

SHB 1933 - H AMD 242

By Representative Berkey

ADOPTED 03/17/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the final
4 decision and order in *Everett Shorelines Coalition v. City of Everett*
5 and *Washington State Department Of Ecology*, Case No. 02-3-0009c, issued
6 on January 9, 2003, by the central Puget Sound growth management
7 hearings board was a case of first impression interpreting the addition
8 of the shoreline management act into the growth management act, and
9 that the board considered the appeal and issued its final order and
10 decision without the benefit of shorelines guidelines to provide
11 guidance on the implementation of the shoreline management act and the
12 adoption of shoreline master programs. The legislature further finds
13 that the department of ecology has proposed the adoption of new
14 shoreline guidelines to provide guidance to state agencies and local
15 governments in the implementation of the shoreline management act.

16 (2) This act is intended to affirm the legislature's intent that:

17 (a) The shoreline management act be read, interpreted, applied, and
18 implemented as a whole consistent with decisions of the shoreline
19 hearings board and Washington courts prior to the decision of the
20 central Puget Sound growth management hearings board in *Everett*
21 *Shorelines Coalition v. City of Everett and Washington State Department*
22 *of Ecology*;

23 (b) The goals of the growth management act, including the goals and
24 policies of the shoreline management act, set forth in RCW 36.70A.020
25 and included in RCW 36.70A.020 by RCW 36.70A.480, continue to be listed
26 without an order of priority; and

27 (c) Shorelines of statewide significance may include critical areas
28 as defined by RCW 36.70A.030(5), but that shorelines of statewide

1 significance are not critical areas simply because they are shorelines
2 of statewide significance.

3 (3) The legislature intends that upon adoption of revised
4 shorelines guidelines after January 1, 2003, critical areas within the
5 jurisdiction of the shoreline management act shall be governed by the
6 shoreline management act and that critical areas outside the
7 jurisdiction of the shoreline management act shall be governed by the
8 growth management act. The legislature further intends that the
9 quality of information currently required by the shoreline management
10 act to be applied to the protection of critical areas within shorelines
11 of the state shall not be limited or changed by the provisions of the
12 growth management act.

13 **Sec. 2.** RCW 90.58.030 and 2002 c 230 s 2 are each amended to read
14 as follows:

15 As used in this chapter, unless the context otherwise requires, the
16 following definitions and concepts apply:

- 17 (1) Administration:
- 18 (a) "Department" means the department of ecology;
 - 19 (b) "Director" means the director of the department of ecology;
 - 20 (c) "Local government" means any county, incorporated city, or town
21 which contains within its boundaries any lands or waters subject to
22 this chapter;
 - 23 (d) "Person" means an individual, partnership, corporation,
24 association, organization, cooperative, public or municipal
25 corporation, or agency of the state or local governmental unit however
26 designated;
 - 27 (e) "Hearing board" means the shoreline hearings board established
28 by this chapter.

- 29 (2) Geographical:
- 30 (a) "Extreme low tide" means the lowest line on the land reached by
31 a receding tide;
 - 32 (b) "Ordinary high water mark" on all lakes, streams, and tidal
33 water is that mark that will be found by examining the bed and banks
34 and ascertaining where the presence and action of waters are so common
35 and usual, and so long continued in all ordinary years, as to mark upon
36 the soil a character distinct from that of the abutting upland, in
37 respect to vegetation as that condition exists on June 1, 1971, as it

1 may naturally change thereafter, or as it may change thereafter in
2 accordance with permits issued by a local government or the department:
3 PROVIDED, That in any area where the ordinary high water mark cannot be
4 found, the ordinary high water mark adjoining salt water shall be the
5 line of mean higher high tide and the ordinary high water mark
6 adjoining fresh water shall be the line of mean high water;

7 (c) "Shorelines of the state" are the total of all "shorelines" and
8 "shorelines of statewide significance" within the state;

