

from the operation of the facilities regulated by this chapter, and all actions of the ((department)) state parks and recreation commission and its personnel shall be deemed to be an exercise of the police power of the state.

Passed the Senate March 8, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 21, 1990.

Filed in Office of Secretary of State March 21, 1990.

CHAPTER 137

[Senate Bill No. 6172]

ENVIRONMENTAL COORDINATION PROCEDURES

AN ACT Relating to environmental coordination procedures; and amending RCW 90.62.040.

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

Sec. 1. Section 4, chapter 185, Laws of 1973 1st ex. sess. as amended by section 3, chapter 54, Laws of 1977 and RCW 90.62.040 are each amended to read as follows:

(1) Any person proposing a project may submit a master application to the department requesting the issuance of all permits necessary prior to the construction and operation of the project in the state of Washington. The master application shall be on a form furnished by the department and shall contain precise information as to the location of the project, and shall describe the nature of the project including any discharges of wastes proposed therefrom and any uses of, or interferences with, natural resources contemplated.

(2) Upon receipt of a properly completed master application, the department shall immediately notify in writing each state agency having a possible interest in the master application arising from requirements pertaining to a permit program under its jurisdiction. The notification from the department shall be accompanied by a copy of the master application together with the date by which the agency shall respond to the notice. Each notified agency shall respond in writing to the department within the specified date, not exceeding fifteen days from receipt, as determined by the department, advising (a)(i) whether the agency does or does not have an interest in the master application, and (a)(ii) if the response to (a)(i) of this subsection is affirmative, the permit program or programs under the agency's jurisdiction to which the project described in the master application is pertinent, and whether, in relation to the master application, a public hearing as provided in RCW 90.62.050 and 90.62.060 would or would not be of value taking into consideration the overall public interest. Each notified state agency which (b)(i) responds within the specified date that it does not

have an interest in the master application or (b)(ii) does not respond as required above within the specified date, shall not subsequently require a permit of the applicant for the project described in the master application; provided the bar to requiring a permit subsequently shall not be applicable if the master application provided the notified agency contained false, misleading, or deceptive information, or other information, or lack thereof, which would reasonably lead an agency to misjudge its interest in a master application.

(3) After receiving the information regarding permits and applications provided by the department under subsection (4) of this section, the person may continue the process to apply for all or some of the permits required for the project or choose not to use the process to apply for any permits.

(4) The department shall send application forms relating to permit programs identified in affirmative responses under subsection (2) of this section to the applicant within five working days of the date specified by the department pursuant to subsection (2) of this section with a direction to complete and return them to the department within a reasonable time as specified by the department.

~~((4))~~ (5) When such applications, properly completed, have been returned to the department, each of the applications shall be transmitted to the appropriate state agency for the performance of its responsibilities of decision making in accordance with the procedures of this chapter. No such completed applications shall be accepted by the department for transmittal unless they are accompanied by (a) the certification of local government provided for in RCW 90.62.100 as now or hereafter amended, or (b) a statement of the local government indicating that such certification would require rezoning, the granting of a variance or issuance of a conditional use permit and the local government has chosen to utilize the procedures provided by this chapter to process the request for the rezoning or variance or the application for the conditional use permit as provided by RCW 90.62.100(2) as now or hereafter amended.

~~((5))~~ (6) For the purpose of establishing priority dates upon water right permits and certificates issued pursuant to rulings on applications under chapters 90.03 and 90.44 RCW and processed under this chapter, the priority date shall be the date of submitting the master application to the department or the county office as provided in RCW 90.62.120(2).

Passed the Senate March 3, 1990.

Passed the House February 27, 1990.

Approved by the Governor March 21, 1990.

Filed in Office of Secretary of State March 21, 1990.