

# HOUSE BILL REPORT

## 2SHB 1539

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### As Passed House:

March 10, 1995

**Title:** An act relating to watershed restoration projects.

**Brief Description:** Establishing a single-application process for watershed restoration projects.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Buck, Ebersole, Fuhrman, Wolfe, Chandler, Chappell, Kremen, Grant, Kessler, Basich, Hargrove, L. Thomas, G. Fisher, Johnson, Dyer, Elliot, Goldsmith, McMahan, Clements, Cooke, Brumsickle and Mastin).

### Brief History:

#### Committee Activity:

Natural Resources: 2/9/95, 2/21/95 [DPS];

Appropriations: 3/4/95 [DP2S(w/o sub NR)].

#### Floor Activity:

Passed House: 3/10/95, 97-0.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Basich, Ranking Minority Member; Regala, Assistant Ranking Minority Member; Beeksma; Cairnes; Elliot; G. Fisher; Jacobsen; Romero; Sheldon; Stevens; B. Thomas and Thompson.

**Staff:** Rick Anderson (786-7114).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Natural Resources. Signed by 28 members: Representatives Silver, Chairman; Huff, Vice Chairman; Pelesky, Vice Chairman; Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Crouse; G. Fisher; Foreman; Grant; Hargrove; Hickel; Jacobsen; Lambert; Lisk; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; Thibaudeau and Wolfe.

**Staff:** Nancy Stevenson (786-7137).

**Background:** Local governments are required to develop several types of water-related plans. Examples of these planning requirements include: shoreline management plans, stormwater plans, drinking water plans, flood plans, and local watershed action plans. Governmental agencies typically ensure compliance with these plans through various permits.

**Summary of Bill:** By January 1, 1996, the Washington Conservation Commission is required to consolidate the process of applying for various watershed-related permits by developing a single application form. In developing the single application form, the Conservation Commission must consult with affected governmental agencies.

The single application form applies only to projects that are: 1) part of a watershed restoration plan; and 2) meet the definition of a watershed restoration project.

A "watershed restoration project" is defined as a project that is authorized by the sponsor of a watershed restoration plan, implements the plan, and meets one of the following criteria: 1) involves less than 10 miles of streamreach and disturbs less than 25 cubic yards of sand, gravel, or soil; 2) uses bioengineering principles to restore streambanks; and 3) improves fish and wildlife habitat. A "watershed restoration plan" is defined as a watershed restoration plan that: 1) is developed or sponsored by the departments of Ecology, Natural Resources, Fish and Wildlife, or by a federally recognized Indian tribe, city, county, conservation district; and 2) has had an environmental review under the State Environmental Policy Act.

Each state and local agency that requires a permit for a watershed restoration project must designate a permit recipient and inform the Conservation Commission of that designation. All state agencies requiring a permit for a watershed restoration project must process the single application form within 45 days. Cities and counties may elect not to process the application. State and local agencies may not charge a fee for processing the permits covered in the single application.

The following permits must be consolidated by the commission, and be processed within 45 days: permits for a watershed project required by county planning commissions, the Department of Ecology, the Department of Natural Resources, and permits required by the Growth Management Act and the State Hydraulics Code.

Watershed projects are exempt from environmental review under the state environmental policy act (SEPA) and from substantial development permits under the shoreline management act. Local governments may review the project for consistency with the local shoreline master program. Permits reviewed by a local government must be processed within 45 days and no fee may be charged for processing the permit.

The act is null and void unless funds are provided in the budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Bill:** Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Testimony For:** (Natural Resources) Volunteer groups implementing watershed restoration plans need help and technical assistance from state agencies, not endless permitting requirements. Volunteer groups are often unable to afford permit fees. There are a number of restoration projects ready to be implemented; this bill will help expedite restoration projects. Small cities may not be able to process the permits in 30 days and may not be able to afford to waive fees.

(Appropriations) This bill is designed to help volunteer organizations do watershed restoration projects. It will be simpler for groups like the Boy Scouts and Long Live the Kings to do projects. This is very helpful to our efforts in habitat restoration.

**Testimony Against:** (Natural Resources) None.

(Appropriations) None.

**Testified:** (Natural Resources) Ric Abbett, NWSSC of Trout Unlimited; Al Schmauder, Clover Creek Council of Pierce County; Kathy Minsch, Puget Sound Water Quality Authority; Maureen Morris, Association of Washington Cities; Ted Bottiger, Washington Association of Conservation Districts; and Willy O'Neil, Long Live the King (all in favor).

(Appropriations) Representative Jim Buck, prime sponsor; Ted Bottiger, Washington Association of Conservation Districts; and Willy O'Neil, Long Live the Kings.