

SENATE BILL REPORT

SHB 1275

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, FEBRUARY 25, 1994

Brief Description: Exempting site exploration from shorelines management regulation.

SPONSORS: House Committee on Environmental Affairs (originally sponsored by Representatives R. Fisher, Schmidt, R. Meyers, Brown, Jones, Shin and Horn; by request of Department of Transportation)

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass as amended.

Signed by Senators Fraser, Chairman; Deccio, McCaslin, Moore, Morton, Sutherland and Talmadge.

Staff: Cathy Baker (786-7708)

Hearing Dates: March 24, 1993; February 23, 1994; February 25, 1994

BACKGROUND:

In 1971, the Legislature passed the Shoreline Management Act (SMA). The SMA applies to: 1) lakes over 20 acres; 2) rivers with flows greater than 20 cubic feet per second; and 3) wetlands, floodways, and flood plains associated with regulated lakes and rivers. Each county, city and town containing areas covered by the SMA is required to develop a shoreline master program consistent with state guidelines.

The SMA requires a permit from a local government before any substantial development can be undertaken within the shorelines of the state. The SMA defines "substantial development" as a project that interferes with the public's normal use of the water or a project with a total cost exceeding \$2,500. The SMA establishes a number of exemptions from substantial development permits.

Soil samples and other types of information are collected prior to constructing roads, bridges, or other structures. This information gathering, also known as site exploration and investigation activities, generally requires a substantial development permit because the cost of the activity exceeds \$2,500.

SUMMARY:

Site exploration and investigation activities are exempt from substantial development permits if the activity: does not interfere with the normal public use of the water; has no

significant adverse environmental impact; does not involve installation of a structure; does not involve oil or natural gas exploration in marine waters of the state. Any disturbance caused by the activity must be restored to pre-existing conditions.

The exemption must be given by the local government, in writing. A bond or other method of financial assurance is required to ensure that the site is restored to pre-existing conditions.

SUMMARY OF PROPOSED COMMITTEE AMENDMENT:

The requirement to file a bond or other evidence of financial responsibility applies only to private project proponents.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The bill is needed to expedite the information gathering stage of projects. The bill does not provide an exemption for the construction phase of a project nor does it provide any exemption from other environmental laws.

TESTIMONY AGAINST: None

TESTIFIED: David Stevens, Department of Transportation (pro)