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**Fisheries, Ecology & Parks  
Committee**

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**HB 2591**

**Brief Description:** Regarding coastal management.

**Sponsors:** Representatives Cooper, Kagi, Upthegrove, McCoy, Dickerson and Chase.

**Brief Summary of Bill**

- Directs the Department of Ecology (Department), along with the Department of Natural Resources, the Department of Fish and Wildlife, and coastal counties, to review existing state polices applicable to coastal zone management.
- Requires the Department to report recommendations regarding the inclusion of polices to protect the state's coastal zone in the state Coastal Zone Management Plan, including laws to protect fish and wildlife resources from underwater noise, by December 1, 2004.
- Designates the Department as the principal state agency responsible for administering the Federal Coastal Zone Management Act's state program.

**Hearing Date:** 1/30/04

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

**Background:**

The Coastal Zone Management Program (CZMP) is authorized by the federal Coastal Zone Management Act (CZMA) of 1972 and administered at the federal level by the National Oceanic and Atmospheric Administration. The CZMA establishes policies to preserve, protect, develop, and where possible, to restore or enhance the resources of the coastal zone. In addition, the act encourages and assists states to exercise their responsibilities in the coastal zone through the development and implementation of CZMPs.

States prepare CZMPs that describe their coastal resources and how they are managed. Activities that affect land use, water use or natural resources in the coastal zone must comply with regulations identified in the CZMP, also known as enforceable polices. The Department of Ecology (Department) developed the state CZMP in 1976. The enforceable policies in the CZMP are based on six existing state laws including the Shoreline Management Act, the State Environmental Policy Act, the Clean Air Act, the Clean Water Act, the Energy Facility Site Evaluation Council, and the Ocean Resource Management Act.

Under the CZMA, federal agencies must determine whether their actions or the actions of their permittees or licensees are consistent with approved state CZMPs through a process called federal consistency. The federal consistency process allows the state to review federal actions affecting Washington's coastal resources and allows the public an opportunity to influence federal actions.

**Summary of Bill:**

The Department is designated the principal agency for administering the provisions of the CZMA and is authorized to receive and administer federal grants to implement the program. By December 1, 2004, the department must review state and local laws that relate to the coastal zone in consultation with the relevant agencies and governments. The review must include the Department of Natural Resources, the Department of Fish and Wildlife, and the counties within the state's coastal zone. The review shall include existing state CZMP policies and policies for oil spill prevention and financial responsibility, water pollution control, air pollution control, aquatic lands management, hydraulics projects approval, and water resources management. In addition, the Department shall consider state laws protecting fish and wildlife resources, marine species, habitat, and recommendations for protecting fish and wildlife resources from underwater noise.

The Department shall report recommendations to the Legislature by December 1, 2004. The Department shall also apply to have the state and local polices included in the state's federally approved CZMP. The department must also compile the program into a single document and provide for public review and comment on applications for state concurrence in federal consistency determinations.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/21/2004.

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