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HOUSE BILL 1809

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives McCoy, Appleton, Ryu, Moscoso, Fitzgibbon, Dunshee, Pollet, and Santos

Read first time 02/11/13. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to protecting the state's cultural resources; and  
2 adding a new section to chapter 43.21C RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C RCW  
5 to read as follows:

6 (1) Decisions listed in subsection (2) of this section are subject  
7 to the requirements of RCW 43.21C.030(2)(c) pertaining to cultural  
8 resources in effect as of July 1, 2012, unless the branch of government  
9 has:

10 (a) A data-sharing agreement with the department of archaeology and  
11 historic preservation;

12 (b) Either a local ordinance protecting archaeological and historic  
13 properties or a cultural resource management plan approved by the  
14 department of archaeology and historic preservation; and

15 (c) A written consultation agreement approved by affected federally  
16 recognized tribes.

17 (2) This section applies to decisions pertaining to proposed  
18 actions that were subject to the requirements of RCW 43.21C.030(2)(c)  
19 as of July 1, 2012, but made exempt from the requirements:

- 1           (a) Through rule making conducted pursuant to section 301, chapter  
2 1, Laws of 2012 1st sp. sess.;
- 3           (b) Pursuant to section 304(1)(a)(iii), chapter 1, Laws of 2012 1st  
4 sp. sess. (codified as RCW 43.21C.229(1)(a)(iii));
- 5           (c) Pursuant to section 307, chapter 1, Laws of 2012 1st sp. sess.  
6 (codified as RCW 43.21C.450); or
- 7           (d) Pursuant to other statutes enacted or rules adopted on or after  
8 July 1, 2012.

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