

HOUSE BILL REPORT

ESB 5800

As Reported By House Committee On:

Government Reform & Land Use

Title: An act relating to the shoreline substantial development exemption for docks.

Brief Description: Changing the shoreline substantial development exemption for docks.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity:

Government Reform & Land Use: 3/24/97, 3/27/97 [DP].

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: Do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

Minority Report: Do not pass. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

Staff: Joan Elgee (786-7135).

Background: State voters adopted the Shoreline Management Act (SMA) in 1971 by approving an alternative measure to Initiative 43.

Under the SMA, every county and city must adopt a shoreline master program for all shoreline areas within their jurisdiction. The program must be consistent with guidelines adopted by the Department of Ecology.

Development activity on shorelines is allowed only if it is consistent with the local shoreline master program. In addition, a shoreline substantial development permit is required for any construction with a fair market value exceeding \$2,500 or for any development which materially interferes with the normal public use of the water or shorelines, with some exceptions.

One exception is for the construction of a dock for pleasure craft for private noncommercial use. This exception applies if the fair market value of the dock does not exceed \$2,500 for salt water docks, and generally where the fair market value does not exceed \$10,000 for fresh water docks.

Summary of Bill: The exception from the requirement to obtain a substantial development permit under the SMA for certain docks is modified. West of the Cascades, the exception applies to docks not exceeding 400 square feet in area and eight feet in width at any point. East of the Cascades, the exception applies to docks with a fair market value not exceeding \$10,000.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It makes more sense to base the exception on size rather than value. No periodic updates by the Legislature will be required.

Testimony Against: Four hundred square feet is a substantial increase.

Testified: Eric Bergman, Washington State Association of Counties (pro); Wendell Stroud, Marine Floats (pro); Dave Williams, Association of Washington Cities (pro); and Bruce Wishart, People for Puget Sound (con).