

HOUSE BILL REPORT

HCR 4406

As Reported By House Committee On:
Local Government

Brief Description: Creating a Joint Select Committee on Endangered Species Protection and Shoreline Management.

Sponsors: Representatives G. Chandler, Scott, Mulliken, Edwards, Mastin, Doumit, Cox, Sump and Thomas.

Brief History:

Committee Activity:

Local Government: 2/25/99, 3/1/99 [DP].

Brief Summary of Bill

- Creates a Joint Select Committee on Endangered Species Protection and Shoreline Management to review and make recommendations on specified issues.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives Mulliken, Republican Co-Chair; Scott, Democratic Co-Chair; Doumit, Democratic Vice Chair; Mielke, Republican Vice Chair; Edwards; Ericksen; Fisher and Fortunato.

Staff: Caroleen Dineen (786-7156).

Background:

Local governments have general authority to adopt comprehensive plans and zoning ordinances regulating land use activities within their jurisdictions. Local governments required or choosing to plan under the Growth Management Act (GMA jurisdictions) have specific requirements to adopt comprehensive plans containing certain elements and implementing development regulations.

The Shoreline Management Act (SMA) requires counties and cities to adopt local shoreline master programs regulating land use activities in shoreline areas of the state and

to enforce approved programs within their jurisdictions. The SMA also requires the Department of Ecology (DOE) to adopt guidelines for local governments to use when adopting these local shoreline master programs. The DOE considers the adopted guidelines and SMA requirements when reviewing and approving local shoreline master programs. Legislation enacted in 1995 required GMA jurisdictions to include their local shoreline master programs as elements of their GMA comprehensive plans.

Species of wild salmon, steelhead, bull trout and other species in Washington have either been listed or are under consideration for listing under the federal Endangered Species Act.

Summary of Bill:

The Joint Select Committee on Endangered Species Protection and Shoreline Management (Joint Select Committee) is created. The Joint Select Committee is a 12-member committee, including three members from each of the two largest caucuses of each house appointed by the President of the Senate and the Co-Speakers of the House of Representatives.

Using existing House and Senate staff, the Joint Select Committee is to develop recommendations related to:

- integration and amendment of SMA shoreline master programs and GMA comprehensive plans;
- local government implementation of new DOE shoreline master program guidelines and the effect of the guidelines on local governments and shoreline management within the state; and
- legal, administrative, regulatory, financial, and other impacts on local governments associated with responding to current and proposed listings of species under the federal Endangered Species Act.

The Joint Select Committee is required to report interim findings to the Legislature by December 31, 1999, and to submit a final report and recommendations by December 31, 2000.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: The changes in the proposed shoreline master program guidelines and listings under the Endangered Species Act will create major impacts on local governments and property owners. Eastern Washington was not well represented on the Shoreline Guidelines Commission, the group which developed the new proposed guidelines, and local governments and others have concerns about the proposed guidelines. The Legislature, not the Department of Ecology, should be making shoreline management policy changes. This bill will start the involvement of the Legislature in the process. The bill creates a Joint Select Committee composed entirely of legislators; it may be better to include interest groups in this process. Local governments and business want to participate.

Testimony Against: This bill directs the Joint Select Committee to review issues related to SMA/GMA integration, a topic which has been extensively studied in the past 10 years by various entities. GMA jurisdictions can use their comprehensive plans and development regulations to substitute for shoreline master programs. State oversight of shoreline master programs cannot be eliminated by negotiation.

Testified: (In support) Representative Chandler, prime sponsor; and Cara Myrick, Washington Association of Counties.

(Opposed) Bruce Wishert, People for Puget Sound.