
HOUSE BILL 1893

State of Washington 56th Legislature 1999 Regular Session

By Representatives Doumit, Mulliken, Scott, Linville and Hatfield

Read first time 02/09/1999. Referred to Committee on Local Government.

1 AN ACT Relating to streamlining state and local permit issuance;
2 amending RCW 36.70A.020, 90.48.215, 90.48.220, 90.58.090, 58.17.095,
3 90.60.020, 90.60.030, and 90.60.100; adding new sections to chapter
4 90.48 RCW; adding a new section to chapter 75.20 RCW; adding new
5 sections to chapter 35.63 RCW; adding a new section to chapter 90.60
6 RCW; creating new sections; and providing an expiration date.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that facilitating the
9 environmental permit process will increase citizen satisfaction and
10 compliance with state and local permit requirements. Lack of
11 coordination in the processing of permit applications causes
12 frustration and confusion to the applicant. The public deserves a
13 clear, predictable system for land-use decisions. The legislature also
14 finds that permit issuance can be streamlined by requiring local
15 jurisdictions to coordinate their permit processes with those of the
16 state government.

17 **Sec. 2.** RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each
18 amended to read as follows:

1 The following goals are adopted to guide the development and
2 adoption of comprehensive plans and development regulations of those
3 counties and cities that are required or choose to plan under RCW
4 36.70A.040. The following goals are not listed in order of priority
5 and shall be used exclusively for the purpose of guiding the
6 development of comprehensive plans and development regulations:

7 (1) Urban growth. Encourage development in urban areas where
8 adequate public facilities and services exist or can be provided in an
9 efficient manner.

10 (2) Reduce sprawl. Reduce the inappropriate conversion of
11 undeveloped land into sprawling, low-density development.

12 (3) Transportation. Encourage efficient multimodal transportation
13 systems that are based on regional priorities and coordinated with
14 county and city comprehensive plans.

15 (4) Housing. Encourage the availability of affordable housing to
16 all economic segments of the population of this state, promote a
17 variety of residential densities and housing types, and encourage
18 preservation of existing housing stock.

19 (5) Economic development. Encourage economic development
20 throughout the state that is consistent with adopted comprehensive
21 plans, promote economic opportunity for all citizens of this state,
22 especially for unemployed and for disadvantaged persons, and encourage
23 growth in areas experiencing insufficient economic growth, all within
24 the capacities of the state's natural resources, public services, and
25 public facilities.

26 (6) Property rights. Private property shall not be taken for
27 public use without just compensation having been made. The property
28 rights of landowners shall be protected from arbitrary and
29 discriminatory actions.

30 (7) Permits. Applications for both state and local government
31 permits should be coordinated and processed in a timely and fair manner
32 to ensure predictability.

33 (8) Natural resource industries. Maintain and enhance natural
34 resource-based industries, including productive timber, agricultural,
35 and fisheries industries. Encourage the conservation of productive
36 forest lands and productive agricultural lands, and discourage
37 incompatible uses.

38 (9) Open space and recreation. Encourage the retention of open
39 space and development of recreational opportunities, conserve fish and

1 wildlife habitat, increase access to natural resource lands and water,
2 and develop parks.

3 (10) Environment. Protect the environment and enhance the state's
4 high quality of life, including air and water quality, and the
5 availability of water.

6 (11) Citizen participation and coordination. Encourage the
7 involvement of citizens in the planning process and ensure coordination
8 between communities and jurisdictions to reconcile conflicts.

9 (12) Public facilities and services. Ensure that those public
10 facilities and services necessary to support development shall be
11 adequate to serve the development at the time the development is
12 available for occupancy and use without decreasing current service
13 levels below locally established minimum standards.