9 (d) "Shorelines" means all of the water areas of the state,
10 including reservoirs, and their associated shorelands, together with
11 the lands underlying them; except (i) shorelines of statewide
12 significance; (ii) shorelines on segments of streams upstream of a
13 point where the mean annual flow is twenty cubic feet per second or
14 less and the wetlands associated with such upstream segments; and (iii)
15 shorelines on lakes less than twenty acres in size and wetlands
16 associated with such small lakes;

17 (e) "Shorelines of statewide significance" means the following
18 shorelines of the state:

19 (i) The area between the ordinary high water mark and the western
20 boundary of the state from Cape Disappointment on the south to Cape
21 Flattery on the north, including harbors, bays, estuaries, and inlets;

22 (ii) Those areas of Puget Sound and adjacent salt waters and the
23 Strait of Juan de Fuca between the ordinary high water mark and the
24 line of extreme low tide as follows:

25 (A) Nisqually Delta--from DeWolf Bight to Tatsolo Point,

26 (B) Birch Bay--from Point Whitehorn to Birch Point,

27 (C) Hood Canal--from Tala Point to Foulweather Bluff,

28 (D) Skagit Bay and adjacent area--from Brown Point to Yokeko Point,

29 and

30 (E) Padilla Bay--from March Point to William Point;

31 (iii) Those areas of Puget Sound and the Strait of Juan de Fuca and
32 adjacent salt waters north to the Canadian line and lying seaward from
33 the line of extreme low tide;

34 (iv) Those lakes, whether natural, artificial, or a combination
35 thereof, with a surface acreage of one thousand acres or more measured
36 at the ordinary high water mark;

37 (v) Those natural rivers or segments thereof as follows:

1 (A) Any west of the crest of the Cascade range downstream of a
2 point where the mean annual flow is measured at one thousand cubic feet
3 per second or more,

4 (B) Any east of the crest of the Cascade range downstream of a
5 point where the annual flow is measured at two hundred cubic feet per
6 second or more, or those portions of rivers east of the crest of the
7 Cascade range downstream from the first three hundred square miles of
8 drainage area, whichever is longer;

9 (vi) Those shorelands associated with (i), (ii), (iv), and (v) of
10 this subsection (2)(e);

11 (f) "Shorelands" or "shoreland areas" means those lands extending
12 landward for two hundred feet in all directions as measured on a
13 horizontal plane from the ordinary high water mark; floodways and
14 contiguous floodplain areas landward two hundred feet from such
15 floodways; and all wetlands and river deltas associated with the
16 streams, lakes, and tidal waters which are subject to the provisions of
17 this chapter; the same to be designated as to location by the
18 department of ecology. Any county or city may determine that portion
19 of a one-hundred-year-flood plain to be included in its master program
20 as long as such portion includes, as a minimum, the floodway and the
21 adjacent land extending landward two hundred feet therefrom.
22 Shorelands shall also include any additional lands necessary for
23 buffers required by shoreline master programs for critical areas within
24 shorelines of the state;

25 (g) "Floodway" means those portions of the area of a river valley
26 lying streamward from the outer limits of a watercourse upon which
27 flood waters are carried during periods of flooding that occur with
28 reasonable regularity, although not necessarily annually, said floodway
29 being identified, under normal condition, by changes in surface soil
30 conditions or changes in types or quality of vegetative ground cover
31 condition. The floodway shall not include those lands that can
32 reasonably be expected to be protected from flood waters by flood
33 control devices maintained by or maintained under license from the
34 federal government, the state, or a political subdivision of the state;

35 (h) "Wetlands" means areas that are inundated or saturated by
36 surface water or ground water at a frequency and duration sufficient to
37 support, and that under normal circumstances do support, a prevalence
38 of vegetation typically adapted for life in saturated soil conditions.

