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SENATE BILL 5808

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State of Washington

59th Legislature

2005 Regular Session

By Senators Poulsen, Honeyford, Morton, Rockefeller, Regala, Fraser and Rasmussen; by request of Environmental Hearings Office

Read first time 02/08/2005. Referred to Committee on Water, Energy & Environment.

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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