14 (13) Historic preservation. Identify and encourage the
15 preservation of lands, sites, and structures, that have historical or
16 archaeological significance.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.48 RCW
18 to read as follows:

19 (1) Except as otherwise provided in subsection (2) of this section,
20 the department shall issue its notice of final decision on a project
21 permit application within one hundred twenty days after the department
22 notifies the applicant that the application is complete, as provided in
23 RCW 90.48.215. In determining the number of days that have elapsed
24 after the department has notified the applicant that the application is
25 complete, the following periods shall be excluded:

26 (a)(i) Any period during which the applicant has been requested by
27 the department to correct plans, perform required studies, or provide
28 additional required information. The period shall be calculated from
29 the date the department notifies the applicant of the need for
30 additional information until the earlier of the date the department
31 determines whether the additional information satisfies the request for
32 information or fourteen days after the date the information has been
33 provided to the department.

34 (ii) If the department determines that the information submitted by
35 the applicant under (a)(i) of this subsection is insufficient, it shall
36 notify the applicant of the deficiencies and the procedures under
37 (a)(i) of this subsection shall apply as if a new request for studies
38 had been made;

1 (b) Any period during which a determination under chapter 43.21C
2 RCW is pending;

3 (c) Any period for administrative appeals of project permits, if an
4 open record appeal hearing or a closed record appeal, or both, are
5 allowed; and

6 (d) Any extension of time mutually agreed upon by the applicant and
7 the local government.

8 (2) The time limits established by subsection (1) of this section
9 do not apply if a project permit application is substantially revised
10 by the applicant, in which case the time period shall start from the
11 date at which the revised project application is determined to be
12 complete under RCW 36.70B.070.

13 (3) Until July 1, 2000, if the department is unable to issue its
14 final decision within the time limits provided for in this section, it
15 shall provide written notice of this fact to the project applicant.
16 The notice shall include a statement of reasons why the time limits
17 have not been met and an estimated date for issuance of the notice of
18 final decision. On and after July 1, 2000, if the department is unable
19 to issue its final decision within the time limits provided for in this
20 section, the permit is deemed approved and the department shall provide
21 written notice of this fact to the project applicant.

22 (4) The department shall track the number of permits issued within
23 one hundred twenty days, the number of denials, the number of requests
24 for information, and the number of applications that are withdrawn.

25 (5) This section applies to project permit applications filed on or
26 after July 1, 1999.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 90.48 RCW
28 to read as follows:

29 (1) Within twenty-eight days after receiving a project permit
30 application, the department shall mail or provide in person a written
31 determination to the applicant, stating either:

32 (a) That the application is complete; or

33 (b) That the application is incomplete and what is necessary to
34 make the application complete.

35 To the extent known by the department, the department shall
36 identify other agencies of local, state, or federal governments that
37 may have jurisdiction over some aspect of the application.

1 (2) A project permit application is complete for purposes of this
2 section when it meets the procedural submission requirements of the
3 department and is sufficient for continued processing even though
4 additional information may be required or project modifications may be
5 undertaken subsequently. The determination of completeness shall not
6 preclude the department from requesting additional information or
7 studies either at the time of the notice of completeness or
8 subsequently if new information is required or substantial changes in
9 the proposed action occur.

10 (3)(a) An application shall be deemed complete under this section
11 if the department does not provide a written determination to the
12 applicant that the application is incomplete as provided in subsection
13 (1)(b) of this section.

14 (b) Within fourteen days after an applicant has submitted to the
15 department additional information identified by the department as being
16 necessary for a complete application, the department shall notify the
17 applicant whether the application is complete or what additional
18 information is necessary.

19 **Sec. 5.** RCW 90.48.215 and 1989 c 293 s 1 are each amended to read
20 as follows:

21 (1) The following definition shall apply to this section: "Upland
22 finfish hatching and rearing facilities" means those facilities not
23 located within waters of the state where finfish are hatched, fed,
24 nurtured, held, maintained, or reared to reach the size of release or
25 for market sale. This shall include fish hatcheries, rearing ponds,
26 spawning channels, and other similarly constructed or fabricated public
27 or private facilities.

