

SENATE BILL REPORT

SB 6147

As of January 16, 2020

Title: An act relating to the replacement of shoreline armoring.

Brief Description: Concerning the replacement of shoreline armoring.

Sponsors: Senators Salomon, Lovelett, Wilson, C., Rolfes, Billig and Keiser.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/14/20.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Adds conditions to shoreline armoring replacement projects that require considering the least impactful alternative for protecting fish life.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: Construction activities related to bulkheads or bank protection structures are 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 (WDFW). An HPA is required for any project that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state. HPAs are issued by WDFW to ensure the proper protection of fish life.

Hydraulic projects may not be unreasonably conditioned and the conditions imposed upon obtaining a HPA must reasonably relate to the project. WDFW may not impose conditions that attempt to optimize fish life that are out of proportion to the impact of the proposed project.

Summary of Bill: Projects for replacing shoreline armoring or other measures to protect structures from shoreline erosion must consider the least impactful alternative for protecting fish life, in the following order of preference:

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.

- remove the hard structure and restore the beach;
- remove the hard structure and replace it with a soft structure;
- remove the hard structure and replace it with a hard structure located landward of the existing structure; or
- remove the hard structure and replace it with hard shoreline structure in the same footprint as the existing structure.

Appropriation: None.

Fiscal Note: Requested on January 10, 2020.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The nearshore is very important for salmon recovery. Hard armoring disrupts beach habitat, cutting off feeder bluffs, impacting forage fish and the entire nearshore habitat. There are alternatives to hard armoring that should be considered before replacing an existing bulkhead. In many marine shoreline areas, bulkheads are not needed to protect structures, and soft armoring or management of upland runoff may be cheaper and more effective. Approximately 29 percent of Puget Sound is armored, and removing residential structures may be our greatest opportunity to restore nearshore habitat. Permits to replace bulkheads since 2005 have exceeded permits to install new bulkheads.

OTHER: Ports have made significant investments to restore salmon habitat. In certain areas, ports need more protection, and options may be limited. The Washington State Department of Transportation supports nature-based solutions, however, there are areas where armoring is needed to protect state highways.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Bruce Wishart, Puget Soundkeeper; Jeff Parsons, Puget Sound Partnership; Tom McBride, WDFW; Randi Thurston, WDFW.

OTHER: Sean Eagan, The Northwest Seaport Alliance; Carol Lee Roalkvam, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: No one.