
SENATE BILL 5545

State of Washington

63rd Legislature

2013 Regular Session

By Senators Ranker, Ericksen, Fain, Litzow, and Shin

Read first time 02/04/13. Referred to Committee on Energy, Environment & Telecommunications.

1 AN ACT Relating to the working waterfront redevelopment jobs act;
2 amending RCW 77.55.021 and 90.58.147; reenacting and amending RCW
3 43.21B.110 and 43.21B.110; adding a new section to chapter 79.105 RCW;
4 adding a new chapter to Title 77 RCW; creating new sections; providing
5 an effective date; and providing expiration dates.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the state's
8 marine shorelines are a cornerstone of the state's wealth in both
9 environmental and economic values. The state's extensive coastal and
10 Puget Sound shorelines were the reason that the state has a rich
11 tradition of marine-related occupations and many communities today
12 still depend upon marine-related commerce and jobs for their economic
13 vitality.

14 The legislature further finds that shoreline ecological functions
15 have been degraded on many lands on which industrial and commercial
16 facilities have been operated, and that there exists many opportunities
17 for new or expanded commercial or industrial activities that offer both
18 new, economically beneficial reuse of the property, while also
19 restoring some of the lost ecological functions.

1 Therefore, it is the purpose of this act to provide a voluntary
2 alternative procedure for satisfying some of the state and local
3 regulatory approvals for job-creating projects involving redevelopment
4 on lands zoned for commercial and industrial uses and incorporating
5 within the project design elements that will provide a net benefit for
6 ecological functions on those lands.

7 NEW SECTION. **Sec. 2.** (1) To be eligible for the permit review and
8 approval process created in this section, a marine areas redevelopment
9 and restoration project must:

10 (a) Be located on a site adjacent to or including marine shorelands
11 in which commercial and industrial uses are allowable uses under the
12 applicable city or county shoreline master program;

13 (b) Generate at least ten jobs on an ongoing basis;

14 (c) Involve the redevelopment and reuse of lands on which previous
15 uses have substantially degraded shoreline ecological functions;

16 (d) Include elements that, when fully implemented, will lead to a
17 net contribution to shoreline ecological functions on a substantial
18 portion of the project site;

19 (e) Provide for protection of fish life consistent with the
20 substantive requirements of chapter 77.55 RCW;

21 (f) Be consistent with and further the goals and objectives of the
22 local government shoreline master program and any applicable
23 development regulations;

24 (g) Be determined appropriate for review under this section under
25 the criteria adopted under subsection (6) of this section; and

26 (h) Not require a detailed statement under RCW 43.21C.030(2)(c) nor
27 has such a statement been initiated for the project.

28 (2) No local government may require a substantial development
29 permit under chapter 90.58 RCW or require a permit or other approval
30 upon the project under chapter 36.70A RCW for projects that meet the
31 criteria of subsection (1) of this section and that are reviewed and
32 approved according to the provisions of this section.

33 (3) An applicant seeking review and approval under this section
34 shall file with the department an application using the joint aquatic
35 resource permit application form, together with additional information
36 as the department may require to determine the project's eligibility
37 for review under this section and to determine whether a permit should

1 be issued. On the same day, the applicant shall provide copies of the
2 completed application form to the department of natural resources, the
3 department of ecology, the department of health, and to the appropriate
4 city or county administering the applicable shoreline master program
5 covering the project site.

6 (4) The department shall provide a thirty day period in which
7 public comments are solicited, as well as comments from the department
8 of ecology, the department of natural resources, the department of
9 health, the city or county, and appropriate tribes. The department may
10 grant an extension of not more than an additional twenty-one days for
11 the receipt of comments, but may not thereafter delay review of the
12 application under subsection (5) of this section.

13 (5)(a) The department shall approve the application, approve the
14 application with mitigation conditions, deny approval of the
15 application, or determine that the review and approval process created
16 by this section is not appropriate for the proposed project, within
17 forty-five days from the end of the comment period as determined by the
18 department under subsection (4) of this section.

19 (b) The department shall approve the application when it determines
20 that the project meets the criteria provided under subsection (1) of
21 this section.