28 (2) Not later than September 30, 1989, the department shall adopt
29 standards pursuant to chapter 34.05 RCW for waste discharges from
30 upland finfish hatching and rearing facilities. In establishing these
31 standards, the department shall incorporate, to the extent applicable,
32 studies conducted by the United States environmental protection agency
33 on finfish rearing facilities and other relevant information. The
34 department shall also issue a general permit as authorized by the
35 federal clean water act, 33 U.S.C. 1251 et seq., or RCW 90.48.160 by
36 September 30, 1989, for upland finfish hatching and rearing facilities.
37 The department shall approve or deny applications for coverage under
38 the general permit for upland finfish hatching and rearing facilities

1 within one hundred (~~eighty~~) twenty days from the date of application,
2 unless a longer time is required to satisfy public participation
3 requirements in the permit process in accordance with applicable rules,
4 or compliance with the requirements of the state environmental policy
5 act under chapter 43.21C RCW. The department shall notify applicants
6 for coverage by a general permit as soon as it determines that a
7 proposed discharge meets or fails to comply with the standards or
8 general permit conditions set forth pursuant to this section, or that
9 a time period longer than one hundred (~~eighty~~) twenty days is
10 necessary to satisfy public participation requirements or the state
11 environmental policy act.

12 **Sec. 6.** RCW 90.48.220 and 1993 c 296 s 1 are each amended to read
13 as follows:

14 (1) For the purposes of this section "marine finfish rearing
15 facilities" means those private and public facilities located within
16 the salt water of the state where finfish are fed, nurtured, held,
17 maintained, or reared to reach the size of release or for market sale.

18 (2) Not later than October 31, 1994, the department shall adopt
19 criteria under chapter 34.05 RCW for allowable sediment impacts from
20 organic enrichment due to marine finfish rearing facilities.

21 (3) Not later than June 30, 1995, the department shall adopt
22 standards under chapter 34.05 RCW for waste discharges from marine
23 finfish rearing facilities. In establishing these standards, the
24 department shall review and incorporate, to the extent possible,
25 studies conducted by state and federal agencies on waste discharges
26 from marine finfish rearing facilities, and any reports and other
27 materials prepared by technical committees on waste discharges from
28 marine finfish rearing facilities. The department shall approve or
29 deny discharge permit applications for marine finfish rearing
30 facilities within one hundred (~~eighty~~) twenty days from the date of
31 application, unless a longer time is required to satisfy public
32 participation requirements in the permit process in accordance with
33 applicable rules, or compliance with the requirements of the state
34 environmental policy act under chapter 43.21C RCW. The department
35 shall notify applicants as soon as it determines that a proposed
36 discharge meets or fails to comply with the standards adopted pursuant
37 to this section, or if a time period longer than one hundred (~~eighty~~)

1 twenty days is necessary to satisfy public participation requirements
2 of the state environmental policy act.

3 (4) The department may adopt rules to exempt marine finfish rearing
4 facilities not requiring national pollutant discharge elimination
5 system permits under the federal water pollution control act from the
6 discharge permit requirement.

7 **Sec. 7.** RCW 90.58.090 and 1997 c 429 s 50 are each amended to read
8 as follows:

9 (1) A master program, segment of a master program, or an amendment
10 to a master program shall become effective when approved by the
11 department. Within the time period provided in RCW 90.58.080, each
12 local government shall have submitted a master program, either totally
13 or by segments, for all shorelines of the state within its jurisdiction
14 to the department for review and approval. The department shall make
15 a final decision on major master plan modifications within one hundred
16 eighty days of receipt of a complete master program. The department
17 shall make a final decision on minor master plan amendments within one
18 hundred twenty days of receipt of a complete master program.

