

2 ESHB 2259 - S AMD - 534
3 By Senator Rasmussen

4 NOT ADOPTED 4/26/97

5 On page 44, after line 6, insert the following:

6 "(24) From within the appropriations provided in this section, the
7 department shall prepare a review of its program regarding the exercise
8 of the state's water quality certification authority under section 401
9 of the federal water pollution control act amendments of 1972, 32
10 U.S.C. Section 1341. The review shall include an assessment of the
11 effectiveness of its policies and procedures to provide for public
12 review and comment upon proposed certifications, including the
13 provision of at least one public hearing upon the proposed 401
14 certification decision, and the disposition of certifications issued by
15 the state in the event that the proposed federal license or permit is
16 denied or otherwise not provided. The review shall evaluate the status
17 of certifications issued from July 1, 1992 to the present, and
18 determine whether that status should be modified in cases in which the
19 federal permit or license to which the certification was directed was
20 denied or otherwise not issued. The review shall include the
21 department's recommendations for improvements in its existing policies
22 and procedures, and shall be provided to the appropriate standing
23 committees of the legislature by December 31, 1997."

24 Renumber the sections consecutively and correct any internal
25 references accordingly.

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EFFECT: Requires Department of Ecology to review its
procedures for making water quality certifications under section 401 of
federal clean water act.