

2SHB 2338 - H AMD 953

By Representative Walsh

1 On page 19, after line 2, insert the following:

2 "Sec. 14. RCW 43.143.010 and 1997 c 152 s 2 are each amended to
3 read as follows:

4 (1) The purpose of this chapter is to articulate policies and
5 establish guidelines for the exercise of state and local management
6 authority over Washington's coastal waters, seabed, and shorelines.

7 (2) There shall be no leasing of Washington's tidal or submerged
8 lands extending from mean high tide seaward three miles along the
9 Washington coast from Cape Flattery south to Cape Disappointment, nor
10 in Grays Harbor, Willapa Bay, and the Columbia river downstream from
11 the Longview bridge, for purposes of (~~oil or gas~~) the exploration,
12 development, or production of fossil fuels.

13 (3) When conflicts arise among uses and activities, priority
14 shall be given to resource uses and activities that will not
15 adversely impact renewable resources over uses which are likely to
16 have an adverse impact on renewable resources.

17 (4) It is the policy of the state of Washington to actively
18 encourage the conservation of liquid fossil fuels, and to explore
19 available methods of encouraging such conservation. Furthermore, it
20 is the policy of the state of Washington to encourage the production
21 and use of alternatives to liquid fossil fuels, such as biofuels. In
22 order to ensure that the state has biofuel production capacity that
23 is sufficient to meet the demand stimulated by the requirements of
24 sections 2 through 7 of this act for fuels with a low carbon
25 intensity that are produced from local feedstocks, it is the policy
26 of the state to limit the regulatory requirements of this chapter to
27 fossil fuel exploration, development, and production.

28 (5) It is not currently the intent of the legislature to include
29 recreational uses or currently existing commercial uses involving
30 fishing or other renewable marine or ocean resources within the uses
31 and activities which must meet the planning and review criteria set
32 forth in RCW 43.143.030. It is not the intent of the legislature,

1 however, to permanently exclude these uses from the requirements of
2 RCW 43.143.030. If information becomes available which indicates that
3 such uses should reasonably be covered by the requirements of RCW
4 43.143.030, the permitting government or agency may require
5 compliance with those requirements, and appeals of that decision
6 shall be handled through the established appeals procedure for that
7 permit or approval.

8 (6) The state shall participate in federal ocean and marine
9 resource decisions to the fullest extent possible to ensure that the
10 decisions are consistent with the state's policy concerning the use
11 of those resources.

12 **Sec. 15.** RCW 43.143.020 and 1989 1st ex.s. c 2 s 10 are each
13 amended to read as follows:

14 (~~Unless the context clearly requires otherwise,~~) The
15 definitions in this section apply throughout this chapter(~~(+)~~) unless
16 the context clearly requires otherwise.

17 (1) "Coastal counties" means Clallam, Jefferson, Grays Harbor,
18 and Pacific counties.

19 (2) "Coastal waters" means the waters of the Pacific Ocean
20 seaward from Cape Flattery south to Cape Disappointment, from mean
21 high tide seaward two hundred miles.

22 (3) "Fossil fuel" means natural gas, coal, crude oil as defined
23 in RCW 82.23B.010, or petroleum products, as defined in RCW
24 82.23B.010, except as used as a blending component in a fuel that is
25 not primarily derived from fossil fuels."

26 Renumber the remaining section consecutively, correct any
27 internal references accordingly, and correct the title.

EFFECT: Declares that in order to ensure that sufficient biofuel
production capacity exists to meet demand stimulated by the Clean
Fuels Program for low-carbon fuels derived from local feedstocks, it
is the policy of the state for the Ocean Resources Management Act's
regulatory requirements to only apply to the exploration,
development, and production of fossil fuels.

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