
HOUSE BILL 2591

State of Washington 58th Legislature 2004 Regular Session

By Representatives Cooper, Kagi, Upthegrove, McCoy, Dickerson and Chase

Read first time 01/16/2004. Referred to Committee on Fisheries,
Ecology & Parks.

1 AN ACT Relating to coastal management; adding new sections to
2 chapter 43.21A RCW; creating a new section; and providing an expiration
3 date.

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

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

7 The department is designated as the principal state agency for
8 administering the provisions of the federal coastal zone management act
9 (16 U.S.C. Sec. 1451 et seq.), as it exists on January 1, 2004, and is
10 authorized to receive and administer federal grants to implement the
11 act. The department, in the implementation of the network of state and
12 local policies and programs comprising the state coastal zone
13 management program, shall enter into agreements of administration with
14 such other state agencies and local governments as appropriate to fully
15 and effectively implement all elements of the state's federally
16 approved coastal zone management program.

17 NEW SECTION. **Sec. 2.** (1) The department of ecology shall review
18 the state and local policies included in the state's approved coastal

1 zone management program, and other state and local policies not
2 included in the program, which if included would further the purposes
3 of protecting the state's coastal zone. This review shall be conducted
4 in consultation with other state agencies and local governments
5 administering the policies and programs under review, and, at a
6 minimum, shall include the departments of natural resources and fish
7 and wildlife, and the governing bodies of the counties included within
8 the state's coastal zone.

9 (2) The review shall include, but not be limited to, the policies
10 in the following acts applicable to land and water uses within the
11 state's coastal zone, including the implementing programs of state
12 agencies and local governments acting under the authorities provided in
13 such acts:

- 14 (a) Shoreline management, chapter 90.58 RCW;
- 15 (b) Financial responsibility for oil transported by vessels,
16 chapter 88.40 RCW;
- 17 (c) Vessel oil spill prevention and response, chapter 88.46 RCW;
- 18 (d) Water pollution control, chapter 90.48 RCW;
- 19 (e) Oil and hazardous substance spill prevention and response,
20 chapter 90.56 RCW;
- 21 (f) Ocean resources management, chapter 43.143 RCW;
- 22 (g) Air pollution control, chapter 70.94 RCW;
- 23 (h) Aquatic lands management, chapters 79.90, 79.91, 79.92, 79.93,
24 79.94, 79.95, and 79.96 RCW;
- 25 (i) Hydraulics projects approval, chapter 77.55 RCW; and
- 26 (j) Water resources management, chapters 90.03, 90.44, and 90.54
27 RCW.

28 (3) The department shall also consider state laws protecting fish
29 and wildlife resources, marine species, and habitat for inclusion in
30 the coastal zone management program. In addition, the department, in
31 collaboration with the department of fish and wildlife, shall develop
32 recommendations for protecting fish and wildlife resources from
33 underwater noise.

34 (4) The department shall conclude its review by December 1, 2004,
35 and report its recommendations to the appropriate committees of the
36 legislature.

37 (5) The department shall apply to the appropriate federal agency to
38 have those state and local policies included in the federally approved

1 state coastal zone management program. The application shall identify
2 the state agencies and local governments responsible for administering
3 those policies.

4 (6) This section expires December 31, 2005.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A RCW
6 to read as follows:

7 (1) The department shall compile the elements of the federally
8 approved state coastal zone management program into a single document
9 to facilitate administration of the program by the various state
10 agencies and local governments responsible for individual elements, and
11 to facilitate public review and participation in federal consistency
12 reviews and other coastal zone management program activities.

13 (2) The department shall provide public notice of applications for
14 state concurrence in federal consistency determinations, and provide a
15 meaningful opportunity for public review and comment upon such
16 applications.

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