

SENATE BILL REPORT

SHB 1823

As of March 31, 1997

Title: An act relating to requiring local governments to periodically update their shoreline master programs.

Brief Description: Requiring local governments to periodically update their shoreline master programs.

Sponsors: House Committee on Government Reform & Land Use (originally sponsored by Representative Reams).

Brief History:

Committee Activity: Agriculture & Environment: 4/2/97.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Richard Duggan (786-7414)

Background: The 1971 Shoreline Management Act (the Act) announced a state policy of providing for "the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses." The Act requires local governments with shoreline areas under their jurisdiction to adopt a shoreline master program, and requires the Department of Ecology (DOE) to adopt guidelines consistent with the policy announced in the Act, with specified elements:

Economic development - location and design of business and trade facilities

Public access - provision for public access to public areas

Recreation - preservation and enlargement of recreational opportunities

Circulation - location and extent of transportation routes and facilities; and

Conservation - preservation of natural resources.

The local government master programs, and all amendments to them, must be reviewed by DOE for compliance with statutory requirements. When approved, the master programs regulate the areas described as shorelines.

DOE may propose amendments to the guidelines once a year, and is required by the Act to conduct a review of the guidelines at least once every five years. Within two years of an amendment's adoption, local governments are required to make the necessary changes to maintain the consistency between their master programs and DOE guidelines.

In adopting the Growth Management Act (GMA) in 1990, the Legislature found cooperation and coordination of citizens, communities, local governments, and the private sector in comprehensive land use planning to be in the public interest. Planning goals were adopted, and planning requirements imposed upon counties and cities meeting GMA criteria for population size and growth. These requirements include a comprehensive plan, in which

certain goals and elements must be addressed. The goals include protection of the environment and enhancement of the state's quality of life. Among the required elements are land use (general distribution of uses of land, including industry, recreation, open spaces, airports, and public facilities), and transportation. Comprehensive plans must also identify open space corridors and lands useful for public purposes. Urban growth area designations in these plans must be reviewed at least every ten years.

The State Environmental Policy Act (SEPA), also adopted in 1971, establishes a procedure for reviewing proposed actions of state agencies and local governments for possible significant adverse impact on the environment. SEPA contains a statement of general purposes which include the prevention and elimination of damage to the environment. It also contains a declaration of a policy to promote the general welfare; maintain conditions in which man and nature can exist in productive harmony; and fulfill the social, economic, and other requirements of the present and future citizens of the state. A statement of SEPA's goals is included, among which is assuring citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings; and attaining the widest range of beneficial uses of the environment without degradation, risk to health or safety, or undesirable and unintended consequences. DOE is given rule-making authority to provide for uniform rules and guidelines for the interpretation and implementation of the act. All agencies of government in the state are required to adopt appropriate legislation to integrate SEPA policies and procedures into their operation.

Summary of Bill: In addition to any periodic amendments, each local government subject to the Shoreline Management Act is required to formally review its entire master program at least once every ten years, and adopt amendments as appropriate. In the review, the local government must seek opportunities to consolidate shoreline management objectives, growth management objectives, and state environmental policy objectives.

A deadline for completing the initial review and amendment is set as the earlier of: (a) July 1, 1998, for any county or city which has not conducted a documented, formal review of its entire master program since 1988; (b) the next review of urban growth areas for counties planning under the Growth Management Act; (c) adoption of amendments in response to guideline amendments by DOE; or (d) July 1, 2001.

Appropriation: None.

Fiscal Note: Not requested.

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