

2 **2SSB 5632** - S AMD - 099  
3 By Senator Fraser

4 WITHDRAWN 3/14/95

5 On page 10, line 2, strike everything beginning with "The  
6 hydraulic" through "stream" on line 13 and insert the following:

7 "(2) The department's approval authority shall be limited to  
8 hydraulic projects or other work that: (a) Occurs within the bed, the  
9 water column, or within two hundred feet landward in all directions as  
10 measured on a horizontal plane from the ordinary high water line; or  
11 (b) occurs upland of the area defined in (a) where the work may cause  
12 a significant adverse impact to fish life. The department shall adopt  
13 rules by July 1, 1996, providing standards to determine which projects  
14 or work under (b) of this subsection shall require approval under this  
15 section. In developing the rules the department shall consult with  
16 cities, counties, the construction industry, and other interested  
17 parties. The rules shall include a procedure by which a project  
18 proponent may receive a determination by the department of the  
19 applicability of (b) of this subsection within ten days of receipt of  
20 information from the proponent about the project or work.

21 (3)"

22 Renumber subsections consecutively

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25 On page 13, line 4, delete everything beginning with "The  
26 hydraulic" through "stream" on line 15 and insert the following:

27 "(2) The department's approval authority shall be limited to  
28 hydraulic projects or other work that: (a) Occurs within the bed, the  
29 water column, or within two hundred feet landward in all directions as  
30 measured on a horizontal plane from the ordinary high water line; or  
31 (b) occurs upland of the area defined in (a) where the work may cause  
32 a significant adverse impact to fish life. The department shall adopt

1 rules by July 1, 1996, providing standards to determine which projects  
2 or work under (b) of this subsection shall require approval under this  
3 section. In developing the rules the department shall consult with  
4 cities, counties, the construction industry, and other interested  
5 parties. The rules shall include a procedure by which a project  
6 proponent may receive a determination by the department of the  
7 applicability of (b) of this subsection within ten days of receipt of  
8 information from the proponent about the project or work.

9 (3)"

10 Renumber subsections consecutively

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13 On page 16, after line 6, insert the following new section:

14 NEW SECTION. Sec. 10. A new section is added to chapter 75.20 RCW  
15 to read as follows:

16 The director may enter into a memorandum of understanding, under  
17 such terms and conditions as the director deems appropriate, with a  
18 county, city, or town authorizing the county, city, or town to approve  
19 all or designated categories of projects or work described in  
20 subsection (2)(b) of section 8 and subsection (2)(b) of section 9 of  
21 this act, consistent with the procedures and standards required by this  
22 chapter and the department's rules to implement this chapter. The  
23 memorandum may include a provision authorizing the department to review  
24 actions taken by a county, city, or town under the agreement. The  
25 memorandum shall include a provision authorizing the department to  
26 terminate the agreement if it determines that the county, city, or town  
27 is not complying with the terms of the agreement.