

HOUSE BILL REPORT

HB 1769

As Reported by House Committee On:
Local Government

Title: An act relating to timelines and funding for implementation of guidelines for shoreline master programs.

Brief Description: Establishing a schedule of time limits under which local governments must develop or amend shoreline master plans.

Sponsors: Representatives Romero, Cooper, Dunshee, Linville and Edwards; by request of Governor Locke.

Brief History:

Committee Activity:

Local Government: 2/27/03, 3/5/03 [DPS].

Brief Summary of Substitute Bill

- Replaces the Shoreline Management Act (SMA) provision requiring local governments to develop or amend shoreline master programs within 24 months after the adoption of guidelines by the Department of Ecology (DOE) with a schedule established by the Legislature.
- Eliminates the limits on grants authorized and administered by the DOE to local governments for shoreline master program development.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Romero, Chair; Upthegrove, Vice Chair; Jarrett, Assistant Ranking Minority Member; Berkey, Clibborn, and Moeller.

Minority Report: Do not pass. Signed by 4 members: Representatives Schindler, Ranking Minority Member; Ahern, Ericksen and Mielke.

Staff: Ethan Moreno (786-7386).

Background:

The Shoreline Management Act (SMA) governs the uses of state shorelines. The SMA requires all counties and cities with shorelines of the state to adopt master programs which regulate land use activities in shoreline areas of the state.

The SMA also requires the Department of Ecology (DOE) to adopt state shoreline master program guidelines for local governments to use when developing their master programs. Local governments must develop or amend shoreline master programs within 24 months after the adoption of guidelines by the DOE.

The DOE is authorized to make and administer grants of legislatively appropriated funds to local governments for developing master programs. Grants must not be made in an amount in excess of the recipient's contribution to the estimated cost of the program.

Summary of Substitute Bill:

The SMA provision requiring local governments to develop or amend shoreline master programs within 24 months after the adoption of guidelines by the DOE is replaced with a staggered schedule established by the Legislature. The initial completion for developing or amending master programs under the established schedule would occur on or before December 1, 2005, and continue through December 1, 2014. Counties and cities designated as "early adopters" must develop or amend their master programs according to a separate specified schedule. Following the initial round developing and amending of master programs, counties and cities are required to amend master programs every seven years.

Substitute Bill Compared to Original Bill:

The substitute bill establishes a statutory schedule for developing and amending shoreline master programs by local governments following the adoption of state shoreline guidelines by the DOE. The substitute bill also includes provisions for developing and amending master programs before the established schedule.

Amendatory language stating legislative intent and other provisions for the act is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill replaces the insufficient 24-month requirement in present law with a staggered schedule for updating master programs. This bill represents a major step forward toward resolving difficult issues. This bill should move forward and allow negotiations with cities and counties to continue. The staggered timeframe of this bill represents a reasonable approach to scheduling master program updates. The Governor's budget includes \$2 million for the initial master program updates. The language of the bill represents both a negotiated settlement and good public policy.

Testimony Against: This bill addresses complicated issues, references a schedule and rules that do not exist, and has unknown associated costs. This bill will be expensive to implement and may represent a transfer of burden— from the state to cities. A dedicated fund to cover the costs of developing or amending master programs would offer assurances to local governments. The capacity to comply with the provisions of this bill will not exist without full funding two years prior to completion of master program updates.

Testified: Jay Manning, Washington Environmental Council; Gary Chandler and Kristen Sawin, Association of Washington Business; Tom Fitzsimmons, Department of Ecology; Ron Schultz, Office of the Governor; and Willy O'Neil, Association of General Contractors of Washington.

(Against) Dave Williams, Association of Washington Cities; Robert Mack, Cities of Bellevue, Lakewood, Tacoma, and Spokane; and Scott Merriman, Washington State Association of Counties.