

HOUSE BILL REPORT

ESB 6401

*As Reported By House Committee on:
Local Government*

Title: An act relating to corridor designations.

Brief Description: Regulating the designation of corridors.

Sponsor(s): Senators Barr, Bauer, Hayner and Snyder.

Brief History:

Reported by House Committee on:
Local Government, February 28, 1992, DPA.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *Do pass as amended.* Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background:

The Growth Management Act that was enacted in 1990 requires certain counties, and the cities located in those counties, to adopt a variety of growth management measures. Any other county can choose to plan under these requirements and place itself, and the cities located within that county, under the same requirements to adopt a variety of growth management measures.

In addition, the Growth Management Act includes a few requirements for every county and city in the state. For example, every county and city must designate and protect five different types of critical areas, including wetlands and fish and wildlife habitat areas.

Among other requirements, the Growth Management Act requires counties that are required or choose to plan under all the requirements of the act to designate urban growth areas within which urban growth occurs and outside of which urban growth may not occur. In addition, the counties and cities that plan under all the requirements of the act must

identify "open space corridors" within and between urban growth areas. The term "open space corridors" is not defined, but includes lands useful for recreation, wildlife habitat, trails, and connection of critical areas.

Summary of Amended Bill:

The identification of a corridor shall not restrict the use or management of forest or agricultural lands. Restrictions on the use or management of such lands for forest or agricultural purposes after they are identified solely to maintain or enhance their value as a corridor may occur only if the county or city acquires sufficient interest to prevent the development of the lands or to control the resource developments of the lands.

The requirement for acquisition of a sufficient interest does not apply to corridors regulated by the Interstate Commerce Commission, under 16 U.S.C. 1247(d), 16 U.S.C. 1248, or 43 U.S.C. 912.

The provisions of this section shall not be interpreted to alter the authority of the state, or a county or city, to regulate land use activities.

Amended Bill Compared to Engrossed Bill: A striking amendment was adopted limiting the new provisions to agricultural or forest lands identified as a corridor. The provisions do not apply to rails to trails land regulated under federal law. General land use regulatory authority is not altered.

Fiscal Note: Not requested.

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

Testimony For: Natural resource people are worried about this section. Let the normal zoning authority control land uses. We are not sure what this section means and need to clarify its meaning.

Testimony Against: (original bill) The underlying intent is valid, but the original bill is too broad. It seems to preclude some general land use regulatory authority.

Witnesses: (Pro - original) Steve Gano and John Hempelmann, Plum Creek; and Greg Hanon, Christmas Tree Growers; (Con - original) Joe Ganem, Rails to Trails Conservancy; Mike Rhyerd, Washington Wildlife Coalition; and Jeff Parsons, Audubon Society; and (Pro - with amendments) Paul Parker, Washington State Association of Counties.