22 (6) The department shall determine that the review and approval
23 process created by this section is not appropriate for the proposed
24 project: If the department, upon consideration of the comments
25 submitted, identifies public health and safety concerns or
26 environmental impacts that cannot be mitigated; or a local government
27 provides written notice to the department during the thirty day review
28 period under subsection (4) of this section that it finds the project
29 is inconsistent with subsection (1)(f) of this section.

30 (7) If the department determines that the review and approval
31 process created by this section is not appropriate for the proposed
32 project, the department shall notify the applicant.

33 (8) The department's denial of a permit application or
34 determination that the application is not appropriate for review under
35 this section does not prevent the applicant from seeking approval of
36 the permits that would otherwise have not been required if the project
37 had been permitted under this section.

1 (9) Any person aggrieved by the approval, approval with conditions,
2 denial, or the modification of a permit under this section may appeal
3 the decision as provided in RCW 43.21B.110.

4 (10) For the purposes of this section, "marine permit" or "permit"
5 means the permit authorized to be issued to qualifying marine areas
6 redevelopment and restoration projects under this section.

7 **Sec. 3.** RCW 77.55.021 and 2012 1st sp.s. c 1 s 102 are each
8 amended to read as follows:

9 (1) Except as provided in RCW 77.55.031, 77.55.051, 77.55.041,
10 (~~and~~) 77.55.361, and section 2 of this act, in the event that any
11 person or government agency desires to undertake a hydraulic project,
12 the person or government agency shall, before commencing work thereon,
13 secure the approval of the department in the form of a permit as to the
14 adequacy of the means proposed for the protection of fish life.

15 (2) A complete written application for a permit may be submitted in
16 person or by registered mail and must contain the following:

17 (a) General plans for the overall project;

18 (b) Complete plans and specifications of the proposed construction
19 or work within the mean higher high water line in saltwater or within
20 the ordinary high water line in freshwater;

21 (c) Complete plans and specifications for the proper protection of
22 fish life;

23 (d) Notice of compliance with any applicable requirements of the
24 state environmental policy act, unless otherwise provided for in this
25 chapter; and

26 (e) Payment of all applicable application fees charged by the
27 department under RCW 77.55.321.

28 (3) The department may establish direct billing accounts or other
29 funds transfer methods with permit applicants to satisfy the fee
30 payment requirements of RCW 77.55.321.

31 (4) The department may accept complete, written applications as
32 provided in this section for multiple site permits and may issue these
33 permits. For multiple site permits, each specific location must be
34 identified.

35 (5) With the exception of emergency permits as provided in
36 subsection (12) of this section, applications for permits must be
37 submitted to the department's headquarters office in Olympia. Requests

1 for emergency permits as provided in subsection (12) of this section
2 may be made to the permitting biologist assigned to the location in
3 which the emergency occurs, to the department's regional office in
4 which the emergency occurs, or to the department's headquarters office.

5 (6) Except as provided for emergency permits in subsection (12) of
6 this section, the department may not proceed with permit review until
7 all fees are paid in full as required in RCW 77.55.321.

8 (7)(a) Protection of fish life is the only ground upon which
9 approval of a permit may be denied or conditioned. Approval of a
10 permit may not be unreasonably withheld or unreasonably conditioned.

11 (b) Except as provided in this subsection and subsections (12)
12 through (14) and (16) of this section, the department has forty-five
13 calendar days upon receipt of a complete application to grant or deny
14 approval of a permit. The forty-five day requirement is suspended if:

15 (i) After ten working days of receipt of the application, the
16 applicant remains unavailable or unable to arrange for a timely field
17 evaluation of the proposed project;

18 (ii) The site is physically inaccessible for inspection;

19 (iii) The applicant requests a delay; or

20 (iv) The department is issuing a permit for a storm water discharge
21 and is complying with the requirements of RCW 77.55.161(3)(b).

22 (c) Immediately upon determination that the forty-five day period
23 is suspended under (b) of this subsection, the department shall notify
24 the applicant in writing of the reasons for the delay.

25 (d) The period of forty-five calendar days may be extended if the
26 permit is part of a multiagency permit streamlining effort and all
27 participating permitting agencies and the permit applicant agree to an
28 extended timeline longer than forty-five calendar days.

29 (8) If the department denies approval of a permit, the department
30 shall provide the applicant a written statement of the specific reasons
31 why and how the proposed project would adversely affect fish life.

