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## Environment & Energy Committee

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### HB 1031

**Brief Description:** Reducing government imposed obligations associated with bulkhead maintenance or repairs.

**Sponsors:** Representatives Walsh, Irwin and Young.

#### Brief Summary of Bill

- Exempts government decisions regarding the repair or maintenance of existing bulkheads or bank protection structures from requirements under the State Environmental Policy Act mandating the completion of an environmental impact statement.

**Hearing Date:** 2/14/19

**Staff:** Jacob Lipson (786-7196).

#### Background:

The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts that may result from governmental decisions, such as the issuance of permits or the adoption of land use plans. The SEPA environmental review process involves a project proponent or the lead agency completing an environmental checklist to identify and evaluate probable environmental impacts. If an initial review of the checklist and supporting documents results in a determination that the government decision has a probable significant adverse environmental impact (threshold determination), the proposal must undergo a more comprehensive environmental analysis in the form of an environmental impact statement (EIS).

Under SEPA, a government agency is designated as the lead agency, and in that role is assigned responsibility for complying with SEPA's procedural requirements, including making a threshold determination and preparing the EIS when one is required.

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Construction activities related to bulkheads or bank protection structures may be subject to various state environmental regulations and may require environmental permits such as shoreline substantial development permits issued under the Shoreline Management Act and Hydraulic Project Approvals (HPA) issued by the Washington Department of Fish and Wildlife.

**Summary of Bill:**

Decisions by all branches of government regarding the repair or maintenance of existing bulkheads or bank protection structures are not subject to requirements under the State Environmental Policy Act that mandate the completion of an environmental impact statement.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2019.

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