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HOUSE BILL 1745

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Taylor and Shea

Read first time 01/27/17. Referred to Committee on Environment.

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

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

7 NEW SECTION. **Sec. 1.** The legislature finds that provisions and  
8 directives adopted by the legislature in chapter 347, Laws of 1995,  
9 landmark regulatory reform legislation that represented a consensus  
10 of diverse interests and eighteen months of effort by the governor's  
11 task force on regulatory reform, remain valid and unrealized in 2017.

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

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

3        (1) Development proposals, or any portion thereof, in counties  
4 and 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  
9 comprehensive plans adopted under chapter 36.70A RCW that were, prior  
10 to adoption, subject to environmental analysis through an  
11 environmental impact statement under RCW 43.21C.030(2)(c).

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

14       (1) Development proposals, or any portion thereof, in shorelines  
15 of 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  
20 adoption, subject to environmental analysis through an environmental  
21 impact 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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