1 Wetlands generally include swamps, marshes, bogs, and similar areas.
2 Wetlands do not include those artificial wetlands intentionally created
3 from nonwetland sites, including, but not limited to, irrigation and
4 drainage ditches, grass-lined swales, canals, detention facilities,
5 wastewater treatment facilities, farm ponds, and landscape amenities,
6 or those wetlands created after July 1, 1990, that were unintentionally
7 created as a result of the construction of a road, street, or highway.
8 Wetlands may include those artificial wetlands intentionally created
9 from nonwetland areas to mitigate the conversion of wetlands.

10 (3) Procedural terms:

11 (a) "Guidelines" means those standards adopted to implement the
12 policy of this chapter for regulation of use of the shorelines of the
13 state prior to adoption of master programs. Such standards shall also
14 provide criteria to local governments and the department in developing
15 master programs;

16 (b) "Master program" shall mean the comprehensive use plan for a
17 described area, and the use regulations together with maps, diagrams,
18 charts, or other descriptive material and text, a statement of desired
19 goals, and standards developed in accordance with the policies
20 enunciated in RCW 90.58.020;

21 (c) "State master program" is the cumulative total of all master
22 programs approved or adopted by the department of ecology;

23 (d) "Development" means a use consisting of the construction or
24 exterior alteration of structures; dredging; drilling; dumping;
25 filling; removal of any sand, gravel, or minerals; bulkheading; driving
26 of piling; placing of obstructions; or any project of a permanent or
27 temporary nature which interferes with the normal public use of the
28 surface of the waters overlying lands subject to this chapter at any
29 state of water level;

30 (e) "Substantial development" shall mean any development of which
31 the total cost or fair market value exceeds five thousand dollars, or
32 any development which materially interferes with the normal public use
33 of the water or shorelines of the state. The dollar threshold
34 established in this subsection (3)(e) must be adjusted for inflation by
35 the office of financial management every five years, beginning July 1,
36 2007, based upon changes in the consumer price index during that time
37 period. "Consumer price index" means, for any calendar year, that
38 year's annual average consumer price index, Seattle, Washington area,

1 for urban wage earners and clerical workers, all items, compiled by the
2 bureau of labor and statistics, United States department of labor. The
3 office of financial management must calculate the new dollar threshold
4 and transmit it to the office of the code reviser for publication in
5 the Washington State Register at least one month before the new dollar
6 threshold is to take effect. The following shall not be considered
7 substantial developments for the purpose of this chapter:

8 (i) Normal maintenance or repair of existing structures or
9 developments, including damage by accident, fire, or elements;

10 (ii) Construction of the normal protective bulkhead common to
11 single family residences;

12 (iii) Emergency construction necessary to protect property from
13 damage by the elements;

14 (iv) Construction and practices normal or necessary for farming,
15 irrigation, and ranching activities, including agricultural service
16 roads and utilities on shorelands, and the construction and maintenance
17 of irrigation structures including but not limited to head gates,
18 pumping facilities, and irrigation channels. A feedlot of any size,
19 all processing plants, other activities of a commercial nature,
20 alteration of the contour of the shorelands by leveling or filling
21 other than that which results from normal cultivation, shall not be
22 considered normal or necessary farming or ranching activities. A
23 feedlot shall be an enclosure or facility used or capable of being used
24 for feeding livestock hay, grain, silage, or other livestock feed, but
25 shall not include land for growing crops or vegetation for livestock
26 feeding and/or grazing, nor shall it include normal livestock wintering
27 operations;

28 (v) Construction or modification of navigational aids such as
29 channel markers and anchor buoys;

30 (vi) Construction on shorelands by an owner, lessee, or contract
31 purchaser of a single family residence for his own use or for the use
32 of his or her family, which residence does not exceed a height of
33 thirty-five feet above average grade level and which meets all
34 requirements of the state agency or local government having
35 jurisdiction thereof, other than requirements imposed pursuant to this
36 chapter;

37 (vii) Construction of a dock, including a community dock, designed
38 for pleasure craft only, for the private noncommercial use of the

