

5041-S

Sponsor(s): Senate Committee on Agriculture & Environment  
(originally sponsored by Senator Benton)

Brief Title: Regulating appeals procedures and judicial review standards for environmental regulation hearings and appeals boards.

**SB 5041-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person who is aggrieved or adversely affected by a water quantity decision may appeal the decision either to the pollution control hearings board pursuant to RCW 43.21B.310 or directly to a superior court. Any such appeal to superior court may be either on the record or de novo at the option of an appealing party. An appeal of a decision regarding a water withdrawal must be filed in the county where the point of withdrawal is located. An appeal of a decision regarding an instream flow or a water management plan must be filed in the county with the greatest amount of territory governed by the flow or plan.

Establishes procedures for mediation of issues.