32 (a) Except as provided in (b) of this subsection, issuance, denial,
33 conditioning, or modification of a permit shall be appealable to the
34 board within thirty days from the date of receipt of the decision as
35 provided in RCW 43.21B.230.

36 (b) Issuance, denial, conditioning, or modification of a permit may
37 be informally appealed to the department within thirty days from the
38 date of receipt of the decision. Requests for informal appeals must be

1 filed in the form and manner prescribed by the department by rule. A
2 permit decision that has been informally appealed to the department is
3 appealable to the board within thirty days from the date of receipt of
4 the department's decision on the informal appeal.

5 (9)(a) The permittee must demonstrate substantial progress on
6 construction of that portion of the project relating to the permit
7 within two years of the date of issuance.

8 (b) Approval of a permit is valid for up to five years from the
9 date of issuance, except as provided in (c) of this subsection and in
10 RCW 77.55.151.

11 (c) A permit remains in effect without need for periodic renewal
12 for hydraulic projects that divert water for agricultural irrigation or
13 stock watering purposes and that involve seasonal construction or other
14 work. A permit for streambank stabilization projects to protect farm
15 and agricultural land as defined in RCW 84.34.020 remains in effect
16 without need for periodic renewal if the problem causing the need for
17 the streambank stabilization occurs on an annual or more frequent
18 basis. The permittee must notify the appropriate agency before
19 commencing the construction or other work within the area covered by
20 the permit.

21 (10) The department may, after consultation with the permittee,
22 modify a permit due to changed conditions. A modification under this
23 subsection is not subject to the fees provided under RCW 77.55.321.
24 The modification is appealable as provided in subsection (8) of this
25 section. For a hydraulic project that diverts water for agricultural
26 irrigation or stock watering purposes, when the hydraulic project or
27 other work is associated with streambank stabilization to protect farm
28 and agricultural land as defined in RCW 84.34.020, the burden is on the
29 department to show that changed conditions warrant the modification in
30 order to protect fish life.

31 (11) A permittee may request modification of a permit due to
32 changed conditions. The request must be processed within forty-five
33 calendar days of receipt of the written request and payment of
34 applicable fees under RCW 77.55.321. A decision by the department is
35 appealable as provided in subsection (8) of this section. For a
36 hydraulic project that diverts water for agricultural irrigation or
37 stock watering purposes, when the hydraulic project or other work is
38 associated with streambank stabilization to protect farm and

1 agricultural land as defined in RCW 84.34.020, the burden is on the
2 permittee to show that changed conditions warrant the requested
3 modification and that such a modification will not impair fish life.

4 (12)(a) The department, the county legislative authority, or the
5 governor may declare and continue an emergency. If the county
6 legislative authority declares an emergency under this subsection, it
7 shall immediately notify the department. A declared state of emergency
8 by the governor under RCW 43.06.010 shall constitute a declaration
9 under this subsection.

10 (b) The department, through its authorized representatives, shall
11 issue immediately, upon request, verbal approval for a stream crossing,
12 or work to remove any obstructions, repair existing structures, restore
13 streambanks, protect fish life, or protect property threatened by the
14 stream or a change in the stream flow without the necessity of
15 obtaining a written permit prior to commencing work. Conditions of the
16 emergency verbal permit must be reduced to writing within thirty days
17 and complied with as provided for in this chapter.

18 (c) The department may not require the provisions of the state
19 environmental policy act, chapter 43.21C RCW, to be met as a condition
20 of issuing a permit under this subsection.

21 (d) The department may not charge a person requesting an emergency
22 permit any of the fees authorized by RCW 77.55.321 until after the
23 emergency permit is issued and reduced to writing.

24 (13) All state and local agencies with authority under this chapter
25 to issue permits or other authorizations in connection with emergency
26 water withdrawals and facilities authorized under RCW 43.83B.410 shall
27 expedite the processing of such permits or authorizations in keeping
28 with the emergency nature of such requests and shall provide a decision
29 to the applicant within fifteen calendar days of the date of
30 application.

