
HOUSE BILL 2090

State of Washington 63rd Legislature 2013 3rd Special Session

By Representatives Taylor, Shea, Overstreet, Pike, Scott, Schmick, Haler, Chandler, Holy, Buys, Manweller, and Short

Read first time 11/09/13. Referred to Committee on Local Government.

1 AN ACT Relating to establishing categorical exemptions in the state
2 environmental policy act for development proposals that are consistent
3 with locally adopted land use and shoreline regulations; adding new
4 sections to chapter 43.21C RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that provisions and
7 directives adopted by the legislature in chapter 347, Laws of 1995,
8 landmark regulatory reform legislation that represented a consensus of
9 diverse interests and eighteen months of effort by the governor's task
10 force on regulatory reform, remain valid and unrealized in 2013.

11 The legislature reasserts that: (1) The project review process
12 must be used to make individual project decisions and may not be used
13 to make land use planning decisions; (2) the permitting process may not
14 be used as a comprehensive planning process; and (3) proposed projects
15 are subject to numerous laws, regulations, and plans that provide
16 environmental analysis, and that these projects should not be subjected
17 to duplicative environmental review under the state environmental
18 policy act, chapter 43.21C RCW.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21C RCW
2 to read as follows:

3 (1) Development proposals, or any portion thereof, in counties and
4 cities planning under RCW 36.70A.040 that are consistent with the
5 applicable comprehensive plan and development regulations adopted or
6 amended under chapter 36.70A RCW are categorically exempt from the
7 requirements of this chapter.

8 (2) This section applies to counties and cities with comprehensive
9 plans adopted under chapter 36.70A RCW that were, prior to adoption,
10 subject to environmental analysis through an environmental impact
11 statement under RCW 43.21C.030(2)(c).

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21C RCW
13 to read as follows:

14 (1) Development proposals, or any portion thereof, in shorelines of
15 the state that are consistent with the applicable master programs
16 adopted or amended under chapter 90.58 RCW are categorically exempt
17 from the requirements of this chapter.

18 (2) This section applies to counties and cities with master
19 programs adopted under chapter 90.58 RCW that were, prior to adoption,
20 subject to environmental analysis through an environmental impact
21 statement under RCW 43.21C.030(2)(c).

22 (3) For purposes of this section, "development" has the same
23 meaning as defined in RCW 90.58.030.

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