

SENATE BILL REPORT

SB 5104

As Amended by House, April 11, 2023

Title: An act relating to surveying Puget Sound marine shoreline habitat.

Brief Description: Surveying Puget Sound marine shoreline habitat.

Sponsors: Senators Salomon, Rolfes, Lias, Nobles, Pedersen and Stanford.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/19/23, 1/26/23
[DP-WM, w/oRec].

Ways & Means: 2/06/23, 2/14/23 [DP, DNP, w/oRec].

Floor Activity: Passed Senate: 3/7/23, 47-1.

Passed House: 4/11/23, 97-0.

Brief Summary of Bill

- Directs the Department of Ecology (Ecology) to conduct a baseline survey of Puget Sound marine shorelines including creating a comprehensive on-the-water view of the shoreline by June 30, 2024.
- Tasks Ecology with updating marine surveys of Puget Sound shorelines on a regular two-year cycle.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Muzzall, Ranking Member; Rolfes, Shewmake, Stanford and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Short and Wagoner.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Jeff Olsen (786-7428)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Conway, Dhingra, Hasegawa, Hunt, Keiser, Nguyen, Pedersen, Saldaña, Wagoner and Wellman.

Minority Report: Do not pass.

Signed by Senator Muzzall.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke, Braun and Torres.

Staff: Jed Herman (786-7346)

Background: The Department of Ecology (Ecology) manages and maintains the Washington Coastal Atlas that contains shoreline images of the Washington coast and Puget Sound. The data presented in the Washington Coastal Atlas is available through the cooperation and partnership of Federal and state agencies including the National Oceanic and Atmospheric Administration Coastal Services Center, the Washington Department of Natural Resources, and the Washington Department of Fish and Wildlife. The purpose of the Washington Coastal Atlas is to make relevant information easily available for use in coastal and shoreline resource planning and management.

Summary of Bill: By June 30, 2024, Ecology must conduct and maintain a baseline survey of Puget Sound marine shorelines that uses new technology to capture geo-referenced oblique aerial and 360 degree on-the-water imagery. By June 30, 2025, the survey to document and map existing shoreline conditions, structures, and structure conditions must be completed. The information from the surveys must be available to the public and incorporated into state geographic information system mapping, and updated on a regular two-year cycle thereafter. The survey must include Puget Sound shorelines and related inland marine waters including the Strait of Juan de Fuca, Hood Canal and the San Juan Islands.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Agriculture, Water, Natural Resources & Parks): PRO: Washington needs an accurate and up-to-date shoreline survey to help with how to prioritize protection and restoration, local planning and strategic action. There are information gaps on the Puget Sound shoreline. Accurate and current information on shoreline development will assist with identifying protective actions, and help prioritize restoration and mitigation actions. The on-the-water view would be similar to Google street view, with private information blurred. This data will be used to address limitations, may be able to substitute for site visits, help identify restoration sites, identify derelict structures, assist with orca recovery, and assess shoreline changes over time. Conducting this survey will require collection of new types of data, and there are some costs not reflected in the Governor's Budget. The deadlines for conducting the surveys in the bill are ambitious, and could be extended by a year.

Persons Testifying (Agriculture, Water, Natural Resources & Parks): PRO: Senator Jesse Salomon, Prime Sponsor; Amy Carey, Sound Action; Tim Gates, WA Department of Ecology; Don Gourlie, Puget Sound Partnership.

Persons Signed In To Testify But Not Testifying (Agriculture, Water, Natural Resources & Parks): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: Information gaps limit the effectiveness of public and private actions to recover the marine food web. An accurate and up to date baseline survey of marine shorelines is needed to understand where critical habitat exists, where development exists, and where restoration sites can be prioritized. This bill will accomplish that. It will use new technology to help local and state planners identify restoration sites and manage shorelines.

Persons Testifying (Ways & Means): PRO: Bruce Wishart, Sound Action.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

EFFECT OF HOUSE AMENDMENT(S):

- Changes the date Ecology must complete the initial marine shoreline survey from June 30, 2024, to December 31, 2024.
- Requires Ecology to remove visual personally identifiable information from on-the-water imagery prior to making the imagery available to the public.
- Requires Ecology and the Department of Fish and Wildlife to each maintain a record of all civil or criminal investigations or enforcement actions in which the department is a participant that utilize georeferenced imagery or surveys produced pursuant to the act.