31 (14) The department or the county legislative authority may
32 determine an imminent danger exists. The county legislative authority
33 shall notify the department, in writing, if it determines that an
34 imminent danger exists. In cases of imminent danger, the department
35 shall issue an expedited written permit, upon request, for work to
36 remove any obstructions, repair existing structures, restore banks,
37 protect fish resources, or protect property. Expedited permit requests
38 require a complete written application as provided in subsection (2) of

1 this section and must be issued within fifteen calendar days of the
2 receipt of a complete written application. Approval of an expedited
3 permit is valid for up to sixty days from the date of issuance. The
4 department may not require the provisions of the state environmental
5 policy act, chapter 43.21C RCW, to be met as a condition of issuing a
6 permit under this subsection.

7 (15)(a) For any property, except for property located on a marine
8 shoreline, that has experienced at least two consecutive years of
9 flooding or erosion that has damaged or has threatened to damage a
10 major structure, water supply system, septic system, or access to any
11 road or highway, the county legislative authority may determine that a
12 chronic danger exists. The county legislative authority shall notify
13 the department, in writing, when it determines that a chronic danger
14 exists. In cases of chronic danger, the department shall issue a
15 permit, upon request, for work necessary to abate the chronic danger by
16 removing any obstructions, repairing existing structures, restoring
17 banks, restoring road or highway access, protecting fish resources, or
18 protecting property. Permit requests must be made and processed in
19 accordance with subsections (2) and (7) of this section.

20 (b) Any projects proposed to address a chronic danger identified
21 under (a) of this subsection that satisfies the project description
22 identified in RCW 77.55.181(1)(a)(ii) are not subject to the provisions
23 of the state environmental policy act, chapter 43.21C RCW. However,
24 the project is subject to the review process established in RCW
25 77.55.181(3) as if it were a fish habitat improvement project.

26 (16) The department may issue an expedited written permit in those
27 instances where normal permit processing would result in significant
28 hardship for the applicant or unacceptable damage to the environment.
29 Expedited permit requests require a complete written application as
30 provided in subsection (2) of this section and must be issued within
31 fifteen calendar days of the receipt of a complete written application.
32 Approval of an expedited permit is valid for up to sixty days from the
33 date of issuance. The department may not require the provisions of the
34 state environmental policy act, chapter 43.21C RCW, to be met as a
35 condition of issuing a permit under this subsection.

36 (17) A marine areas redevelopment and restoration project issued a
37 marine permit under section 2 of this act is exempt from the permit

1 required by this section, but the department shall ensure compliance
2 with the substantive requirements of this chapter.

3 **Sec. 4.** RCW 90.58.147 and 2003 c 39 s 49 are each amended to read
4 as follows:

5 (1) A public or private project that is designed to improve fish or
6 wildlife habitat or fish passage shall be exempt from the substantial
7 development permit requirements of this chapter when all of the
8 following apply:

9 (a) The project has been approved by the department of fish and
10 wildlife;

11 (b) The project has received hydraulic project approval by the
12 department of fish and wildlife pursuant to chapter 77.55 RCW; and

13 (c) The local government has determined that the project is
14 substantially consistent with the local shoreline master program. The
15 local government shall make such determination in a timely manner and
16 provide it by letter to the project proponent.

17 (2) Fish habitat enhancement projects that conform to the
18 provisions of RCW (~~77.55.290~~) 77.55.181 are determined to be
19 consistent with local shoreline master programs.

20 (3) A marine areas redevelopment and restoration project issued a
21 marine permit under section 2 of this act is exempt from obtaining any
22 permits and other approvals required by this chapter or the local
23 shoreline master program.

24 NEW SECTION. **Sec. 5.** A new section is added to chapter 79.105 RCW
25 to read as follows:

26 The department shall provide a priority in processing requests for
27 the use or lease of state-owned aquatic lands for projects permitted or
28 under review pursuant to section 2 of this act. Upon receipt of an
29 application for an aquatic use authorization or a lease, the department
30 shall process the request within sixty days, unless the department
31 notifies the applicant of the reasons for which additional time will be
32 required to process the application.

33 **Sec. 6.** RCW 43.21B.110 and 2010 c 210 s 7 and 2010 c 84 s 2 are
34 each reenacted and amended to read as follows:

35 (1) The hearings board shall only have jurisdiction to hear and

1 decide appeals from the following decisions of the department, the
2 director, local conservation districts, the air pollution control
3 boards or authorities as established pursuant to chapter 70.94 RCW,
4 local health departments, the department of natural resources, the
5 department of fish and wildlife, and the parks and recreation
6 commission:

7 (a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431,
8 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090,
9 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

10 (b) Orders issued pursuant to RCW 18.104.043, 18.104.060,
11 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070,
12 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

13 (c) A final decision by the department or director made under
14 chapter 183, Laws of 2009.