1 owner, lessee, or contract purchaser of single and multiple family
2 residences. This exception applies if either: (A) In salt waters, the
3 fair market value of the dock does not exceed two thousand five hundred
4 dollars; or (B) in fresh waters, the fair market value of the dock does
5 not exceed ten thousand dollars, but if subsequent construction having
6 a fair market value exceeding two thousand five hundred dollars occurs
7 within five years of completion of the prior construction, the
8 subsequent construction shall be considered a substantial development
9 for the purpose of this chapter;

10 (viii) Operation, maintenance, or construction of canals,
11 waterways, drains, reservoirs, or other facilities that now exist or
12 are hereafter created or developed as a part of an irrigation system
13 for the primary purpose of making use of system waters, including
14 return flow and artificially stored ground water for the irrigation of
15 lands;

16 (ix) The marking of property lines or corners on state owned lands,
17 when such marking does not significantly interfere with normal public
18 use of the surface of the water;

19 (x) Operation and maintenance of any system of dikes, ditches,
20 drains, or other facilities existing on September 8, 1975, which were
21 created, developed, or utilized primarily as a part of an agricultural
22 drainage or diking system;

23 (xi) Site exploration and investigation activities that are
24 prerequisite to preparation of an application for development
25 authorization under this chapter, if:

26 (A) The activity does not interfere with the normal public use of
27 the surface waters;

28 (B) The activity will have no significant adverse impact on the
29 environment including, but not limited to, fish, wildlife, fish or
30 wildlife habitat, water quality, and aesthetic values;

31 (C) The activity does not involve the installation of a structure,
32 and upon completion of the activity the vegetation and land
33 configuration of the site are restored to conditions existing before
34 the activity;

35 (D) A private entity seeking development authorization under this
36 section first posts a performance bond or provides other evidence of
37 financial responsibility to the local jurisdiction to ensure that the
38 site is restored to preexisting conditions; and

1 (E) The activity is not subject to the permit requirements of RCW
2 90.58.550;

3 (xii) The process of removing or controlling an aquatic noxious
4 weed, as defined in RCW 17.26.020, through the use of an herbicide or
5 other treatment methods applicable to weed control that are recommended
6 by a final environmental impact statement published by the department
7 of agriculture or the department jointly with other state agencies
8 under chapter 43.21C RCW.

9 **Sec. 3.** RCW 90.58.090 and 1997 c 429 s 50 are each amended to read
10 as follows:

11 (1) A master program, segment of a master program, or an amendment
12 to a master program shall become effective when approved by the
13 department. Within the time period provided in RCW 90.58.080, each
14 local government shall have submitted a master program, either totally
15 or by segments, for all shorelines of the state within its jurisdiction
16 to the department for review and approval.

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

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

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

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

34 (d) Within thirty days after receipt of the local government
35 response pursuant to (c) of this subsection, make written findings and
36 conclusions regarding the consistency of the proposal with the policy
37 of RCW 90.58.020 and the applicable guidelines, provide a response to

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

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

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

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

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

29 (4) The department shall approve the segment of a master program
30 relating to critical areas as defined by RCW 36.70A.030(5) provided the
31 master program segment is consistent with shoreline guidelines revised
32 and adopted after January 1, 2003, and if that segment provides a level
33 of protection of critical areas at least equal to that provided by the
34 local government's critical areas ordinances adopted and thereafter
35 amended pursuant to RCW 36.70A.060(2).

36 (5) The department shall approve those segments of the master
37 program relating to shorelines of statewide significance only after
38 determining the program provides the optimum implementation of the

1 policy of this chapter to satisfy the statewide interest. If the
2 department does not approve a segment of a local government master
3 program relating to a shoreline of statewide significance, the
4 department may develop and by rule adopt an alternative to the local
5 government's proposal.

6 ~~((+5))~~ (6) In the event a local government has not complied with
7 the requirements of RCW 90.58.070 it may thereafter upon written notice
8 to the department elect to adopt a master program for the shorelines
9 within its jurisdiction, in which event it shall comply with the
10 provisions established by this chapter for the adoption of a master
11 program for such shorelines.

