
SENATE BILL 5079

State of Washington

56th Legislature

1999 Regular Session

By Senators Rasmussen and Fraser

Read first time 01/12/1999. Referred to Committee on Environmental Quality & Water Resources.

1 AN ACT Relating to the revocation of state certification of
2 projects under federal water quality laws; and adding a new section to
3 chapter 90.48 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW
6 to read as follows:

7 (1) The department shall hold a public hearing before issuing
8 certification under the authority of section 401 of the federal water
9 pollution control act amendments of 1972, 22 U.S.C. Sec. 1341, if
10 requested by a petition with twenty or more signatures.

11 (2) A certification by the department provided under the authority
12 of section 401 of the federal water pollution control act amendments of
13 1972, 22 U.S.C. Sec. 1341, shall be revoked by the department in the
14 event that the licensing or permitting federal agency denies the
15 license or permit. Such revocation may be subject to reinstatement by
16 the department in the event that the license or permit is later issued
17 by the federal agency or the application proceedings are remanded to
18 the federal agency following appeal. However, if in the intervening
19 period the proposed activity has been modified or new water quality

1 information has been identified, the department shall not issue the
2 certification unless compliance with all applicable state water quality
3 requirements in light of the additional information or changes in the
4 proposed activity has been demonstrated.

--- **END** ---