19 (2) Upon receipt of a proposed master program or amendment, the
20 department shall:

21 (a) Provide notice to and opportunity for written comment by all
22 interested parties of record as a part of the local government review
23 process for the proposal and to all persons, groups, and agencies that
24 have requested in writing notice of proposed master programs or
25 amendments generally or for a specific area, subject matter, or issue.
26 The comment period shall be at least thirty days, unless the department
27 determines that the level of complexity or controversy involved
28 supports a shorter period;

29 (b) In the department's discretion, conduct a public hearing during
30 the thirty-day comment period in the jurisdiction proposing the master
31 program or amendment;

32 (c) Within fifteen days after the close of public comment, request
33 the local government to review the issues identified by the public,
34 interested parties, groups, and agencies and provide a written response
35 as to how the proposal addresses the identified issues;

36 (d) Within thirty days after receipt of the local government
37 response pursuant to (c) of this subsection, make written findings and
38 conclusions regarding the consistency of the proposal with the policy

1 of RCW 90.58.020 and the applicable guidelines, provide a response to
2 the issues identified in (c) of this subsection, and either approve the
3 proposal as submitted, recommend specific changes necessary to make the
4 proposal approvable, or deny approval of the proposal in those
5 instances where no alteration of the proposal appears likely to be
6 consistent with the policy of RCW 90.58.020 and the applicable
7 guidelines. The written findings and conclusions shall be provided to
8 the local government, all interested persons, parties, groups, and
9 agencies of record on the proposal;

10 (e) If the department recommends changes to the proposed master
11 program or amendment, within thirty days after the department mails the
12 written findings and conclusions to the local government, the local
13 government may:

14 (i) Agree to the proposed changes. The receipt by the department
15 of the written notice of agreement constitutes final action by the
16 department approving the amendment; or

17 (ii) Submit an alternative proposal. If, in the opinion of the
18 department, the alternative is consistent with the purpose and intent
19 of the changes originally submitted by the department and with this
20 chapter it shall approve the changes and provide written notice to all
21 recipients of the written findings and conclusions. If the department
22 determines the proposal is not consistent with the purpose and intent
23 of the changes proposed by the department, the department may resubmit
24 the proposal for public and agency review pursuant to this section or
25 reject the proposal.

26 (3) The department shall approve the segment of a master program
27 relating to shorelines unless it determines that the submitted segments
28 are not consistent with the policy of RCW 90.58.020 and the applicable
29 guidelines.

30 (4) The department shall approve those segments of the master
31 program relating to shorelines of state-wide significance only after
32 determining the program provides the optimum implementation of the
33 policy of this chapter to satisfy the state-wide interest. If the
34 department does not approve a segment of a local government master
35 program relating to a shoreline of state-wide significance, the
36 department may develop and by rule adopt an alternative to the local
37 government s proposal.

38 (5) In the event a local government has not complied with the
39 requirements of RCW 90.58.070 it may thereafter upon written notice to

1 the department elect to adopt a master program for the shorelines
2 within its jurisdiction, in which event it shall comply with the
3 provisions established by this chapter for the adoption of a master
4 program for such shorelines.

5 Upon approval of such master program by the department it shall
6 supersede such master program as may have been adopted by the
7 department for such shorelines.

8 (6) A master program or amendment to a master program takes effect
9 when and in such form as approved or adopted by the department.
10 Shoreline master programs that were adopted by the department prior to
11 July 22, 1995, in accordance with the provisions of this section then
12 in effect, shall be deemed approved by the department in accordance
13 with the provisions of this section that became effective on that date.
14 The department shall maintain a record of each master program, the
15 action taken on any proposal for adoption or amendment of the master
16 program, and any appeal of the department's action. The department's
17 approved document of record constitutes the official master program.

