

HOUSE BILL REPORT

HB 1670

*As Reported By House Committee on:
Natural Resource & Parks*

Title: An act relating to growth strategies.

Brief Description: Changing provisions relating to growth strategies.

Sponsor(s): Representatives Belcher, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Paris, Scott, Fraser and Wineberry.

Brief History:

Reported by House Committee on:
Natural Resource & Parks, February 27, 1991, DPS.

**HOUSE COMMITTEE ON
NATURAL RESOURCE & PARKS**

Majority Report: *That Substitute House Bill No. 1670 be substituted therefor, and the substitute bill do pass.*
Signed by 7 members: Representatives Belcher, Chair; Scott, Vice Chair; Dellwo; Fraser; Hargrove; Riley; and Sheldon.

Minority Report: *Without recommendation.* Signed by 4 members: Representatives Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Morton; and Wynne.

Staff: Randy Acker (786-7129).

Background: Legislation was enacted in 1990 relating to a variety of growth management topics.

The 1990 Growth Management Act (GMA) established a series of goals to guide the planning activities of counties and cities that plan under the act. The Department of Community Development was authorized to adopt guidelines to assist such actions.

By September 1, 1991, every county and city in the state must designate natural resource lands and critical areas within its planning jurisdiction. The natural resource lands include forest lands, agricultural lands, and mineral resource lands that have long-term commercial importance for forestry, agriculture, or mineral extraction. The critical

areas include wetlands, areas with critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. In addition, those counties and cities that plan under the act must protect the designated natural resource lands and critical areas from incompatible land uses by September 1, 1991.

Summary of Substitute Bill: A definition of natural resources of state-wide significance is added to the Growth Management Act and a process is established to identify and protect these resources.

A committee staffed by the Department of Community Development is created and directed to develop both criteria for identifying natural resources of state-wide significance and minimum standards for their protection. The committee must also prepare a state open space map.

Every county and city is required to identify natural resources of statewide significance based on the criteria and to adopt development regulations protecting these resources. If the regulations reduce the fair market value of private land, the state is required to compensate the landowner. This requirement for compensation must be kept in mind by the committee as it develops criteria for identifying these lands.

A procedure is created to assure consistency in protection of natural resources of statewide significance and critical areas when they occur in multiple jurisdictions.

The Department of Community Development must prepare an assessment of the degree to which the plans and/or regulations protect natural resources of statewide significance and preclude land uses incompatible with critical areas.

Substitute Bill Compared to Original Bill: The substitute bill deletes a provision that would have changed the guidelines adopted by the Department of Community Development into minimum standards. All provisions related to identification and protection of natural resources of state-wide significance in the substitute were not a part of the original bill. The original bill directed the Interagency Committee for Outdoor Recreation to prepare a state open space plan while the substitute creates a new committee and directs it to prepare a state open space map.

Fiscal Note: Not requested.

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

Testimony For: (Original bill) The changing of guidelines to minimum standards is a positive step for protection of natural resources. The Legislature should require regional open space planning and should include no net loss of wetlands as part of growth management legislation. The bill should strengthen the water resources planning goal to ensure protection of the health of the public. Cities and counties worked closely in the development of this bill and generally support it though they prefer guidelines to standards.

Testimony Against: (Original bill) The current guidelines should be given a chance to work; they should not be changed to minimum standards. Each county should be allowed to do things on their own within the guidelines. Private property rights should be balanced with planning. The bill as drafted makes state agencies junior to counties and it ignores the state's role as a land manager. The bill needs to be changed to establish trust lands as an adjacent jurisdiction and it needs to more tightly define open space lands.

Witnesses: Karen Verrill, League of Women Voters (generally in favor, but with suggested changes); Conrad Hermsted, private citizen (in favor, but wants greater protection of public health); Peter Overton, Rural Landowners Association (opposes minimum standards); Rod Reid, WA Christmas Tree Growers (opposes minimum standards); Greg Hanon, WA Christmas Tree Growers (opposed minimum standards); Pat McElroy, Department of Natural Resources (bill needs to address state's trust responsibilities); Tom Casey, WA State Grange (supports protection of agricultural lands); K.O. Rosenberg, Tri-county area: Stevens, Ferry, & Pend Oreille (concerned about counties' ability to meet deadlines); Dave Williams, Association of WA Cities (supports, but prefers guidelines to standards); Jeff Parsons, National Audubon Society (supports, but wants bill expanded to include no net loss of wetlands); and Dan Coyne, WA State Dairy Federation (opposes minimum standards).