

**SHB 1193 - S AMD 535**

By Senator Stanford

ADOPTED 04/03/2021

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

3 **"Sec. 1.** RCW 90.58.355 and 2020 c 20 s 1506 are each amended to  
4 read as follows:

5 Requirements to obtain a substantial development permit,  
6 conditional use permit, variance, letter of exemption, or other  
7 review conducted by a local government to implement this chapter do  
8 not apply to:

9 (1) Any person conducting a remedial action at a facility  
10 pursuant to a consent decree, order, or agreed order issued pursuant  
11 to chapter 70A.305 RCW, or to the department of ecology when it  
12 conducts a remedial action under chapter 70A.305 RCW. The department  
13 must ensure compliance with the substantive requirements of this  
14 chapter through the consent decree, order, or agreed order issued  
15 pursuant to chapter 70A.305 RCW, or during the department-conducted  
16 remedial action, through the procedures developed by the department  
17 pursuant to RCW 70A.305.090;

18 (2) Any person installing site improvements for stormwater  
19 treatment in an existing boatyard facility to meet requirements of a  
20 national pollutant discharge elimination system stormwater general  
21 permit. The department must ensure compliance with the substantive  
22 requirements of this chapter through the review of engineering  
23 reports, site plans, and other documents related to the installation  
24 of boatyard stormwater treatment facilities; ((~~or~~))

25 (3) The department of transportation projects and activities that  
26 meet the conditions of RCW 90.58.356; or

27 (4) Actions taken on the Columbia river by the United States army  
28 corps of engineers, under the authority of United States Code Titles  
29 33 and 42 and 33 C.F.R. Sec. 335, to maintain and improve federal  
30 navigation channels in accordance with federally mandated dredged  
31 material management and improvement project plans, provided the  
32 project: (a) Has undergone environmental review under both the

1 national environmental policy act, 42 U.S.C. Sec. 4321-4370h and the  
2 state environmental policy act, chapter 43.21C RCW; and (b) has  
3 applied for federal clean water act section 401 water quality  
4 certifications issued by the department."

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5 On page 1, line 2 of the title, after "improvement;" strike the  
6 remainder of the title and insert "and amending RCW 90.58.355."

EFFECT: Limits the Shoreline Management Act's permit exemption for actions taken by the United States Army Corps of Engineers to maintain and improve federal navigation channels to only actions on the Columbia River.

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