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SENATE BILL 5474

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State of Washington

60th Legislature

2007 Regular Session

By Senators Oemig, Morton, Rockefeller and Regala; by request of Department of Ecology

Read first time 01/19/2007. Referred to Committee on Water, Energy & Telecommunications.

1 AN ACT Relating to providing a one-year extension for shoreline  
2 master program updates in RCW 90.58.080; and amending RCW 90.58.080.

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

4 **Sec. 1.** RCW 90.58.080 and 2003 c 262 s 2 are each amended to read  
5 as follows:

6 (1) Local governments shall develop or amend a master program for  
7 regulation of uses of the shorelines of the state consistent with the  
8 required elements of the guidelines adopted by the department in  
9 accordance with the schedule established by this section.

10 (2)(a) Subject to the provisions of subsections (5) and (6) of this  
11 section, each local government subject to this chapter shall develop or  
12 amend its master program for the regulation of uses of shorelines  
13 within its jurisdiction according to the following schedule:

14 (i) On or before December 1, 2005, for the city of Port Townsend,  
15 the city of Bellingham, the city of Everett, Snohomish county, and  
16 Whatcom county;

17 (ii) On or before December 1, 2009, for King county and the cities  
18 within King county greater in population than ten thousand;

1 (iii) Except as provided by (a)(i) and (ii) of this subsection, on  
2 or before December 1, 2011, for Clallam, Clark, Jefferson, King,  
3 Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the  
4 cities within those counties;

5 (iv) On or before December 1, 2012, for Cowlitz, Island, Lewis,  
6 Mason, San Juan, Skagit, and Skamania counties and the cities within  
7 those counties;

8 (v) On or before December 1, 2013, for Benton, Chelan, Douglas,  
9 Grant, Kittitas, Spokane, and Yakima counties and the cities within  
10 those counties; and

11 (vi) On or before December 1, 2014, for Adams, Asotin, Columbia,  
12 Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan,  
13 Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman  
14 counties and the cities within those counties.

15 (b) Nothing in this subsection (2) shall preclude a local  
16 government from developing or amending its master program prior to the  
17 dates established by this subsection (2).

18 (3)(a) Following approval by the department of a new or amended  
19 master program, local governments required to develop or amend master  
20 programs on or before December 1, 2009, as provided by subsection  
21 (2)(a)(i) and (ii) of this section, shall be deemed to have complied  
22 with the schedule established by subsection (2)(a)(iii) of this section  
23 and shall not be required to complete master program amendments until  
24 seven years after the applicable dates established by subsection  
25 (2)(a)(iii) of this section. Any jurisdiction listed in subsection  
26 (2)(a)(i) of this section that has a new or amended master program  
27 approved by the department on or after March 1, 2002, but before July  
28 27, 2003, shall not be required to complete master program amendments  
29 until seven years after the applicable date provided by subsection  
30 (2)(a)(iii) of this section.

31 (b) Following approval by the department of a new or amended master  
32 program, local governments choosing to develop or amend master programs  
33 on or before December 1, 2009, shall be deemed to have complied with  
34 the schedule established by subsection (2)(a)(iii) through (vi) of this  
35 section and shall not be required to complete master program amendments  
36 until seven years after the applicable dates established by subsection  
37 (2)(a)(iii) through (vi) of this section.

1 (4) Local governments shall conduct a review of their master  
2 programs at least once every seven years after the applicable dates  
3 established by subsection (2)(a)(iii) through (vi) of this section.  
4 Following the review required by this subsection (4), local governments  
5 shall, if necessary, revise their master programs. The purpose of the  
6 review is:

7 (a) To assure that the master program complies with applicable law  
8 and guidelines in effect at the time of the review; and

9 (b) To assure consistency of the master program with the local  
10 government's comprehensive plan and development regulations adopted  
11 under chapter 36.70A RCW, if applicable, and other local requirements.

12 (5) Local governments are encouraged to begin the process of  
13 developing or amending their master programs early and are eligible for  
14 grants from the department as provided by RCW 90.58.250, subject to  
15 available funding. Except for those local governments listed in  
16 subsection (2)(a)(i) and (ii) of this section, the deadline for  
17 completion of the new or amended master programs shall be two years  
18 after the date the grant is approved by the department. Subsequent  
19 master program review dates shall not be altered by the provisions of  
20 this subsection.

21 (6)(a) Grants to local governments for developing and amending  
22 master programs pursuant to the schedule established by this section  
23 shall be provided at least two years before the adoption dates  
24 specified in subsection (2) of this section. To the extent possible,  
25 the department shall allocate grants within the amount appropriated for  
26 such purposes to provide reasonable and adequate funding to local  
27 governments that have indicated their intent to develop or amend master  
28 programs during the biennium according to the schedule established by  
29 subsection (2) of this section. Any local government that applies for  
30 but does not receive funding to comply with the provisions of  
31 subsection (2) of this section may delay the development or amendment  
32 of its master program until the following biennium.

33 (b) Local governments with delayed compliance dates as provided in  
34 (a) of this subsection shall be the first priority for funding in  
35 subsequent biennia, and the development or amendment compliance  
36 deadline for those local governments shall be two years after the date  
37 of grant approval.

1 (c) Failure of the local government to apply in a timely manner for  
2 a master program development or amendment grant in accordance with the  
3 requirements of the department shall not be considered a delay  
4 resulting from the provisions of (a) of this subsection.

5 (7) Notwithstanding the provisions of this section, all local  
6 governments subject to the requirements of this chapter that have not  
7 developed or amended master programs on or after March 1, 2002, shall,  
8 no later than December 1, 2014, develop or amend their master programs  
9 to comply with guidelines adopted by the department after January 1,  
10 2003.

11 (8) Local governments may be provided an additional year beyond the  
12 deadlines in this section to complete their master program or  
13 amendment. The department shall grant the request if it determines  
14 that the local government is likely to adopt or amend its master  
15 program within the additional year.

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