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**SENATE BILL 5676**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senators Drew, McDonald, Fraser, Deccio and Erwin

Read first time 02/09/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to the coordinated planning and development of  
2 greenways; adding a new chapter to Title 43 RCW; and creating a new  
3 section.

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

5 NEW SECTION. **Sec. 1.** LEGISLATIVE FINDINGS. The legislature finds  
6 that appropriately located, planned, and developed greenways will  
7 promote the health, safety, and welfare of the people of the state of  
8 Washington by protecting and enhancing scenic vistas, water resources,  
9 forest and farmland bases, and wildlife habitats; by increasing tourism  
10 and employment; by improving highway safety; by creating opportunities  
11 for public recreation, and for education in cultural history and  
12 natural science. The president's commission on Americans outdoors has  
13 called for a network of greenways across the United States. A greenway  
14 corridor is a way to link and relate river valleys, mountain passes,  
15 water bodies, farmlands, commercial forests, parks and protected areas,  
16 historic sites, wetlands, wildlife habitats, and scenic settings by  
17 means of highways and trails for the beneficial use and enjoyment of  
18 the public.

1 Greenways can avoid or mitigate strip development in urban areas by  
2 providing open space separation. Greenways can increase the  
3 recreational and environmental value of protected areas by connecting  
4 them in a coordinated manner to expand hiking, biking, and scenic drive  
5 opportunities. Greenways along rivers and water courses can reduce  
6 damages from flooding and surface water runoff, can help to protect  
7 water quality, and to recharge watershed aquifers. Connected open  
8 spaces permit wildlife movement and increase habitat networks and  
9 protect native plants.

10 Greenway forests and interpretive exhibits can provide public  
11 education on sustained yield commercial forestry and related forest  
12 product industries. Greenways strengthen the hospitality industry by  
13 preserving and enhancing scenic and historic tourist attractions.  
14 Greenways increase the demand for products of state recreation  
15 industries that serve skiers, hikers, and bikers. Employment, business  
16 opportunities, and tax revenues flow from the environmental and  
17 economic benefits of greenways.

18 The achievement of a beneficial greenway depends upon cooperation  
19 and coordination among affected government agencies and the active  
20 participation of locally based private citizens, including landowners,  
21 businesses, conservationists, recreationalists, and their various  
22 organizations.

23 NEW SECTION. **Sec. 2.** DEFINITIONS. As used in this chapter:

24 (1) "Greenway" means a corridor of varying width that links parks,  
25 protected areas, rivers and bodies of water, urban cultural parks,  
26 historic sites, and scenic settings, by means that may include urban  
27 parkways, scenic highways, historic roads, trails, waterways, or  
28 connective public open spaces.

29 (2) "Designated greenway" means a greenway within the state that  
30 has been determined by or under procedures provided by this chapter to  
31 be a greenway of state significance.

32 (3) "Protected area" means publicly owned parks, natural preserves,  
33 conservation areas and wetlands, and publicly and privately owned  
34 farmlands, wetlands, forest, and other lands that are subject to public  
35 conservation easements or publicly acquired development rights.

36 NEW SECTION. **Sec. 3.** PUBLIC PURPOSE. The legislature declares  
37 that the identification, planning, and implementation of greenways

1 within the state is a public and state purpose for which available and  
2 appropriated public funds may be expended.

3 NEW SECTION. **Sec. 4.** GREENWAY DESIGNATION. The governor is  
4 authorized to review proposals for greenway sites and to designate  
5 greenways of state significance if he or she finds such designation  
6 will further the purposes of this chapter.

7 NEW SECTION. **Sec. 5.** PLAN. (1) The governor is further  
8 authorized to cause a plan to be prepared for the long-range protection  
9 and enhancement of each designated greenway. The governor may direct  
10 that a plan be prepared by a public agency with the assistance of a  
11 representative citizen advisory committee or by a nonprofit private  
12 corporation that he or she finds to be reasonably representative of  
13 public agencies and private interests affected by the greenway.

14 (2) The following entities shall be consulted in the preparation of  
15 the plan for a designated greenway:

16 (a) Cities and counties along the greenway;

17 (b) The Washington state department of transportation;

18 (c) The Washington state parks and recreation commission;

19 (d) The Washington state department of natural resources;

20 (e) The Washington state department of trade and economic  
21 development;

22 (f) The Washington state department of wildlife;

23 (g) The Washington state department of community development;

24 (h) The Washington state interagency committee for outdoor  
25 recreation;

26 (i) Affected Indian treaty tribes; and

27 (j) Federal land management agencies where the designated greenway  
28 passes through or adjacent to a national forest, national park,  
29 national wildlife refuge, or other federal lands.