12 Upon approval of such master program by the department it shall
13 supersede such master program as may have been adopted by the
14 department for such shorelines.

15 ~~((+6))~~ (7) A master program or amendment to a master program takes
16 effect when and in such form as approved or adopted by the department.
17 Shoreline master programs that were adopted by the department prior to
18 July 22, 1995, in accordance with the provisions of this section then
19 in effect, shall be deemed approved by the department in accordance
20 with the provisions of this section that became effective on that date.
21 The department shall maintain a record of each master program, the
22 action taken on any proposal for adoption or amendment of the master
23 program, and any appeal of the department's action. The department's
24 approved document of record constitutes the official master program.

25 **Sec. 4.** RCW 90.58.190 and 1995 c 347 s 311 are each amended to
26 read as follows:

27 (1) The appeal of the department's decision to adopt a master
28 program or amendment pursuant to RCW 90.58.070(2) or 90.58.090~~((+4))~~
29 (5) is governed by RCW 34.05.510 through 34.05.598.

30 (2)(a) The department's decision to approve, reject, or modify a
31 proposed master program or amendment adopted by a local government
32 planning under RCW 36.70A.040 shall be appealed to the growth
33 management hearings board with jurisdiction over the local government.
34 The appeal shall be initiated by filing a petition as provided in RCW
35 36.70A.250 through 36.70A.320.

36 (b) If the appeal to the growth management hearings board concerns
37 shorelines, the growth management hearings board shall review the

1 proposed master program or amendment solely for compliance with the
2 requirements of this chapter (~~and chapter 36.70A RCW~~), the policy of
3 RCW 90.58.020 and the applicable guidelines, the internal consistency
4 provisions of RCW 36.70A.070, 36.70A.040(4), 35.63.125, and 35A.63.105,
5 and chapter 43.21C RCW as it relates to the adoption of master programs
6 and amendments under chapter 90.58 RCW.

7 (c) If the appeal to the growth management hearings board concerns
8 a shoreline of statewide significance, the board shall uphold the
9 decision by the department unless the board, by clear and convincing
10 evidence, determines that the decision of the department is
11 inconsistent with the policy of RCW 90.58.020 and the applicable
12 guidelines.

13 (d) The appellant has the burden of proof in all appeals to the
14 growth management hearings board under this subsection.

15 (e) Any party aggrieved by a final decision of a growth management
16 hearings board under this subsection may appeal the decision to
17 superior court as provided in RCW 36.70A.300.

18 (3)(a) The department's decision to approve, reject, or modify a
19 proposed master program or master program amendment by a local
20 government not planning under RCW 36.70A.040 shall be appealed to the
21 shorelines hearings board by filing a petition within thirty days of
22 the date of the department's written notice to the local government of
23 the department's decision to approve, reject, or modify a proposed
24 master program or master program amendment as provided in RCW
25 90.58.090(2).

26 (b) In an appeal relating to shorelines, the shorelines hearings
27 board shall review the proposed master program or master program
28 amendment and, after full consideration of the presentations of the
29 local government and the department, shall determine the validity of
30 the local government's master program or amendment in light of the
31 policy of RCW 90.58.020 and the applicable guidelines.

32 (c) In an appeal relating to shorelines of statewide significance,
33 the shorelines hearings board shall uphold the decision by the
34 department unless the board determines, by clear and convincing
35 evidence that the decision of the department is inconsistent with the
36 policy of RCW 90.58.020 and the applicable guidelines.

37 (d) Review by the shorelines hearings board shall be considered an

1 adjudicative proceeding under chapter 34.05 RCW, the Administrative
2 Procedure Act. The aggrieved local government shall have the burden of
3 proof in all such reviews.

4 (e) Whenever possible, the review by the shorelines hearings board
5 shall be heard within the county where the land subject to the proposed
6 master program or master program amendment is primarily located. The
7 department and any local government aggrieved by a final decision of
8 the hearings board may appeal the decision to superior court as
9 provided in chapter 34.05 RCW.