18 **Sec. 8.** RCW 58.17.095 and 1986 c 233 s 1 are each amended to read
19 as follows:

20 (1) A county, city, or town may adopt an ordinance providing for
21 the administrative review of a preliminary plat without a public
22 hearing (~~by adopting an ordinance providing for such administrative~~
23 ~~review~~). The ordinance may specify a threshold number of lots in a
24 subdivision above which a public hearing must be held, and may specify
25 other factors which necessitate the holding of a public hearing. (~~The~~
26 ~~administrative review process shall include the~~)

27 (2) If the county, city, or town has adopted consolidated
28 permitting procedures and time frames as provided in chapter 36.70B
29 RCW, it may conduct administrative review of preliminary plats
30 consistent with its procedures and time frames. At a minimum, local
31 permitting procedures and time frames related to administrative review
32 of preliminary plats shall provide for:

33 (a) Notice of application by publication, posting, and mailing.
34 All forms of notice shall include a prominent statement that no public
35 hearing will be held on the application, except as provided by this
36 section. All forms of notice shall clearly state procedures and time
37 frames for persons to make comments on the proposal and request a
38 public hearing.

1 (b) Written comments on the application by any person. Comments
2 received shall be provided to the applicant, and the applicant shall be
3 provided seven days from receipt of the comments to respond thereto.

4 (c) A public hearing on the application if any person files a
5 request for a hearing within the time frame specified. If a hearing is
6 requested, notice requirements for the public hearing and the time
7 frame for approval or disapproval of the application shall be
8 consistent with other local permitting procedures. Any hearing
9 conducted under this subsection shall be conducted by the planning
10 commission or hearing officer as required by local ordinance.

11 (d) A public hearing on the application if the legislative or
12 executive branch of the county, city, or town so requests within the
13 time frame specified.

14 (e) Expedited agency review and transmittal of its recommendation
15 on the application to the legislative body of the county, city, or
16 town, if there is no request for public hearing.

17 (3) If the county, city, or town has not adopted consolidated
18 permitting procedures and time frames as provided in chapter 36.70B
19 RCW, it shall conduct administrative review of preliminary plats
20 consistent with the following minimum conditions:

21 ~~((1))~~ (a) The notice requirements of RCW 58.17.090 shall be
22 followed, except that the publication shall be made within ten days of
23 the filing of the application. Additionally, at least ten days after
24 the filing of the application notice both shall be: ~~((a))~~ (i) Posted
25 on or around the land proposed to be subdivided in at least five
26 conspicuous places designed to attract public awareness of the
27 proposal; and ~~((b))~~ (ii) mailed to the owner of each lot or parcel of
28 property located within at least three hundred feet of the site. The
29 applicant shall provide the county, city, or town with a list of such
30 property owners and their addresses. The notice shall include
31 notification that no public hearing will be held on the application,
32 except as provided by this section. The notice shall set out the
33 procedures and time limitations for persons to require a public hearing
34 and make comments.

35 ~~((2))~~ (b) Any person shall have a period of twenty days from the
36 date of the notice to comment upon the proposed preliminary plat. All
37 comments received shall be provided to the applicant. The applicant
38 has seven days from receipt of the comments to respond thereto.

1 (~~(3)~~) (c) A public hearing on the proposed subdivision shall be
2 held if any person files a request for a hearing with the county, city,
3 or town within twenty-one days of the publishing of such notice. If
4 such a hearing is requested, notice requirements for the public hearing
5 shall be in conformance with RCW 58.17.090, and the ninety-day period
6 for approval or disapproval of the proposed subdivision provided for in
7 RCW 58.17.140 shall commence with the date of the filing of the request
8 for a public hearing. Any hearing ordered under this subsection shall
9 be conducted by the planning commission or hearings officer as required
10 by county or city ordinance.

11 (~~(4)~~) (d) On its own initiative within twenty-one days of the
12 filing of the request for approval of the subdivision, the governing
13 body, or a designated employee or official, of the county, city, or
14 town, shall be authorized to cause a public hearing to be held on the
15 proposed subdivision within ninety days of the filing of the request
16 for the subdivision.

17 (~~(5)~~) (e) If the public hearing is waived as provided in this
18 section, the planning commission or planning agency shall complete the
19 review of the proposed preliminary plat and transmit its recommendation
20 to the legislative body as provided in RCW 58.17.100.

