

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1466

Chapter 185, Laws of 1997

55th Legislature
1997 Regular Session

SURFACE MINING--DELEGATION OF ENFORCEMENT TO LOCAL AUTHORITIES

EFFECTIVE DATE: 7/27/97

Passed by the House March 13, 1997
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1997
Yeas 47 Nays 0

BRAD OWEN
President of the Senate

Approved April 24, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1466** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 24, 1997 - 4:08 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1466

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Sump, Sheldon, Grant, Hatfield, Delvin and Pennington)

Read first time 03/04/97.

1 AN ACT Relating to surface mining; and amending RCW 78.44.050.

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

3 **Sec. 1.** RCW 78.44.050 and 1993 c 518 s 7 are each amended to read
4 as follows:

5 The department shall have the exclusive authority to regulate
6 surface mine reclamation (~~except that, by contractual agreement, the~~
7 ~~department may delegate some or all of its enforcement authority to a~~
8 ~~county, city, or town~~). No county, city, or town may require for its
9 review or approval a separate reclamation plan or application. The
10 department may, however, delegate some or all of its enforcement
11 authority by contractual agreement to a county, city, or town that
12 employs personnel who are, in the opinion of the department, qualified
13 to enforce plans approved by the department. All counties, cities, or
14 towns shall have the authority to zone surface mines and adopt
15 ordinances regulating operations ((pursuant to section 16 of this act))
16 as provided in this chapter, except that county, city, or town
17 operations ordinances may be preempted by the department during the
18 emergencies outlined in RCW 78.44.200 and related rules.

1 This chapter shall not alter or preempt any provisions of the state
2 fisheries laws (Title 75 RCW), the state water allocation and use laws
3 (chapters 90.03 and 90.44 RCW), the state water pollution control laws
4 (chapter 90.48 RCW), the state wildlife laws (Title 77 RCW), state
5 noise laws or air quality laws (Title 70 RCW), shoreline management
6 (chapter 90.58 RCW), the state environmental policy act (chapter 43.21C
7 RCW), state growth management (chapter 36.70A RCW), state drinking
8 water laws (chapters 43.20 and 70.119A RCW), or any other state
9 statutes.

 Passed the House March 13, 1997.

 Passed the Senate April 14, 1997.

 Approved by the Governor April 24, 1997.

 Filed in Office of Secretary of State April 24, 1997.