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HOUSE BILL 2479

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Stensen, Regala, Linville and Kessler

Read first time 01/14/2000. Referred to Committee on Natural Resources.

1 AN ACT Relating to a pilot project to allow a county to administer  
2 hydraulic permits; adding a new section to chapter 75.20 RCW; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that a pilot project  
6 to allow a county to administer hydraulic permits will increase  
7 government efficiency, citizen satisfaction, and compliance with state  
8 and local environmental requirements. The legislature further finds  
9 that a pilot project will not compromise thorough and competent  
10 environmental review.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.20 RCW  
12 to read as follows:

13 (1) The department may develop a pilot project to allow a county to  
14 administer hydraulic permits. The department has discretion to  
15 determine which county may participate in the pilot project. No county  
16 is obligated to participate in the pilot project program. The pilot  
17 project shall be established by written agreement between the  
18 department and the participating county. The department shall retain

1 full oversight authority and shall not delegate rule-making authority  
2 during the pilot project.

3 (2) The agreement shall specify the types of hydraulic permits the  
4 participating county may administer. However, the county may not  
5 administer hydraulic permits associated with forest practices. The  
6 agreement shall incorporate, at a minimum, the regulatory standards of  
7 this chapter and Title 220 WAC, provisions for a local appeals process  
8 equivalent to that provided by this chapter and Title 220 WAC, and  
9 provisions for effective monitoring and enforcement of the hydraulic  
10 permits issued by the participating county. In addition, the agreement  
11 shall incorporate the following guidelines:

12 (a) There shall be no decrease in protection of fish habitat;

13 (b) There shall be no full-time equivalent or funding shift from  
14 the department to the participating county; and

15 (c) The department shall retain authority to develop programmatic  
16 permits and habitat conservation plans.

17 (3) The participating county may charge permit applicants to cover  
18 any additional cost of processing hydraulic permit applications,  
19 including inspection and monitoring, consistent with the county's fee  
20 ordinance. The department shall not seek any contribution from fees  
21 collected by the participating county for services performed under the  
22 agreement.

23 (a) The department and the participating county shall assemble a  
24 citizen advisory panel including, at a minimum, representatives of the  
25 building industry, environmental groups, and permit applicants.

26 (b) The department, with the advice and assistance of the citizen  
27 advisory panel, shall analyze the development and implementation of the  
28 pilot project and assess whether it merits continued and expanded  
29 application to additional jurisdictions. This analysis shall consider  
30 whether the pilot project results in enhanced environmental protection,  
31 cost-effectiveness to both the state and the participating county, and  
32 efficient service delivery to applicants. The department and the  
33 advisory panel shall deliver the analysis and recommendations to the  
34 legislature not more than two years after implementation of the  
35 agreement.

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