

SENATE BILL REPORT

SB 6626

As Reported By Senate Committee On:
Ecology & Parks, February 2, 1996

Title: An act relating to raising the amount that must be exceeded by the cost of construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multiple family residences for the construction to be considered substantial development under the Shoreline Management Act of 1971.

Brief Description: Raising the amount that must be exceeded by the cost of dock construction for the construction to be considered substantial development under the Shoreline Management Act of 1971.

Sponsors: Senators Hargrove and Winsley.

Brief History:

Committee Activity: Ecology & Parks: 2/2/96 [DPS].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 6626 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Fairley, Vice Chair; Hochstatter, McAuliffe, Spanel and Swecker.

Staff: Kari Guy (786-7437)

Background: The Shoreline Management Act (SMA) establishes a cooperative program of shoreline management between local governments and the state. Under the SMA, counties and cities are required to develop comprehensive shoreline use plans and development regulations. A shoreline substantial development permit is required for any construction with a cost of over \$2,500, with some exemptions.

One exemption is for the construction of a dock, including a community dock, the cost of which does not exceed \$2,500. The exemption only applies to docks designed for private noncommercial use. Concerns have been raised that inflation has made this exemption ineffective, and that it is difficult to construct a community dock for under \$2,500.

Summary of Substitute Bill: The threshold for the shoreline substantial development exemption for noncommercial docks is raised to a fair market value of \$10,000. If modifications of a fair market value greater than \$2,500 are made to a dock within five years of completion of prior construction, the modifications are not exempt from the substantial development permit.

Substitute Bill Compared to Original Bill: The exemption level is changed from the cost of the construction to the fair market value. The provisions governing modifications to a dock within five years of completion of prior construction are added.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The exemption level of \$2,500, established in 1973, has never been adjusted for inflation. Because the cost of dock materials and labor have increased, it is almost impossible to build within \$2,500. The shoreline substantial development permit duplicates review conducted for the Hydraulic Project Approval and State Environmental Policy Act.

Testimony Against: The exemption needs to be changed, but it should be changed to a square foot amount so that the Legislature does not have to revisit the issue every few years due to inflation.

Testified: Tony Meinhardt, Hank Kappert, Kappert Enterprises (pro); Gary Smith (pro); Paul Parker, WA State Assn. of Counties; Jeff Parsons, People for Puget Sound; Wendell Stroud, Marine Floats.