

SENATE BILL REPORT

SB 6767

As Reported By Senate Committee On:
Natural Resources, Parks & Shorelines, February 6, 2002

Title: An act relating to adjusting the dollar threshold for substantial development under the shoreline management act.

Brief Description: Adjusting the monetary threshold for "substantial development" under the shoreline management act.

Sponsors: Senators Snyder, Rasmussen and Morton.

Brief History:

Committee Activity: Natural Resources, Parks & Shorelines: 2/4/02, 2/6/02 [DPS, DNP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

Majority Report: That Substitute Senate Bill No. 6767 be substituted therefor, and the substitute bill do pass.

Signed by Senators Jacobsen, Chair; Poulsen, Vice Chair; Hargrove, McDonald, Oke, Snyder and Stevens.

Minority Report: Do not pass.

Signed by Senator Spanel.

Staff: Vic Moon (786-7469)

Background: The dollar threshold for a substantial development under the Shoreline Management Act was originally \$1,000 in 1971 and was adjusted in 1986 to the present level of \$2,500 for any development which materially interferes with the normal public use of the water or shorelines. This cost is based on the fair market value or total cost of any development. The proposed development costs are submitted to the appropriate government entity at the time the project application is made. Certain activities are not considered substantial developments, including normal maintenance or repair of existing structures including damage by accident, fire or the elements, construction of a normal protective bulkhead common to single-family residences or emergency construction necessary to protect property from damage by the elements. Also construction and practices normal or necessary for farming, irrigation and ranching activities, including agricultural service roads and utilities on shorelands and the construction and maintenance of the irrigation structures, are exempt.

Summary of Substitute Bill: It is the intent of the Legislature to modify the current dollar threshold for what constitutes a substantial development under the Shoreline Management Act and to have the threshold readjusted on a five-year basis by the Office of Financial Management. The dollar threshold is adjusted for inflation by the Office of Financial Management every five years beginning July 1, 2007, based on the changes in the Consumer

Price Index during that time period. The substantial development threshold is adjusted from \$2,500 to \$12,500.

The Office of Financial Management calculates the new dollar threshold and submits it to the Office of the Code Reviser for publication in the Washington State Register at least once a month before the new dollar threshold is to take effect.

Substitute Bill Compared to Original Bill: The date is changed to reflect the correct time for the last limit increase in 1986.

Appropriation: None.

Fiscal Note: Requested on February 1, 2002.

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

Testimony For: The amount has not been adjusted and both local government and the landowners favor an increase.

Testimony Against: The bill is not needed because effects of development should be based on environmental impacts not dollar amounts.

Testified: PRO: Paul Parker, Assn. of Counties; Dick Little, Bellingham; Dan Wood, Grays Harbor County Commissioner; Kirsten Sawin, AWB; CON: Bruce Wishart, People for Puget Sound; Josh Baldi, WA Environmental Council; Gordon White, Department of Ecology.