

FINAL BILL REPORT

SHB 2167

C 192 L 96

Synopsis as Enacted

Brief Description: Exempting regular maintenance of marinas from hydraulic project review and approval.

Sponsors: By House Committee on Natural Resources (originally sponsored by Representatives Buck, Goldsmith, Benton, Huff, Blanton, Thompson, Hymes, Koster, Pennington, Beeksmas, Sheldon, Fuhrman and McMahan).

House Committee on Natural Resources
Senate Committee on Ecology & Parks

Background: The Hydraulic Project Act (HPA) requires that any person or government agency desiring to construct a project or perform other work that will use, divert, obstruct, or change the natural flow or bed of any of the state's salt or fresh waters must obtain approval from the Department of Fish and Wildlife. The protection of fish life is the only basis upon which approval may be conditioned or denied. Any denial of a permit by the department must specify, in writing, why the project was denied.

An application must include general plans for the overall project and complete plans and specifications for work within the high water line. Ordinarily, a 45-day deadline is set for processing a complete permit application. A permit is valid for up to five years, and substantial progress on construction must occur within two years of permit issuance. Appeals of department decisions may be taken to the Hydraulic Appeals Board, created within the Environmental Hearings Office.

Marinas are required to receive HPA permits prior to undertaking certain maintenance activities, such as dredging.

Summary: Upon request, the Department of Fish and Wildlife must issue a five-year renewable permit to a marina for regular maintenance activities. Regular maintenance is defined as those activities necessary to restore the marina to those conditions approved in the original HPA permit. Each permit must include a provision requiring notification to the department 14 days prior to beginning regular maintenance activities at a marina.

Votes on Final Passage:

House	94	0	
Senate	45	0	(Senate amended)
House	96	0	(House concurred)

Effective: June 6, 1996