
HOUSE BILL 1838

State of Washington

59th Legislature

2005 Regular Session

By Representatives Linville, Grant and Hinkle; by request of Environmental Hearings Office

Read first time 02/08/2005. Referred to Committee on Natural Resources, Ecology & Parks.

1 AN ACT Relating to increasing the threshold for short board appeals
2 before the shorelines and pollution control hearings boards to fifteen
3 thousand dollars; and amending RCW 90.58.185 and 43.21B.305.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 90.58.185 and 1994 c 253 s 2 are each amended to read
6 as follows:

7 (1) In the case of an appeal involving a single family residence or
8 appurtenance to a single family residence, including a dock or pier
9 designed to serve a single family residence, or of appeals involving a
10 penalty of fifteen thousand dollars or less, the request for review may
11 be heard by a panel of three board members, at least one and not more
12 than two of whom shall be members of the pollution control hearings
13 board. Two members of the three must agree to issue a final decision
14 of the board.

15 (2) The board shall define by rule alternative processes to
16 expedite appeals, including those involving a single-family residence
17 or appurtenance to a single-family residence, including a dock or pier
18 designed to serve a single-family residence, or involving a penalty of
19 fifteen thousand dollars or less. These alternatives may include:

1 Mediation, upon agreement of all parties; submission of testimony by
2 affidavit; or other forms that may lead to less formal and faster
3 resolution of appeals.

4 **Sec. 2.** RCW 43.21B.305 and 1994 c 253 s 5 are each amended to read
5 as follows:

6 In an appeal that involves a penalty of ((~~five~~)) fifteen thousand
7 dollars or less, the appeal may be heard by one member of the board,
8 whose decision shall be the final decision of the board. The board
9 shall define by rule alternative procedures to expedite ((~~small~~))
10 appeals involving penalties of fifteen thousand dollars or less. These
11 alternatives may include: Mediation, upon agreement of all parties;
12 submission of testimony by affidavit; or other forms that may lead to
13 less formal and faster resolution of appeals.

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