
Select Committee on Puget Sound

HB 2249

Brief Description: Concerning shoreline master program provisions on islands in Puget Sound.

Sponsors: Representatives McDermott, Cody, Upthegrove and Appleton.

Brief Summary of Bill

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| <ul style="list-style-type: none">• Allows counties to prohibit or limit the intensity of mining activities, and associated material transport, on inhabited islands within Puget Sound. |
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Hearing Date: 2/20/07

Staff: Karen Rogers (786-7388).

Background:

The Shoreline Management Act of 1971 regulates activities within shorelines of the state via shoreline master programs, which are adopted and administered by Washington counties and incorporated cities. The master programs define and map shoreline types, such as commercial, residential, rural-residential, rural, conservancy, and natural environments, and establish various restrictive development conditions for each. Activities such as commercial, residential and industrial development; piers; bulkheads; aquaculture; and mining activities, are regulated according to shoreline type. For example, a shoreline master program may permit development of an industrial port in an industrial or commercial environment, but may prohibit such development in a natural, or more restrictive, environment.

The Shoreline Management Act allows for four levels of permission: Exemption, Shoreline Substantial Development Permit (SSDP), Conditional Use, and Variance. Exemption and SSDP are issued by the county or city provided that the proposed activity satisfies specified conditions. Conditional Use Permit is issued by the county or city, and by the Department of Ecology, for undefined activities or for activities explicitly requiring this permit type. Activities that fail to qualify for exemption, SSDP, or Conditional Use may be permitted under Variance provided that the activity is not prohibited and can satisfy the Variance criteria stipulated in the master program

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and in the Shoreline Management Act. Variance, like Conditional Use, is issued by the county or city, and by the Department of Ecology.

Currently, all 39 counties have shoreline master programs, as do over 200 cities and towns throughout the state.

Summary of Bill:

Master programs may completely prohibit or limit the intensity of mining activities to a level that is commercially significant to the local market. The master programs may also prohibit or limit associated mining activities, including transport of materials from the mining site. To qualify for this prohibition or limit, all of the following restrictions must be met:

- the master program must be a county master program;
- the county must be a Puget Sound county;
- the regulated mining activities must be located within inhabited areas; and
- the areas must be an island.

Appropriation: None.

Fiscal Note: Not requested.

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