
SUBSTITUTE HOUSE BILL 1193

State of Washington

67th Legislature

2021 Regular Session

By House Environment & Energy (originally sponsored by Representative Hoff)

READ FIRST TIME 02/10/21.

1 AN ACT Relating to affirming the process for disposing of dredged
2 materials for federal navigation channel maintenance and improvement;
3 and amending RCW 90.58.355.

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

5 **Sec. 1.** RCW 90.58.355 and 2020 c 20 s 1506 are each amended to
6 read as follows:

7 Requirements to obtain a substantial development permit,
8 conditional use permit, variance, letter of exemption, or other
9 review conducted by a local government to implement this chapter do
10 not apply to:

11 (1) Any person conducting a remedial action at a facility
12 pursuant to a consent decree, order, or agreed order issued pursuant
13 to chapter 70A.305 RCW, or to the department of ecology when it
14 conducts a remedial action under chapter 70A.305 RCW. The department
15 must ensure compliance with the substantive requirements of this
16 chapter through the consent decree, order, or agreed order issued
17 pursuant to chapter 70A.305 RCW, or during the department-conducted
18 remedial action, through the procedures developed by the department
19 pursuant to RCW 70A.305.090;

20 (2) Any person installing site improvements for stormwater
21 treatment in an existing boatyard facility to meet requirements of a

1 national pollutant discharge elimination system stormwater general
2 permit. The department must ensure compliance with the substantive
3 requirements of this chapter through the review of engineering
4 reports, site plans, and other documents related to the installation
5 of boatyard stormwater treatment facilities; ((~~or~~))

6 (3) The department of transportation projects and activities that
7 meet the conditions of RCW 90.58.356; or

8 (4) Actions taken by the United States army corps of engineers,
9 under the authority of United States Code Titles 33 and 42 and 33
10 C.F.R. Sec. 335, to maintain and improve federal navigation channels
11 in accordance with federally mandated dredged material management and
12 improvement project plans that have: (a) Undergone environmental
13 review under both the national environmental policy act, 42 U.S.C.
14 Sec. 4321-4370h and the state environmental policy act, chapter
15 43.21C RCW; and (b) applied for federal clean water act section 401
16 water quality certifications issued by the department.

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