

SENATE BILL REPORT

SB 6475

As Reported By Senate Committee On:
Water, Energy & Telecommunications, January 25, 2008

Title: An act relating to allowing joint use dock appeals before the shorelines hearings board to be heard by a short board.

Brief Description: Allowing joint use dock appeals before the shorelines hearings board to be heard by a short board.

Sponsors: Senators Oemig, Delvin, Rockefeller, Honeyford, Regala, Tom, Rasmussen and Roach.

Brief History:

Committee Activity: Water, Energy & Telecommunications: 1/22/08, 1/25/08 [DP].

SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

Majority Report: Do pass.

Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Fraser, Hatfield, Holmquist, Morton, Oemig, Pridemore and Regala.

Staff: Karen Epps (786-7424)

Background: The Environmental Hearings Office (EHO) contains five boards that hear appeals from decisions made by state and local regulatory agencies. The EHO boards conduct administrative hearings and issue written decisions. The EHO includes the Pollution Control Hearings Board (PCHB), the Shorelines Hearings Board (SHB), the Forest Practices Appeals Board, the Environmental and Land Use Hearings Board, and the Hydraulic Appeals Board.

The SHB hears appeals of permit decisions and shoreline penalties issued by local governments and the Department of Ecology. Six members are on the SHB, three must be members of the PCHB. Appeals involving or relating to a single family residence may be heard by a panel of only three SHB board members. The SHB must also adopt alternative processes for expedited appeals.

Summary of Bill: The SHB assigns fewer board members to hear cases involving a joint use dock or pier designed to serve multiple single-family residences. This does not include a marina or any commercial facility. These cases are also eligible for expedited appeals.

Appropriation: None.

Fiscal Note: Not requested.

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

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Since the Shorelines Hearings Board must include three members of the Pollution Control Board for full hearings, it is often difficult to schedule appeals. This bill would allow the board to move more quickly on appeals that affect a small group of people, usually a single-family residence and a neighbor. This is an example of good government. Ecology is encouraging the use of joint use docks and this would improve the appeals process for those people wishing to building one dock to be used by neighbors.

Persons Testifying: PRO: Bill Clarke, citizen; Kay Brown, Environmental Hearings Office; Tom Clingman, Department of Ecology