21 NEW SECTION. **Sec. 9.** A new section is added to chapter 75.20 RCW
22 to read as follows:

23 The department may develop a pilot project to delegate permitting
24 authority to a county. The county receiving delegation may impose fees
25 to cover the costs of the program. Such delegation agreement must
26 contain provisions for effective monitoring and enforcement of
27 hydraulic permits. The department may not delegate rule-making
28 authority in the pilot program. This section expires June 30, 2001.

29 **Sec. 10.** RCW 90.60.020 and 1995 c 347 s 602 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout this chapter.

33 (1) "Center" means the permit assistance center established in the
34 (~~commission~~~~[department]~~) department by RCW 90.60.030.

35 (2) "Coordinating permit agency" means the permit agency that has
36 the greatest overall jurisdiction over a project.

37 (3) "Department" means the department of ecology.

1 (4) "Participating permit agency" means a permit agency, other than
2 the coordinating permit agency, that is responsible for the issuance of
3 a permit for a project.

4 (5) "Parties" collectively means the coordinating permit agency,
5 permit agency, and participating permit agency.

6 (6) "Permit" means any license, certificate, registration, permit,
7 or other form of authorization required by a permit agency to engage in
8 a particular activity.

9 ((+6)) (7) "Permit agency" means:

10 (a) The department of ecology, an air pollution control authority,
11 the department of natural resources, the department of fish and
12 wildlife, and the department of health; and

13 (b) Any other state or federal agency or county, city, or town that
14 participates at the request of the permit applicant and upon the
15 agency's agreement to be subject to this chapter.

16 ((+7)) (8) "Project" means an activity, the conduct of which
17 requires permits from one or more permit agencies.

18 **Sec. 11.** RCW 90.60.030 and 1997 c 429 s 35 are each amended to
19 read as follows:

20 The permit assistance center is established within the department.
21 The center shall:

22 (1) Publish and keep current one or more handbooks containing lists
23 and explanations of all permit laws. To the extent possible, the
24 handbook shall include relevant federal and tribal laws. A state
25 agency or local government shall provide a reasonable number of copies
26 of application forms, statutes, ordinances, rules, handbooks, and other
27 informational material requested by the center and shall otherwise
28 fully cooperate with the center. The center shall seek the cooperation
29 of relevant federal agencies and tribal governments;

30 (2) Establish, and make known, a point of contact for distribution
31 of the handbook and advice to the public as to its interpretation in
32 any given case;

33 (3) Work closely and cooperatively with the business license center
34 in providing efficient and nonduplicative service to the public;

35 (4) Seek the assignment of employees from the permit agencies
36 ~~((listed under RCW 90.60.020(6)(a)))~~ as defined in this chapter to
37 serve on a rotating basis in staffing the center;

1 (5) Collect and disseminate information to public and private
2 entities on federal, state, local, and tribal government programs that
3 rely on private professional expertise to assist governmental agencies
4 in project permit review; ~~((and))~~

5 (6) Provide ~~((an annual))~~ a biennial report to the legislature ~~((on~~
6 ~~potential conflicts and perceived inconsistencies among existing~~
7 ~~statutes. The first report shall be submitted to the appropriate~~
8 ~~standing committees of the house of representatives and senate by~~
9 ~~December 1, 1996))~~ that:

10 (a) Provides policy and operational recommendations for
11 streamlining and coordinating environmental permitting in Washington;

12 (b) Summarizes the results of the center's efforts to measure
13 center performance and outcomes over time; and

14 (c) Provides budget accounting that includes all expenses and
15 income received biennially; and

16 (7) Develop and coordinate a pilot integrated permitting process.

17 **Sec. 12.** RCW 90.60.100 and 1995 c 347 s 610 are each amended to
18 read as follows:

19 (1) The ~~((coordinating permit agency))~~ parties may enter into a
20 written cost-reimbursement agreement with the applicant to recover from
21 the applicant the reasonable costs incurred by the ~~((coordinating~~
22 ~~permit agency))~~ parties in carrying out the requirements of this
23 chapter, as well as the requirements of other relevant laws, as they
24 relate to permit coordination, environmental review, application
25 review, and permit processing.

