
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-1524.2/99 2nd draft

ATTY/TYPIST: JM:seg

BRIEF TITLE:

2 HB 1191 - H COMM AMD

3 By Committee on Agriculture & Ecology

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 90.58 RCW
8 to read as follows:

9 A person who uses a shoreline location for the production of a
10 motion picture is exempt from the substantial development permit
11 requirement of this chapter when all of the following apply:

12 (1) The local government determines the production will be
13 consistent with the local shoreline master program and all applicable
14 land use plans and development regulations;

15 (2) The person seeking the exemption completes a state
16 environmental policy act checklist and provides it to the appropriate
17 local government and the appropriate local government determines the
18 production will have no significant adverse impact on the environment,
19 including but not limited to:

20 (a) Fish or wildlife;

21 (b) Fish or wildlife habitat;

22 (c) Water quality;

23 (d) Aesthetic values;

24 (3) The person seeking the exemption notifies all property owners
25 within three hundred feet of the proposed site of his or her intention
26 to use the site;

27 (4) The use of the shoreline location for motion picture production
28 will terminate within a period of one year or less;

29 (5) The production does not interfere with the normal commercial
30 and navigational use of surface waters of the state although some
31 interference with normal recreational use of surface waters and
32 shorelines of the state may occur;

33 (6) The production will have no significant adverse impact on the
34 environment, including but not limited to:

35 (a) Fish or wildlife;

36 (b) Fish or wildlife habitat;

1 (c) Water quality; or
2 (d) Aesthetic values;
3 (7) An environmental assessment of the existing conditions of the
4 shorelines of the state to be used for the motion picture, and a
5 mitigation and restoration plan for same, are provided to the local
6 government before the start of the motion picture project. The
7 mitigation and restoration plan must be consistent with the local
8 shoreline master program and all applicable land use plans and
9 development regulations. The mitigation and restoration plan must be
10 approved by the local government before the motion picture project may
11 begin within shorelines of the state. The mitigation and restoration
12 plan shall be implemented immediately after the completion of the
13 production as provided under this section; and
14 (8) A performance bond is provided to the local government before
15 the start of a motion picture project to ensure the mitigation and
16 restoration plan is satisfactorily completed."

EFFECT: Four additional criteria are required to be met by persons involved in motion picture production for exemption from substantial development permits:

- (1) The project must be consistent with local shoreline master programs;
- (2) An environmental checklist under the State Environmental Policy Act must be completed;
- (3) All property owners within three hundred feet of the selected shoreline location must be notified of the intention to use the site; and
- (4) A mitigation and restoration plan must be provided in addition to the assessment of environmental conditions.

All mitigation and restoration activities must be implemented immediately after the completion of the production.

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