
SUBSTITUTE HOUSE BILL 2340

State of Washington

55th Legislature

1998 Regular Session

By House Committee on House Government Reform & Land Use (originally sponsored by Representatives Thompson, Mulliken, Pennington, Gardner, Romero, Backlund, Anderson, Lambert, Boldt and Lantz)

Read first time 02/05/98. Referred to Committee on .

1 AN ACT Relating to wetlands technical assistance; adding a new
2 chapter to Title 90 RCW; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise:

6 (1) "Department" means the department of ecology.

7 (2) "Governmental agency" means the department of ecology, the
8 department of fish and wildlife, counties, cities, and towns; and any
9 federal agency upon the agreement of the agency to be subject to this
10 chapter.

11 (3) "Property owner" means a person who has a legal interest in a
12 parcel of property or has entered a purchase and sale agreement for a
13 parcel of property.

14 NEW SECTION. **Sec. 2.** (1) The department shall create a pilot
15 project to provide wetlands technical assistance as provided in this
16 section in two of its regional offices.

17 (2) At the request of a property owner, the department shall
18 provide technical assistance on wetlands issues by:

1 (a) Assisting property owners in identifying whether wetlands are
2 present and the general location and extent of wetlands on the property
3 in question;

4 (b) Assisting property owners in identifying the federal, state,
5 and local permits and regulations that may apply to the property;

6 (c) Reviewing wetland determinations and delineations and providing
7 a nonbinding evaluation of whether the decisions are technically
8 correct; and

9 (d) Facilitating the resolution of disputes between property owners
10 and governmental agencies on wetlands issues.

11 (3) The legislature intends that the department respond to requests
12 in a timely manner and use its best efforts to complete an evaluation
13 and conclude dispute resolution facilitation within thirty days of a
14 written request, unless the parties agree to a longer time, additional
15 information is needed, or a site visit is necessary and environmental
16 conditions necessitate additional time.

17 (4) The staff assigned to provide technical assistance on wetlands
18 issues shall:

19 (a) Be located in two of the regional offices of the department;

20 (b) Have as their sole function the provision of assistance
21 authorized by this section and no regulatory function;

22 (c) Have the necessary expertise to advise property owners and
23 governmental agencies on wetlands technical issues. When the
24 department determines that the expertise of a soils scientist would be
25 desirable, the department may contract with a soils scientist certified
26 or registered by a professional body determined by the department to
27 have the capability to assess expertise in soils and related matters.

28 NEW SECTION. **Sec. 3.** By December 1, 1999, the department shall
29 submit a report to the appropriate committees of both houses of the
30 legislature detailing the following information regarding the provision
31 of technical assistance on wetlands issues:

32 (1) The number of instances in which the assistance of the
33 department has been requested, the type of assistance requested, the
34 timeliness in which the department responded to requests, and the staff
35 time needed to provide the assistance;

36 (2) An evaluation of the value of the service to property owners
37 and governmental agencies; and

1 (3) Recommendations for any changes needed to make the assistance
2 more effective.

3 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act expire July
4 1, 2000.

5 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
6 a new chapter to Title 90 RCW.

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