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**Fisheries, Ecology & Parks  
Committee**

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**HB 1475**

**Brief Description:** Clarifying the definition of ordinary high water mark.

**Sponsors:** Representatives Pearson, Grant, Mielke, Sump, Boldt, Kristiansen, Chandler, Hinkle, Condotta, Armstrong, Buck and Anderson.

**Brief Summary of Bill**

- Defines lands periodically submerged but still useful for agriculture as above the ordinary high water mark under the Shoreline Management Act.

**Hearing Date:** 2/27/03

**Staff:** Jeff Olsen (786-7157).

**Background:**

The Shoreline Management Act (SMA) governs all shorelines of the state. The SMA requires counties and cities with shorelines of the state to adopt local shoreline master programs regulating land use activities in shoreline areas of the state and to enforce those programs within their jurisdictions. The SMA's basic regulatory device is the prohibition of any development on the shorelines of the state not consistent with the SMA's policy and applicable Shoreline Management Master Program. The mechanism for enforcing the law is a permit system, which requires permits issued by local governments for most activities in the shoreline zone.

Shorelands include the lands extending landward 200 feet in all directions from the ordinary high water mark. The SMA defines the ordinary high water mark based on where the bed and banks of the waters are common and usual. In the event the ordinary high water mark cannot be found, it is defined on the basis of the mean high tide for salt water or as the line of mean high water for fresh water.

**Summary of Bill:**

The definition of ordinary high water mark is further defined stating that land periodically

submerged but still useful for agricultural purposes is deemed to be above the ordinary high water mark.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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