

(m) A process for the periodic review of the ground water management program and monitoring of the implementation of the program.

(3) The ground water area or sub-area management programs shall be submitted for review in accordance with the state environmental policy act.

**NEW SECTION.** Sec. 3. The department of ecology shall consider the ground water area or sub-area management plan for adoption in accordance with this chapter and chapter 90.54 RCW.

Upon completion of the ground water area or sub-area management program, the department of ecology shall hold a public hearing within the designated ground water management area for the purpose of taking public testimony on the proposed program. Following the public hearing, the department of ecology and affected local governments shall (1) prepare findings which either provide for the subsequent adoption of the program as proposed or identify the revisions necessary to ensure that the program is consistent with the intent of this chapter, and (2) adopt regulations, ordinances, and/or programs for implementing those provisions of the ground water management program which are within their respective jurisdictional authorities.

**NEW SECTION.** Sec. 4. The department of ecology, the department of social and health services, and affected local governments shall be guided by the adopted program when reviewing and considering approval of all studies, plans, and facilities that may utilize or impact the implementation of the program.

**NEW SECTION.** Sec. 5. Sections 1 through 4 of this act shall not affect any water rights existing as of the effective date of this act.

**NEW SECTION.** Sec. 6. 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.

**NEW SECTION.** Sec. 7. Sections 1 through 5 of this act are each added to chapter 90.44 RCW.

Passed the House March 13, 1985.

Passed the Senate April 18, 1985.

Approved by the Governor May 21, 1985.

Filed in Office of Secretary of State May 21, 1985.

---

## CHAPTER 454

[Substitute House Bill No. 380]

### FLOOD PLAIN MANAGEMENT—DEPARTMENT OF ECOLOGY APPROVAL POWER

AN ACT Relating to flooding; and amending RCW 86.26.050.

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

Sec. 1. Section 7, chapter 240, Laws of 1951 as amended by section 4, chapter 212, Laws of 1984 and RCW 86.26.050 are each amended to read as follows:

State participation shall be in such flood control maintenance projects as are affected with a general public and state interest, as differentiated from a private interest, and as are likely to bring about public benefits commensurate with the amount of state funds allocated thereto. No participation may occur with a county or other municipal corporation unless the director of ecology (~~((makes a finding that))~~) has approved the flood plain management activities of the county, city, or town having planning jurisdiction over the area where the flood control maintenance project will be (~~((engages in flood plain management activities))~~), on the one hundred year flood plain surrounding such area (~~((; that are adequate to protect or preclude flood damage to structures, works, and improvements that may be built within its planning jurisdiction on such flood plain after the request for state participation has been made, including restriction of land uses within a river's meander belt or floodway to only flood-compatible uses))~~).

The department of ecology shall adopt rules concerning the flood plain management activities of a county, city, or town that are adequate to protect or preclude flood damage to structures, works, and improvements, including the restriction of land uses within a river's meander belt or floodway to only flood-compatible uses. Whenever the department has approved county, city, and town flood plain management activities, as a condition of receiving an allocation of funds under this chapter, each revision to the flood plain management activities must be approved by the department of ecology, in consultation with the department of fisheries.

No participation may occur with a county or other municipal corporation unless the county engineer of the county within which the flood control maintenance project is located certifies that a comprehensive flood control management plan has been completed and adopted by the appropriate local authority, or is being prepared for all portions of the river basin or other area, within which the project is located in that county, that are subject to flooding with a frequency of one hundred years or less. Such participation shall be made from grants made by the department of ecology from the flood control assistance account. Comprehensive flood control management plans, and any revisions to the plan, must be approved by the department of ecology, in consultation with the department of fisheries.

Passed the House April 23, 1985.

Passed the Senate April 19, 1985.

Approved by the Governor May 21, 1985.

Filed in Office of Secretary of State May 21, 1985.