use of the 1987 federal manual for identifying and
11 delineating jurisdictional wetlands for use in the administration of
12 the federal wetland regulatory program. Further, the legislature finds
13 that the policy directive to the corps of engineers requires this
14 manual to be used until a subsequent manual is adopted in accordance

1 with the requirements for notice and public comment of the rule-making
2 process of the federal administrative procedures act.

3 (2) The purpose of this section is to promote consistency between
4 wetlands delineated under this chapter and the federal wetland
5 regulatory program administered by the United States army corps of
6 engineers, to avoid unnecessary delays and paperwork, to provide clear
7 and consistent guidance to the regulated community, local governments,
8 and the public of the responsibilities under the state growth
9 management act, and to minimize the cost to the public of
10 implementation of the growth management act.

11 (3) Local governments shall delineate, designate, identify, and
12 regulate by ordinance, wetlands within their jurisdiction using the
13 criteria contained in the wetland delineation manual used by the United
14 States army corps of engineers on the effective date of this act.

15 (4) If a subsequent version of the delineation manual is adopted by
16 the United States army corps of engineers in accordance with the
17 requirements for notice and public comment of the rule-making process
18 of the federal administrative procedures, the department of community
19 development shall notify the appropriate standing committees of the
20 house of representatives and the senate prior to the next regular
21 session of the legislature.

22 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and shall take
25 effect immediately.