

HOUSE BILL REPORT

HB 1823

As Reported By House Committee On:
Government Reform & Land Use
Appropriations

Title: An act relating to requiring local governments to periodically update their shoreline master programs.

Brief Description: Requiring local governments to periodically update their shoreline master programs.

Sponsors: Representative Reams.

Brief History:

Committee Activity:

Government Reform & Land Use: 2/17/97, 2/24/97 [DPS];
Appropriations: 3/7/97, 3/8/97 [DPS(GRLU)].

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Bush; Fisher; Gardner; Mielke; Mulliken and Thompson.

Staff: Joan Elgee (786-7135).

Background: Shoreline Management Act. State voters adopted the Shoreline Management Act (SMA) in 1971 by approving an alternative measure to Initiative 43. Under the SMA, each county and city must adopt a shoreline master program for all shoreline areas within its jurisdiction.

A shoreline master program, or an amendment to a program, becomes effective when approved by the Department of Ecology. To be approved, a program must be consistent with guidelines adopted by the department. The guidelines provide criteria to local governments in developing master programs and include the following elements:

- Economic development;

- Public access;
- Recreation;
- Circulation; and
- Conservation.

At least once every five years, the department must conduct a review of the guidelines.

Within 24 months of the adoption of guidelines by the department, a local government must amend its master program.

Growth Management Act. The Growth Management Act (GMA) was enacted in 1990 and 1991.

The GMA includes a series of 13 goals to guide the development and adoption of comprehensive plans and development regulations that counties and cities planning under the act are required to adopt. The goals include discouraging sprawling development; encouraging development in urban areas with adequate public facilities; protecting the environment and enhancing the state's high quality of life, including air and water quality; and encouraging the retention of open space and increasing access to natural resource lands and water.

State Environmental Policy Act. The State Environmental Policy Act (SEPA) requires state agencies and local governments to prepare detailed statements, or environmental impact statements, for any of their proposed actions that may have a probable, significant adverse impact on the environment. Goals of SEPA include assuring citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings; and attainment of the widest range of beneficial uses of the environment without degradation, risk to health or safety, or undesirable and unintended consequences.

Summary of Substitute Bill: At least once every 10 years, each local government must formally review its entire shoreline master program and, where appropriate, adopt amendments to the program. This formal review is in addition to periodic amendments made to a master program. In the review, the local government must seek opportunities to consolidate shoreline management objectives, growth management objectives, and state environmental policy objectives.

The initial review and amendment must be completed by the earlier of:

- July 1, 1998, for any county or city which has not conducted a documented, formal review of its entire master program since 1988;

- the next review of urban growth areas for counties which plan under the requirements of the Growth Management Act;
- adoption of amendments in response to the adoption of guidelines by the Department of Ecology; or
- July 1, 2001.

Substitute Bill Compared to Original Bill: The substitute bill changes the timetable for the initial formal review of shoreline master programs.

Appropriation: None.

Fiscal Note: Requested on February 14, 1997.

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

Testimony For: It's important to update master programs because there are problems with permitting under old programs. Eighty master programs have never been amended. It's a good idea to incorporate master programs with other land use planning.

Testimony Against: Concern was expressed about whether all jurisdictions need to review programs and the time lines in the original bill.

Testified: Scott Merriman, Washington Environmental Council (pro); Tom Mark, Department of Ecology (pro); Bob Mack, Association of Washington Cities (concerns); and Paul Parker, Washington State Association of Counties (concerns).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Government Reform & Land Use be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Cody; Cooke; Crouse; Keiser; Kenney; Kessler; Lambert; Lisk; Mastin; McMorris; Parlette; Poulsen; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Minority Report: Without recommendation. Signed by 6 members: Representatives H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Chopp; Grant; Linville and Regala.

Staff: Nancy Stevenson (786-7137).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Government Reform & Land Use: No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: Shoreline master programs should be reviewed, and most cities have periodically reviewed their plans. However, the Land Use Planning Commission is charged with the responsibility of recommending how to integrate the Growth Management Act, the Shorelines Management Act, and the State Environmental Policy Act. Requiring cities and counties to do this on their own before the input from the Land Use Planning Commission is formalized is premature and may mean having to do it again. Small cities and counties would especially have trouble having to do it again. Also, the bill is unclear about what a formal review includes.

Testified: Bob Mack, Association of Washington Cities (con).