26 (2) The ~~((coordinating permit agency may recover only the costs of~~
27 ~~performing those coordinated permit services and))~~ written cost-
28 reimbursement agreement shall be negotiated with the permit applicant
29 ~~((in))~~ following the meeting required pursuant to RCW 90.60.070. The
30 billing process shall provide for accurate time and cost accounting and
31 may include a billing cycle that provides for progress payments.

32 NEW SECTION. **Sec. 13.** A new section is added to chapter 35.63 RCW
33 to read as follows:

34 (1) The permit assistance center shall develop and coordinate a
35 pilot integrated permit process.

36 (2) The pilot integrated permit process in this section shall
37 consist of:

- 1 (a) One or more preapplication conferences that:
- 2 (i) Include the applicant, the project coordinator, the local
- 3 permit facilitator, and the permit assistance center acting as state
- 4 permit facilitator;
- 5 (ii) Discuss options for project design and for land use,
- 6 environmental review, and permitting;
- 7 (iii) Identify potential permitting agencies, permits, schedules,
- 8 and costs; and
- 9 (iv) Identify a potential project team that includes
- 10 representatives of the applicant and relevant local and state
- 11 permitting agencies;
- 12 (b) A determination of completeness of the project application
- 13 provided by the municipality to the applicant within thirty-five days,
- 14 or fourteen days after receipt of requested supplementation that
- 15 includes both a determination of completeness issued by the
- 16 municipality, according to its local permit review process, and
- 17 determinations of completeness issued by the state permitting agencies;
- 18 (c) Coordination of permitting and integration of processes that:
- 19 (i) Is achieved by negotiation among the applicant and the various
- 20 permitting agencies;
- 21 (ii) Results in an integrated schedule keyed to the longest notice
- 22 and public hearing requirement;
- 23 (iii) Includes negotiations for cost recovery arrangements for
- 24 permitting agencies; and
- 25 (iv) Uses an integrated record of decision;
- 26 (d) An integrated review includes:
- 27 (i) Issuance of threshold determination under chapter 43.21C RCW;
- 28 (ii) Public notice that describes the project, the permits, the
- 29 applicable regulations, and any preliminary determinations; lists and
- 30 gives the location of documents and studies; describes public comment,
- 31 hearing, and appeal processes; and sets out the schedule; and
- 32 (iii) An integrated public hearing held in the municipality;
- 33 (e) Coordination of local appeals, and state appeals under chapter
- 34 90.60 RCW; and
- 35 (f) An integrated decision.

36 NEW SECTION. **Sec. 14.** A new section is added to chapter 35.63 RCW

37 to read as follows:

1 A municipality in which a pilot project is selected for the pilot
2 integrated permit process must participate in the integrated permit
3 procedure for land use and environmental review. The municipality
4 shall:

5 (1) Use the pilot integrated permit process with the project
6 applicant and the relevant state permitting agencies; and

7 (2) Invite federal agencies and tribes to participate in the
8 collaborative procedure.

9 NEW SECTION. **Sec. 15.** A new section is added to chapter 90.60 RCW
10 to read as follows:

11 (1) State permitting agencies shall participate in the pilot
12 integrated permit process, including the integrated public hearing, and
13 use the integrated record of decision.

14 (2) State permitting agencies shall review procedures for
15 developing an integrated state appeal procedure, which would utilize
16 the integrated record of decision.

17 (3) State permitting agencies may recover costs of the integrated
18 process.

19 NEW SECTION. **Sec. 16.** The department of ecology and the
20 department of fish and wildlife shall review requirements for permits
21 issued under chapters 90.48 and 75.20 RCW for consistency and the
22 potential for integrated permit issuance. The departments shall report
23 their findings to the legislature by December 1, 1999.

--- END ---