

(7) Upon request by any agency, provide assistance in the preparation of a small business economic impact statement relative to a proposal to adopt, amend, or repeal any rule which will have an economic impact on more than twenty percent of all businesses or more than ten percent of all of the businesses in any one industry.

NEW SECTION. Sec. 10. Sections 1 through 5 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House January 21, 1982.

Passed the Senate February 17, 1982.

Approved by the Governor February 26, 1982.

Filed in Office of Secretary of State February 26, 1982.

CHAPTER 7

[Substitute Senate Bill No. 4510]

MT. ST. HELENS RECOVERY OPERATIONS—DREDGE SPOILS SITE ACQUISITION—STATE, LOCAL ACTIONS—OVERSIGHT COMMITTEE— APPROPRIATION

AN ACT Relating to Mt. St. Helens recovery operations; adding a new section to chapter 36.01 RCW; adding a new section to chapter 43.01 RCW; adding a new section to chapter 43.21 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 75.20 RCW; adding a new section to chapter 89.16 RCW; adding a new section to chapter 90.58 RCW; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. (1) The legislature finds that:

(a) The May 1980 eruption of Mount St. Helens has caused serious economic and physical damage to the land surrounding the mountain;

(b) There are continuing siltation problems which could severely affect the Toutle, Cowlitz, Coweeman, and Columbia Rivers areas;

(c) There is an immediate need for sites for dredge spoils and funds to continue the rehabilitation of the areas affected by the natural disaster; and

(d) Failure to dredge and dike along the rivers would directly affect the lives and property of the forty-five thousand residents in the Cowlitz and Toutle River valleys with severe negative impacts on local, state, and national transportation systems, public utilities, public and private property, and the Columbia river which is one of the major navigation channels for world-wide commerce.

(2) The intent of this act is to authorize and direct maximum cooperative effort to meet the problems noted in subsection (1) of this section.

NEW SECTION. Sec. 2. There is added to chapter 43.01 RCW a new section to read as follows:

State agencies shall take action as follows to facilitate recovery from the devastation of the eruption of Mt. St. Helens:

(1) The department of transportation may, by means other than eminent domain, secure any lands or interest in lands by purchase or donation for dredge spoils sites;

(2) The commissioner of public lands may by rule declare any public lands found to be damaged by the eruption of Mt. St. Helens, directly or indirectly, as surplus to the needs of the state and may dispose of such lands pursuant to Title 79 RCW to public or private entities for development, park and recreation uses, or for open space;

(3) All state agencies shall cooperate with local governments, the United States Army Corps of Engineers, and other agencies of the federal government in planning for dredge site selection and dredge spoils removal, and in all other phases of recovery operations;

(4) The department of transportation shall work with the counties concerned on site selection and site disposition in cooperation with the Army Corps of Engineers; and

(5) State agencies may assist the Army Corps of Engineers in the dredging and dredge spoils deposit operations.

NEW SECTION. Sec. 3. There is added to chapter 36.01 RCW a new section to read as follows:

All entities of local government and agencies thereof are authorized to take action as follows to facilitate recovery from the devastation of the eruption of Mt. St. Helens:

(1) Cooperate with the state, state agencies, and the United States Army Corps of Engineers and other agencies of the federal government in planning dredge site selection and dredge spoils removal;

(2) Counties and cities may re-zone areas and sites as necessary to facilitate recovery operations;

(3) Counties may manage and maintain lands involved and the deposited dredge spoils; and

(4) Local governments may assist the Army Corps of Engineers in the dredging and dredge spoils deposit operations.

NEW SECTION. Sec. 4. There is added to chapter 90.58 RCW a new section to read as follows:

Emergency recovery operations from the Mt. St. Helens eruption authorized by sections 1 through 3 of this act may be exempted by the applicable county legislative authority from the requirements of the Shoreline Management Act of 1971, chapter 90.58 RCW, for operations within such county: PROVIDED, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem.

This section shall expire on June 30, 1984.

NEW SECTION. Sec. 5. There is added to chapter 43.21C RCW a new section to read as follows:

Emergency recovery operations from the Mt. St. Helens eruption authorized by sections 1 through 3 of this act may be exempted by the applicable county legislative authority from the requirements of the State Environmental Policy Act of 1971, chapter 43.21C RCW, for operations within such county: **PROVIDED**, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem.

This section shall expire on June 30, 1984.

NEW SECTION. Sec. 6. There is added to chapter 89.16 RCW a new section to read as follows:

Emergency recovery operations from the Mt. St. Helens eruption authorized by sections 1 through 3 of this act may be exempted by the applicable county legislative authority from the requirements related to diking and drainage under the department of ecology, for operations within such county: **PROVIDED**, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem.

This section shall expire on June 30, 1984.

NEW SECTION. Sec. 7. There is added to chapter 43.21 RCW a new section to read as follows:

Emergency recovery operations from the Mt. St. Helens eruption authorized by sections 1 through 3 of this act may be exempted by the applicable county legislative authority from the requirements related to water and flood control under the department of ecology, for operations within such county: **PROVIDED**, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem.

This section shall expire on June 30, 1984.

NEW SECTION. Sec. 8. There is added to chapter 75.20 RCW a new section to read as follows:

(1) The legislature intends to expedite flood-control dredging operations in those rivers affected by the May 1980 eruption of Mt. St. Helens, while continuing to protect the fish resources of these rivers.

(2) The director of fisheries and director of game shall process hydraulic project applications submitted under RCW 75.20.100 within five working days of receipt of the application. This requirement is only applicable to flood control and dredging projects located in the Toutle river, at the Cowlitz river from River Mile 22 to the confluence with the Columbia and the volcano and affected tributaries to the Cowlitz and Toutle river and volcano affected areas of the Columbia river.

(3) The mandatory emergency provisions of RCW 75.20.100 for the purposes of this act may be initiated by the county legislative authority: PROVIDED, That the project is necessary to provide protection from flood hazards to human life and/or to reduce or prevent flood damages or destruction of property, including:

(a) Flood fight measures necessary to provide protection during a flood event; or

(b) Measures necessary to reduce or eliminate a potential flood threat when other alternative measures are not available or cannot be completed prior to the expected flood threat season; or

(c) Measures which must be initiated and completed within an immediate period of time and for which processing of the request through normal methods would cause a delay to the project and such delay would significantly increase the potential for damages from a flood event.

This section expires on June 30, 1984.

NEW SECTION. Sec. 9. A select committee shall be appointed for oversight of Mt. St. Helens recovery operations consisting of six members from the senate, to be appointed by the president, and six members of the house of representatives, to be appointed by the speaker. The committee shall report to the legislature at the beginning of each regular session.

NEW SECTION. Sec. 10. There is appropriated from the general fund to the department of transportation one million dollars for the required acquisition and related incidental expenses thereto or that portion of the required acquisition that can be accomplished with the funds appropriated herein.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 26, 1982.

Passed The House February 26, 1982.

Approved by the Governor February 27, 1982.

Filed in Office of Secretary of State February 27, 1982.

CHAPTER 8

[Engrossed Substitute Senate Bill No. 3549]

MOTOR VEHICLE IMPOUNDMENT—UNLICENSED DRIVERS

AN ACT Relating to motor vehicles; and adding a new section to chapter 46.20 RCW.