

# SENATE BILL REPORT

## SHB 2772

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As Reported By Senate Committee On:  
Ecology & Parks, February 23, 1996

**Title:** An act relating to raising the amount that must be exceeded by the cost of construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multiple family residences for the construction to be considered substantial development under the Shoreline Management Act of 1971.

**Brief Description:** Raising the amount that must be exceeded by the cost of dock construction for the construction to be considered substantial development under the Shoreline Management Act of 1971.

**Sponsors:** House Committee on Agriculture & Ecology (originally sponsored by Representatives Kessler and Buck).

**Brief History:**

**Committee Activity:** Ecology & Parks: 2/23/96 [DPA].

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### SENATE COMMITTEE ON ECOLOGY & PARKS

**Majority Report:** Do pass as amended.

Signed by Senators Fraser, Chair; Fairley, Vice Chair; Hochstatter, McAuliffe, Spanel and Swecker.

**Staff:** Kari Guy (786-7437)

**Background:** The Shoreline Management Act requires that a "development" conducted on the shorelines of the state be consistent with its policies and with the applicable guidelines, rules, or master program created under it.

A development for which the cost or market value is greater than \$2,500, or which materially interferes with the normal public use of the water or shorelines of, the state is considered to be a "substantial development." Several exceptions and clarifications to the definition of a substantial development are provided, including one for recreational docks. The construction of such a dock, including a community dock, is not considered to be a substantial development if it is designed for pleasure craft, noncommercial use for single or multi-family residences, and costs not more than \$2,500. This exemption was established in 1973.

A substantial development may not be undertaken on the shorelines of the state without a substantial development permit. Thus, an exemption from the definition of "substantial development" affords an exemption from the substantial development permit requirement.

**Summary of Amended Bill:** The threshold for the shoreline substantial development exemption for noncommercial docks in freshwater areas is raised to a fair market value of \$10,000. However, for subsequent construction within five years, the exemption level remains at \$2,500. In salt water areas, the threshold for the shoreline substantial development exemption remains at a fair market value of \$2,500.

**Amended Bill Compared to Substitute Bill:** The provisions affecting solely San Juan County are removed. The threshold of \$10,000 is limited to areas of fresh water, with exceptions for subsequent construction.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The original exemption was set in 1973. This bill is needed to catch up to inflation.

**Testimony Against:** None.

**Testified:** PRO: Rep. Lynn Kessler; Tony Meinhardt, Kappert Enterprises; Joe Daniels; Ed Owens, Council of Coastal Fisheries.