

HOUSE BILL REPORT

SSB 6236

As Passed House:
February 28, 1996

Title: An act relating to shoreline management project completion timelines.

Brief Description: Establishing shoreline management project completion timelines.

Sponsors: Senate Committee on Ecology & Parks (originally sponsored by Senator Swecker).

Brief History:

Committee Activity:

Agriculture & Ecology: 2/19/96, 2/22/96 [DP].

Floor Activity:

Passed House: 2/28/96, 94-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 17 members: Representatives Chandler, Chairman; Koster, Vice Chairman; Chappell, Ranking Minority Member; Linville, Assistant Ranking Minority Member; Boldt; Clements; Delvin; R. Fisher; Honeyford; Johnson; Mastin; Murray; Ogden; Regala; Robertson; Rust and Schoesler.

Staff: Bill Lynch (786-7092).

Background: The Shoreline Management Act (SMA) establishes a cooperative program of shoreline management between local governments and the state. Under the SMA, counties and cities are required to develop comprehensive shoreline use plans and development regulations. A shoreline substantial development permit is required for any construction with a fair market cost of over \$2,500, with some exemptions. The Department of Ecology has adopted rules governing the preparation and adoption of shoreline master programs and has provided standards for permitting shoreline developments.

The Department of Ecology rules include time requirements for shoreline permits. Substantial progress toward completion of a permitted activity must be undertaken within two years after the approval of the permit by the local government. The local government may authorize a single extension to this time limit of up to one year based upon reasonable factors, if the request is made prior to the expiration date and

notice of the extension is given to the parties of record and the Department of Ecology. The rules also require that the substantial development permit must expire within five years after approval of the permit. The local government may authorize a single time extension of up to one year beyond the five-year period. The running of a time period does not include the time in which the activity was not pursued because of reasonably related administrative appeals or litigation.

Summary of Bill: Time requirements are established for substantial development permits and developments authorized pursuant to a variance or conditional use permit under the Shoreline Management Act. These time requirements may be changed by local governments for specific permits based on the circumstances of the proposed project.

Construction activities must be commenced within two years and completed within five years of the effective date of the substantial development permit. Single one-year extensions to each time limit may be granted by the local government, based upon reasonable factors, if the request is made prior to the expiration date and notice of the extension is given to parties of record and the Department of Ecology.

The effective date of the substantial development permit is the date of the last permit action required on the development, including all administrative and legal actions on any government approvals.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: These requirements are largely in the Washington Administrative Code already. It adds the issuance of permits by other governmental entities because otherwise people will have to reapply for new permits before government can act on the original request. This measure is unopposed.

Testimony Against: None.

Testified: Senator Swecker, prime sponsor; Laura Overtan, Northwest Marine Trade Association and Fish Growers & Harvesters; and Dave Dunning (in favor).