
HOUSE BILL 2036

State of Washington

64th Legislature

2015 Regular Session

By Representative Fitzgibbon

Read first time 02/09/15. Referred to Committee on Local Government.

1 AN ACT Relating to improving permit and approval efficiencies
2 under the shoreline management act; and adding new sections to
3 chapter 90.58 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.58
6 RCW to read as follows:

7 (1) The department, by December 31, 2016, must develop two
8 general permits, one each for proposed development activities located
9 east or west of the crest of the Cascade mountain range, for use by
10 counties and cities for development proposals that are: (a) Within
11 shorelines of the state; and (b) exempt from the substantial
12 development permit requirements of this chapter.

13 (2) General permits developed under this section:

14 (a) Must prioritize the avoidance of damage to shoreline
15 ecological functions and the mitigation of damage to shoreline
16 ecological functions;

17 (b) Must, at a minimum, be for the maintenance or repair of
18 streets, roads, and highways, and the construction of docks or normal
19 protective bulkheads that do not qualify as substantial developments
20 under RCW 90.58.030(3)(e); and

21 (c) May be reviewed and periodically revised by the department.

1 (3) Except as provided otherwise in section 2 of this act,
2 counties and cities may adopt the applicable general permit for use
3 within their jurisdiction or may use locally adopted procedures for
4 approving, conditioning, or disapproving proposed development
5 activities that are exempt from the substantial development permit
6 requirements of this chapter.

7 (4) General permits issued in accordance with this section and
8 section 2 of this act are: (a) Governed by, and must be issued and
9 enforced in accordance with, the permit system and administration and
10 enforcement provisions established in RCW 90.58.140; and (b)
11 appealable to the shorelines hearings board established in RCW
12 90.58.170.

13 (5) As used in this section and section 2 of this act, "general
14 permit" means a model permit developed by the department for
15 exclusive use by counties and cities for development activities that
16 require compliance with applicable provisions of this chapter and the
17 county or city master program, but that do not require an applicant
18 to obtain a substantial development permit.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.58
20 RCW to read as follows:

21 (1) Counties and cities must, by July 1, 2017, adopt and
22 implement the general permits developed under section 1 of this act
23 for normal maintenance or repair activities for roads, streets, and
24 highways that are exempt from the substantial development permit
25 requirements of this chapter.

26 (2) Except as provided otherwise by this section, effective July
27 1, 2017, normal maintenance or repair activities for roads, streets,
28 or highways in areas that are subject to the jurisdiction of this
29 chapter may not commence without first obtaining approval through a
30 general permit issued in accordance with this section from the
31 applicable county or city.

32 (3) Subsection (2) of this section does not apply to activities
33 that are subject to the substantial development permit requirements
34 of this chapter, or to emergency maintenance or repair activities for
35 roads, streets, and highways that are conducted in response to damage
36 by the elements.

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