15 (d) Except as provided in RCW 90.03.210(2), the issuance,
16 modification, or termination of any permit, certificate, or license by
17 the department or any air authority in the exercise of its
18 jurisdiction, including the issuance or termination of a waste disposal
19 permit, the denial of an application for a waste disposal permit, the
20 modification of the conditions or the terms of a waste disposal permit,
21 or a decision to approve or deny an application for a solid waste
22 permit exemption under RCW 70.95.300.

23 (e) Decisions of local health departments regarding the grant or
24 denial of solid waste permits pursuant to chapter 70.95 RCW.

25 (f) Decisions of local health departments regarding the issuance
26 and enforcement of permits to use or dispose of biosolids under RCW
27 70.95J.080.

28 (g) Decisions of the department regarding waste-derived fertilizer
29 or micronutrient fertilizer under RCW 15.54.820, and decisions of the
30 department regarding waste-derived soil amendments under RCW 70.95.205.

31 (h) Decisions of local conservation districts related to the denial
32 of approval or denial of certification of a dairy nutrient management
33 plan; conditions contained in a plan; application of any dairy nutrient
34 management practices, standards, methods, and technologies to a
35 particular dairy farm; and failure to adhere to the plan review and
36 approval timelines in RCW 90.64.026.

37 (i) Any other decision by the department or an air authority which

1 pursuant to law must be decided as an adjudicative proceeding under
2 chapter 34.05 RCW.

3 (j) Decisions of the department of natural resources, the
4 department of fish and wildlife, and the department that are reviewable
5 under chapter 76.09 RCW, and the department of natural resources'
6 appeals of county, city, or town objections under RCW 76.09.050(7).

7 (k) Forest health hazard orders issued by the commissioner of
8 public lands under RCW 76.06.180.

9 (l) Decisions of the department of fish and wildlife to issue,
10 deny, condition, or modify a hydraulic project approval permit under
11 chapter 77.55 RCW.

12 (m) Decisions of the department of fish and wildlife to issue,
13 deny, condition, or modify a marine areas redevelopment and restoration
14 permit under section 2 of this act.

15 (n) Decisions of the department of natural resources that are
16 reviewable under RCW 78.44.270.

17 ~~((n))~~ (o) Decisions of a state agency that is an authorized
18 public entity under RCW 79.100.010 to take temporary possession or
19 custody of a vessel or to contest the amount of reimbursement owed that
20 are reviewable under RCW 79.100.120.

21 (2) The following hearings shall not be conducted by the hearings
22 board:

23 (a) Hearings required by law to be conducted by the shorelines
24 hearings board pursuant to chapter 90.58 RCW.

25 (b) Hearings conducted by the department pursuant to RCW 70.94.332,
26 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

27 (c) Appeals of decisions by the department under RCW 90.03.110 and
28 90.44.220.

29 (d) Hearings conducted by the department to adopt, modify, or
30 repeal rules.

31 ~~((e) Appeals of decisions by the department as provided in chapter
32 43.21B RCW.))~~

33 (3) Review of rules and regulations adopted by the hearings board
34 shall be subject to review in accordance with the provisions of the
35 administrative procedure act, chapter 34.05 RCW.

36 **Sec. 7.** RCW 43.21B.110 and 2010 c 210 s 8 and 2010 c 84 s 3 are
37 each reenacted and amended to read as follows:

1 (1) The hearings board shall only have jurisdiction to hear and
2 decide appeals from the following decisions of the department, the
3 director, local conservation districts, the air pollution control
4 boards or authorities as established pursuant to chapter 70.94 RCW,
5 local health departments, the department of natural resources, the
6 department of fish and wildlife, and the parks and recreation
7 commission:

8 (a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431,
9 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090,
10 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

11 (b) Orders issued pursuant to RCW 18.104.043, 18.104.060,
12 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070,
13 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

14 (c) Except as provided in RCW 90.03.210(2), the issuance,
15 modification, or termination of any permit, certificate, or license by
16 the department or any air authority in the exercise of its
17 jurisdiction, including the issuance or termination of a waste disposal
18 permit, the denial of an application for a waste disposal permit, the
19 modification of the conditions or the terms of a waste disposal permit,
20 or a decision to approve or deny an application for a solid waste
21 permit exemption under RCW 70.95.300.