30 (3) The public agency or nonprofit corporation selected by the  
31 governor to prepare a greenway plan, shall, to the extent practicable,  
32 provide in the plan for linkages between natural and cultural resources  
33 and between rural and urban areas. State agencies, local governments,  
34 and private organizations affected by the designated greenway shall  
35 coordinate their efforts and render assistance to the planning entity  
36 so that the public purposes of this chapter, including economic growth,  
37 environmental protection, public recreation, and education, will be

1 furthered by the greenway plan. A greenway plan may be amended from  
2 time to time by the same lead entity and in the same manner as the  
3 original plan.

4 (4) Greenway plans shall include, but not be limited to, the  
5 following:

6 (a) Recommendations on management for the maintenance,  
7 preservation, and beneficial use of designated greenways;

8 (b) Recommendations for wildlife habitat enhancement and for safe  
9 wildlife passage along and across highways within the designated  
10 greenway;

11 (c) Recommendations for heritage and environmental education for  
12 each designated greenway;

13 (d) Recommendations for protecting and enhancing the landscape and  
14 view corridors of designated greenways and for enhancing and connecting  
15 existing parks, protected areas, and historic sites;

16 (e) Recommendations for the development and the safe and beneficial  
17 use of pedestrian, bicycle, and equestrian trails;

18 (f) Standards for signs, highway safety, view points, rest areas,  
19 transit stops, and trailheads, and for the minimization of vehicle  
20 congestion along roads and highways within greenways, including urban  
21 parkway portions of greenways, and for the visual separation of  
22 oncoming traffic lanes wherever feasible; and

23 (g) Provisions for biennial financial estimates of the public costs  
24 and public funding sources required to carry out greenway plan  
25 recommendations.

26 NEW SECTION. **Sec. 6.** COORDINATION. A greenway plan prepared  
27 under this chapter shall be submitted to the governor, who may approve,  
28 revise and approve, or disapprove the plan. Prior to the approval of  
29 the greenway plan by the governor, he or she shall hold a public  
30 hearing on the plan. Not more than four nor less than three weeks  
31 prior to the hearing, notice will be published twice in each of at  
32 least two daily newspapers of general circulation in the area affected  
33 by the greenway stating the date, time, place, and subject matter of  
34 the hearing. Once a greenway plan has been approved by the governor,  
35 state and local agencies shall consider the greenway plan in developing  
36 and implementing the plans and programs of the agencies. It is the  
37 intent of the legislature that state and local agencies will cooperate  
38 and assist in the preparation and implementation of greenway plans and

1 that actions by the agencies shall, to the extent reasonably  
2 practicable, be consistent with an approved plan. Expenditures within  
3 appropriated funds by a state or local agency, including grants to  
4 designated nonprofit corporations, to prepare or carry out a part of  
5 the plan, are hereby declared to be expenditures for a public purpose.

6 NEW SECTION. **Sec. 7.** LAND USE ACTIVITIES. Nothing in this  
7 chapter may be interpreted to require actions inconsistent with  
8 comprehensive plans and regulations adopted under and identifications  
9 or designations made under chapter 36.70A RCW or to alter the authority  
10 of the state, or a county or city to regulate land use activities.

11 NEW SECTION. **Sec. 8.** SEVERABILITY--FEDERAL TRANSPORTATION FUNDS.  
12 If the secretary of the United States department of transportation  
13 finds any part of this act to be in conflict with federal requirements  
14 that are a prescribed condition to the allocation of federal funds to  
15 the state, the conflicting part of this act is hereby declared to be  
16 inoperative solely to the extent of the conflict and with respect to  
17 the agencies directly affected, and such finding or determination shall  
18 not affect the operation of the remainder of the act in its application  
19 to the agencies concerned. Actions taken under this act shall meet  
20 federal requirements that are a necessary condition to the receipt of  
21 federal funds by the state.

22 NEW SECTION. **Sec. 9.** SEVERABILITY. If any provision of this act  
23 or its application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

26 NEW SECTION. **Sec. 10.** CAPTIONS NOT PART OF LAW. Captions as used  
27 in this act constitute no part of the law.

28 NEW SECTION. **Sec. 11.** CODIFICATION DIRECTION. Sections 1 through  
29 9 of this act shall constitute a new chapter in Title 43 RCW.

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