

FINAL BILL REPORT

SSB 5451

C 323 L 11

Synopsis as Enacted

Brief Description: Concerning shoreline structures in a master program adopted under the shoreline management act.

Sponsors: Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Ericksen, Pridemore, Harper, Carrell, Hobbs, Rockefeller, Tom, White and Shin).

Senate Committee on Environment, Water & Energy
Senate Committee on Natural Resources & Marine Waters
House Committee on Environment
House Committee on Local Government

Background: The Shoreline Management Act (SMA) governs uses of state shorelines. The Department of Ecology (DOE) and local governments are authorized to adopt necessary and appropriate rules for implementing the provisions of SMA.

At the local level, the SMA regulations are developed in local shoreline master programs. All counties and cities with shorelines of the state are required to adopt master programs that regulate land use activities. Counties and cities are also required to enforce master programs within their jurisdiction. Local master programs have certain mandatory elements as appropriate, and local governments may include other elements necessary to implement the SMA requirements. Mandatory elements include:

- an economic development element for locating and designing water-dependent industrial projects and other commercial activities;
- a public access element to provide access to public areas;
- a recreational element to preserve and enhance shoreline recreational opportunities;
- a circulation element to locate transportation and other public facilities for shoreline use;
- a use element addressing the location and extent of shoreline use for housing, business, industry, transportation, agriculture, natural resources, recreation, education, public facilities, and other uses;
- a conservation element to preserve natural resources in shoreline areas;
- a historic, cultural, scientific, and educational element to protect buildings, sites, and areas with such values; and
- an element considering statewide interests in preventing and minimizing flood damage.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A master program becomes effective when approved by DOE.

Summary: The act allows DOE approved new or amended master programs on or after September 1, 2011, to include provisions authorizing:

- qualifying residential structures and appurtenant structures to be considered conforming structures; and
- redevelopment, expansion, change with the class of occupancy, or replacement of the residential structure if it is consistent with the master program.

Appurtenant structures are defined to mean garages, sheds, and other legally established structures.

The act does not restrict the ability of a master program to limit redevelopment, expansion, or replacement of over-water structures or structures located in hazardous areas.

Votes on Final Passage:

Senate	47	0	
House	77	19	(House amended)
Senate	48	0	(Senate concurred)

Effective: July 22, 2011.