10 (4) A master program amendment shall become effective after the
11 approval of the department or after the decision of the shorelines
12 hearings board to uphold the master program or master program
13 amendment, provided that the board may remand the master program or
14 master program adjustment to the local government or the department for
15 modification prior to the final adoption of the master program or
16 master program amendment.

17 **Sec. 5.** RCW 36.70A.480 and 1995 c 347 s 104 are each amended to
18 read as follows:

19 (1) For shorelines of the state, the goals and policies of the
20 shoreline management act as set forth in RCW 90.58.020 are added as one
21 of the goals of this chapter as set forth in RCW 36.70A.020 without
22 creating an order of priority among the fourteen goals. The goals and
23 policies of a shoreline master program for a county or city approved
24 under chapter 90.58 RCW shall be considered an element of the county or
25 city's comprehensive plan. All other portions of the shoreline master
26 program for a county or city adopted under chapter 90.58 RCW, including
27 use regulations, shall be considered a part of the county or city's
28 development regulations.

29 (2) The shoreline master program shall be adopted pursuant to the
30 procedures of chapter 90.58 RCW rather than the goals, policies, and
31 procedures set forth in this chapter for the adoption of a
32 comprehensive plan or development regulations.

33 (3) The policies, goals, and provisions of chapter 90.58 RCW and
34 applicable guidelines shall be the sole basis for determining
35 compliance of a shoreline master program with this chapter except as
36 the shoreline master program is required to comply with the internal

1 consistency provisions of RCW 36.70A.070, 36.70A.040(4), 35.63.125, and
2 35A.63.105.

3 (a) As of the date the department of ecology approves a local
4 government's shoreline master program adopted under revised shoreline
5 guidelines effective after January 1, 2003, the protection of critical
6 areas as defined by RCW 36.70A.030(5) within shorelines of the state,
7 including adjacent buffer zones, shall be accomplished only through the
8 local government's shoreline master program and shall not be subject to
9 the procedural and substantive requirements of this chapter.

10 (b) Critical areas within shorelines of the state that have been
11 identified as meeting the definition of critical areas as defined by
12 RCW 36.70A.030(5), and that are subject to a shoreline master program
13 adopted under revised shoreline guidelines adopted after January 1,
14 2003, shall not be subject to the procedural and substantive
15 requirements of this chapter, provided nothing in this act is intended
16 to change the applicability of the provisions of this chapter to
17 agricultural activities as defined by RCW 90.58.065.

18 (c) The provisions of RCW 36.70A.172 shall not apply to the
19 adoption or subsequent amendment of a local government's shoreline
20 master program and shall not be used to determine compliance of a local
21 government's shoreline master program with chapter 90.58 RCW and
22 applicable guidelines. Nothing in this section, however, is intended
23 to limit or change the quality of information to be applied in
24 protecting critical areas within shorelines of the state, as required
25 by chapter 90.58 RCW and applicable guidelines.

26 (4) Shoreline master programs shall provide a level of protection
27 to critical areas located within shorelines of the state that is at
28 least equal to the level of protection provided to critical areas by
29 the local government's critical area ordinances adopted and thereafter
30 amended pursuant to RCW 36.70A.060(2).

31 (5) Shorelines of the state shall not be considered critical areas
32 under this chapter except to the extent that specific areas located
33 within shorelines of the state qualify for critical area designation
34 based on the definition of critical areas provided by RCW 36.70A.030(5)
35 and have been designated as such by a local government pursuant to RCW
36 36.70A.060(2)."

SHB 1933 - H AMD 242

By Representative Berkey

ADOPTED 03/17/2003

1 On page 1, line 2 of the title, after "act;" strike the remainder
2 of the title and insert "amending RCW 90.58.030, 90.58.090, 90.58.190,
3 and 36.70A.480; and creating a new section."

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