

SENATE BILL REPORT

SHB 2167

As Reported By Senate Committee On:
Ecology & Parks, February 23, 1996

Title: An act relating to regular maintenance of marinas.

Brief Description: Exempting regular maintenance of marinas from hydraulic project review and approval.

Sponsors: House Committee on Natural Resources (originally sponsored by Representatives Buck, Goldsmith, Benton, Huff, Blanton, Thompson, Hymes, Koster, Pennington, Beeksma, Sheldon, Fuhrman and McMahan).

Brief History:

Committee Activity: Ecology & Parks: 2/15/96, 2/23/96 [DPA].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass as amended.

Signed by Senators Fraser, Chair; Fairley, Vice Chair; Hochstatter, McAuliffe, Spanel and Swecker.

Staff: Kari Guy (786-7437)

Background: Any person or government agency desiring to construct a project or perform other work that will use, divert, obstruct, or change the natural flow or bed of any of the state's salt or fresh waters must obtain an Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife. The protection of fish life is the only ground upon which approval may be conditioned or denied. Any denial of a permit by the department must specify, in writing, why the project was denied.

An application must include general plans for the overall project and complete plans and specifications for work within the high water line. A permit is valid for up to five years, and substantial progress on construction must occur within two years of permit issuance.

Marinas are required to receive an HPA prior to undertaking certain maintenance activities, such as dredging, piling replacement or float replacement.

Summary of Amended Bill: Upon request, the Department of Fish and Wildlife must issue a five-year renewable permit to a marina for regular maintenance activities. Marina is defined as a public or private facility providing boat moorage space, fuel, or commercial services. Regular maintenance is defined as those activities necessary to restore the marina to those conditions approved in the original HPA permit. Each permit must include a provision requiring notification to the department 14 days prior to beginning regular maintenance activities at a marina.

Amended Bill Compared to Substitute Bill: The definition of marina is added.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Marina owners should not have to start from scratch with their permitting every time they do simple maintenance. This will make it easier for marina owners to conduct standard maintenance activities. "Marina" should be defined.

Testimony Against: None.

Testified: Representative Buck, prime sponsor; Mark Gjurasic, Recreational Boaters Assn. of WA (pro).