
SENATE BILL 6264

State of Washington

58th Legislature

2004 Regular Session

By Senators Swecker, Doumit, Oke, Mulliken, Horn, Jacobsen, Rasmussen and Murray

Read first time 01/15/2004. Referred to Committee on Parks, Fish & Wildlife.

1 AN ACT Relating to general permits; adding a new section to chapter
2 77.55 RCW; and adding a new section to chapter 90.58 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.55 RCW
5 to read as follows:

6 (1) The department may issue general permits for any category of
7 activities if the department determines that the activities in such a
8 category are similar in nature, will cause only minimal adverse impacts
9 on fish life when performed separately, and will have only a minimal
10 cumulative impact on fish life. General permits may be issued for a
11 period of up to five years.

12 (2) The general permit must include the following:

13 (a) A precise description of the activities covered by the permit;

14 (b) The conditions and practices an applicant must follow to
15 receive coverage under the permit;

16 (c) The geographic scope of the permit;

17 (d) The method to obtain coverage under the permit; and

18 (e) Any requirements for reporting at project completion.

1 (3) Notice of any proposed general permit and a request for public
2 comment must be published in the Washington State Register, in a
3 newspaper of general circulation in the geographic area covered by the
4 general permit, and on the department's web site. The department must
5 provide at least thirty days after the notice is published before the
6 general permit is finalized. The department may provide an additional
7 period for public comment and public hearings if required by the
8 complexity of the permit and degree of public interest.

9 (4) Any person aggrieved by the issuance of a general permit under
10 this section may appeal the decision according to the provisions of
11 chapter 34.05 RCW. Coverage under the general permit for individual
12 projects is not subject to appeal.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.58 RCW
14 to read as follows:

15 (1) A local government may issue general permits for any category
16 of activities subject to the requirements for a substantial development
17 permit under RCW 90.58.140 if the local government determines that the
18 activities in such a category are similar in nature, will cause only
19 minimal adverse impacts on shorelines when performed separately, will
20 have only a minimal cumulative impact on shorelines, and are consistent
21 with the local master program. General permits may be issued for a
22 period of up to five years.

23 (2) The general permit must include the following:

24 (a) A precise description of the activities covered by the permit;

25 (b) The conditions and practices an applicant must follow to
26 receive coverage under the permit;

27 (c) The geographic scope of the permit;

28 (d) The method to obtain coverage under the permit; and

29 (e) Any requirements for reporting at project completion.

30 (3) Notice of any proposed general permit and a request for public
31 comment must be published in a newspaper of general circulation in the
32 geographic area covered by the general permit, or in any other manner
33 deemed appropriate by the local government. The local government must
34 provide at least thirty days after the notice is published before the
35 general permit is finalized. The local government may provide an
36 additional period for public comment and public hearings if required by
37 the complexity of the permit and degree of public interest.

1 (4) Any person aggrieved by the issuance of a general permit under
2 this section may appeal the general permit to the shorelines hearings
3 board according to the procedures in RCW 90.58.180. Coverage under the
4 general permit for individual projects is not subject to appeal.

--- END ---