22 (d) Decisions of local health departments regarding the grant or
23 denial of solid waste permits pursuant to chapter 70.95 RCW.

24 (e) Decisions of local health departments regarding the issuance
25 and enforcement of permits to use or dispose of biosolids under RCW
26 70.95J.080.

27 (f) Decisions of the department regarding waste-derived fertilizer
28 or micronutrient fertilizer under RCW 15.54.820, and decisions of the
29 department regarding waste-derived soil amendments under RCW 70.95.205.

30 (g) Decisions of local conservation districts related to the denial
31 of approval or denial of certification of a dairy nutrient management
32 plan; conditions contained in a plan; application of any dairy nutrient
33 management practices, standards, methods, and technologies to a
34 particular dairy farm; and failure to adhere to the plan review and
35 approval timelines in RCW 90.64.026.

36 (h) Any other decision by the department or an air authority which
37 pursuant to law must be decided as an adjudicative proceeding under
38 chapter 34.05 RCW.

1 (i) Decisions of the department of natural resources, the
2 department of fish and wildlife, and the department that are reviewable
3 under chapter 76.09 RCW, and the department of natural resources'
4 appeals of county, city, or town objections under RCW 76.09.050(7).

5 (j) Forest health hazard orders issued by the commissioner of
6 public lands under RCW 76.06.180.

7 (k) Decisions of the department of fish and wildlife to issue,
8 deny, condition, or modify a hydraulic project approval permit under
9 chapter 77.55 RCW.

10 (l) Decisions of the department of fish and wildlife to issue,
11 deny, condition, or modify a marine areas redevelopment and restoration
12 permit under section 2 of this act.

13 (m) Decisions of the department of natural resources that are
14 reviewable under RCW 78.44.270.

15 (~~((m))~~) (n) Decisions of a state agency that is an authorized
16 public entity under RCW 79.100.010 to take temporary possession or
17 custody of a vessel or to contest the amount of reimbursement owed that
18 are reviewable under RCW 79.100.120.

19 (2) The following hearings shall not be conducted by the hearings
20 board:

21 (a) Hearings required by law to be conducted by the shorelines
22 hearings board pursuant to chapter 90.58 RCW.

23 (b) Hearings conducted by the department pursuant to RCW 70.94.332,
24 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

25 (c) Appeals of decisions by the department under RCW 90.03.110 and
26 90.44.220.

27 (d) Hearings conducted by the department to adopt, modify, or
28 repeal rules.

29 (~~((e) Appeals of decisions by the department as provided in chapter~~
30 ~~43.211 RCW.))~~

31 (3) Review of rules and regulations adopted by the hearings board
32 shall be subject to review in accordance with the provisions of the
33 administrative procedure act, chapter 34.05 RCW.

34 NEW SECTION. Sec. 8. The department shall solicit comments from
35 and coordinate with state agencies and local governments with expertise
36 relevant to a marine areas redevelopment and restoration project

1 application during the comment and review period provided in section 2
2 (4) and (5) of this act in order to inform the determinations required
3 under section 2 (5) and (6) of this act.

4 NEW SECTION. **Sec. 9.** (1) Consistent with RCW 43.01.036, the
5 department of fish and wildlife must submit a report to the appropriate
6 standing committees of the senate and house of representatives by
7 September 1, 2015, that includes an update on the implementation of the
8 marine areas redevelopment and restoration project permitting process
9 established under section 2 of this act, including: A summary of
10 projects permitted under that authority; the disposition of
11 applications conditioned, denied, or deemed inappropriate for review
12 under the process; and any legislative recommendations.

13 (2) This section expires June 30, 2016.

14 NEW SECTION. **Sec. 10.** Section 6 of this act expires June 30,
15 2019.

16 NEW SECTION. **Sec. 11.** Section 7 of this act takes effect June 30,
17 2019.

18 NEW SECTION. **Sec. 12.** Sections 2 and 8 of this act constitute a
19 new chapter in Title 77 RCW.

20 NEW SECTION. **Sec. 13.** This act shall be known and may be cited as
21 the "working waterfront redevelopment jobs act."

--- END ---