
Local Government Committee

HB 1023

Brief Description: Authorizing an exemption from critical area development regulations for tsunami resistant structures.

Sponsors: Representatives Orcutt, Buck, Kessler, Takko and Blake.

Brief Summary of Bill

- Requires critical areas classification guidelines for the Growth Management Act to include an exemption for tsunami resistant structures built in geologically hazardous areas.
- Defines "tsunami resistant structure."

Hearing Date: 1/17/05

Staff: Ethan Moreno (786-7386).

Background:

The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA.

In addition to other GMA requirements, all local governments must designate and protect critical areas. Critical areas are defined by statute to include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. Geologically hazardous areas are defined also by statute to mean areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

The Department of Community, Trade, and Economic Development is required by the GMA, in part, to adopt guidelines to assist local governments in the classification of agricultural lands, forest lands, mineral resource lands, and critical areas. The adopted guidelines are minimum guidelines that apply to all jurisdictions, but must also allow for regional differences in Washington.

The National Tsunami Hazard Mitigation Program (NTHMP), a program of the National Oceanic and Atmospheric Administration, exists to reduce the impacts of tsunamis to the five affected U. S. coastal states (i.e., Alaska, California, Hawaii, Oregon, and Washington) through coordinated warning guidance, hazard assessment, and mitigation efforts by state and federal agencies. The NTHMP is currently working with the Federal Emergency Management Agency on a document for future release that will include guidance for the construction of tsunami resistant shelters.

Summary of Bill:

Guidelines established by the Department of Community, Trade, and Economic Development for the classification of critical areas must provide for an exemption for tsunami resistant structures built in geologically hazardous areas. A tsunami resistant structure is defined as one that:

- Meets construction standards adopted by a local government pursuant to guidelines issued by the National Oceanic and Atmospheric Administration under the National Tsunami Hazard Mitigation Program as of January 1, 2005;
- Is designed for the primary purpose of providing emergency shelter to the residents of the local government in the event of a tsunami;
- Is not suitable for long-term residential habitation; and
- May be used as a training site for emergency responders.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.