

---

## Local Government Committee

---

### BILL ANALYSIS HB 2394

**TITLE OF THE BILL:** Changing provisions relating to review and amendment of shoreline master programs guidelines.

#### BRIEF SUMMARY OF BILL

- Eliminates the requirement for the Department of Ecology (DOE) to periodically review the shoreline master program guidelines.
- Eliminates the requirement for DOE to review the shoreline master program guidelines at least once every five years.

**SPONSORS:** Representatives Mulliken, Doumit, Mielke, Scott, Ericksen, Fisher, Fortunato, Mastin, Haigh, Van Luven and Esser.

**HEARING DATE:** January 17, 2000.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.

**FISCAL NOTE:** Not requested.

**ANALYSIS PREPARED BY:** Caroleen Dineen (786-7156).

---

#### BACKGROUND:

*The Shoreline Management Act (SMA) was enacted in 1971 as Chapter 90.58 RCW. The SMA requires counties and cities to adopt local shoreline master programs regulating land use activities in shoreline areas of the state and to enforce approved programs within their jurisdictions. The SMA also requires the Department of Ecology (DOE) to adopt guidelines for local governments to use when developing these local shoreline master programs. The DOE must provide an opportunity for local governments and others to comment on the proposed guidelines and must hold public hearings before the proposed guidelines are adopted. Legislation enacted in 1995 required the DOE to periodically review the guidelines, specified the DOE may propose amendments to the guidelines no more than once*

*per year, and required the DOE to review the guidelines at least once every five years.*

*Local governments must develop or amend shoreline master programs consistent with the DOE guidelines within 24 months after the DOE guidelines are adopted. The DOE considers the adopted guidelines and SMA requirements when reviewing and approving local shoreline master programs. DOE's decision approving or rejecting a local shoreline master program may be appealed to the Shorelines Hearings Board.*

*The Growth Management Act (GMA) was enacted in 1990 and 1991 as Chapter 36.70A RCW. The GMA requires certain counties and the cities in those counties to plan according to statutory requirements and provides a mechanism for other counties to choose to plan under the GMA.*

All jurisdictions must designate natural resource lands and designate and protect critical areas, regardless of whether they plan under the GMA. Among other requirements, each county and city planning under RCW 36.70A.040 (GMA jurisdiction) is required to designate urban growth areas and to adopt a comprehensive plan. GMA jurisdictions must also adopt development regulations to implement their comprehensive plans.

By September 1, 2002, and at least every five years thereafter, GMA jurisdictions *are required to review their comprehensive plans and development regulations for consistency with GMA requirements and to revise their comprehensive plans and development regulations if necessary.* Legislation enacted in 1995 required GMA jurisdictions to include their shoreline master programs as elements of their GMA comprehensive plans.

During 1999 the DOE issued and accepted public comment on new proposed shoreline master program guidelines. The DOE later withdrew the proposed shoreline master program guidelines. In December 1999 the DOE issued a working draft– of shoreline master program guidelines.

## **SUMMARY:**

The requirement for the Department of Ecology (DOE) to periodically review the state shoreline master program guidelines is eliminated. The requirement for the DOE to review the guidelines at least once every five years is also eliminated.