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HOUSE BILL 1880

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Locke, L. Johnson, Pruitt, Brough, Jacobsen and J. Kohl

Read first time 02/12/93. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to greenway preservation and development; adding a  
2 new chapter to Title 43 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) As Washington's population expands, the preservation and  
6 development of scenic greenway areas will protect the natural resources  
7 of the region and enhance the livability of the region;

8 (2) Greenways promote and protect scenic vistas, water resources,  
9 forests, and wildlife habitat for the benefit of all citizens;

10 (3) Greenways can avoid or mitigate strip development in urban  
11 areas by providing open space separation and can increase the  
12 recreational and environmental value of protected areas by connecting  
13 them in a coordinated manner to expand hiking, biking, and scenic drive  
14 opportunities; and

15 (4) Achievement of greenways depends on cooperation and  
16 coordination among affected government agencies, and the active  
17 participation of locally based private citizens, including landowners,  
18 businesses, conservationists, recreationalists, and their various  
19 organizations.

1 It is therefore the policy of the state to promote development of  
2 greenways to provide environmental protection for present and future  
3 citizens of the state.

4 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
5 otherwise, the definitions in this section apply throughout this  
6 chapter.

7 (1) "Greenway" means any corridor of varying width that links  
8 parks, rivers and bodies of water, and scenic and historic settings by  
9 means of parkways, highways, roads, trails, waterways, or contiguous  
10 open spaces.

11 (2) "Designated greenway" means any greenway determined under this  
12 chapter to be a greenway of state significance.

13 (3) "Protected area" means any publicly owned parkland, natural  
14 preserve, conservation area, or wetlands or publicly and privately  
15 owned farmlands, wetlands, forest, and other lands that are subject to  
16 public conservation easements or publicly acquired development rights.

17 (4) "Committee" means the committee described in section 4 of this  
18 act to assist the lead agency in development of a greenway development  
19 plan.

20 (5) "Plan" means the greenway development plan.

21 (6) "Local government" means the legislative authority of any city  
22 or county, a portion of whose territorial jurisdiction is bounded by or  
23 includes a designated greenway or proposed greenway.

24 NEW SECTION. **Sec. 3.** Proposals for greenway designation,  
25 including establishment, development, or expansion shall be submitted  
26 to the office of the governor. The governor shall review the proposals  
27 and may designate greenways of state significance.

28 NEW SECTION. **Sec. 4.** If a greenway is declared a designated  
29 greenway, the governor may appoint a lead agency and that agency  
30 assisted by a greenway review committee shall develop a long-range plan  
31 for development and protection of the proposed designated greenway.  
32 The lead agency may be a public agency or a public or private nonprofit  
33 corporation.

34 NEW SECTION. **Sec. 5.** The lead agency shall ensure that the  
35 committee includes representation from public and private interests

1 necessary to ensure implementation of the greenway plan. The committee  
2 may include representation from the following:

- 3 (1) Appropriate state agencies;
- 4 (2) The organization submitting the greenway proposal;
- 5 (3) Local governments affected by a greenway designation;
- 6 (4) Environmental and recreational organizations;
- 7 (5) Affected Indian tribes; and
- 8 (6) Federal land management agencies in cases where a designated  
9 greenway passes through or is adjacent to federal land.

10 NEW SECTION. **Sec. 6.** The lead agency under section 4 of this act  
11 shall oversee development of a proposal for a long-range plan for  
12 greenway development and protection. The plan shall provide a  
13 framework for identifying areas suitable for greenway development and  
14 preservation of designated greenways. The plan shall include, but is  
15 not limited to the following components:

- 16 (1) Greenway management and recommendations to promote natural  
17 preservation and beneficial use of greenways;
- 18 (2) Wildlife habitat enhancement and wildlife passage within the  
19 greenway;
- 20 (3) Enhancement of landscape and view corridors of designated  
21 greenways and for connecting existing parks and protected areas;
- 22 (4) Development and integration of pedestrian, bicycle, and  
23 equestrian trails;
- 24 (5) Standards for signs related to highway safety, view points,  
25 rest areas, and trailheads;
- 26 (6) Standards to minimize vehicle congestion; and
- 27 (7) Funding, including the appropriate division of costs between  
28 state, local, and federal government.

29 NEW SECTION. **Sec. 7.** A greenway plan prepared under this chapter  
30 shall be submitted to the governor who may approve, revise and approve,  
31 or disapprove the plan. Prior to approval of a greenway plan, the  
32 governor shall ensure that public hearings are held. Not more than  
33 four nor less than two weeks prior to the hearing, notices shall be  
34 published twice in each of at least two daily newspapers of general  
35 circulation in the area affected by the greenway, stating the date,  
36 time, place, and subject matter of the hearing, including a map of the  
37 designated area.

1        NEW SECTION.    **Sec. 8.**    Once a greenway plan has been approved by  
2 the governor, state and local agencies shall consider the greenway plan  
3 in developing and implementing the plans and programs of those  
4 agencies. State and local agencies shall cooperate and assist in the  
5 implementation of greenway plans. Actions by such agencies shall be,  
6 to the extent reasonably practicable, consistent with the approved  
7 plan. Expenditures within appropriated funds by any state or local  
8 agency including grants to designated nonprofit corporations to prepare  
9 or carry out a part of such plan are hereby declared to be expenditures  
10 for a public purpose.

11        NEW SECTION.    **Sec. 9.**    Nothing in this chapter may be interpreted  
12 to require actions inconsistent with comprehensive plans and rules  
13 adopted under and identifications or designations made under chapter  
14 36.70A RCW, or to alter the authority of the state, or a county or city  
15 to regulate land use activities.

16        NEW SECTION.    **Sec. 10.**    Sections 1 through 9 of this act shall  
17 constitute a new chapter in Title 43 RCW.

18        NEW SECTION.    **Sec. 11.**    If any part of this act is found to be in  
19 conflict with federal requirements that are a prescribed condition to  
20 the allocation of federal funds to the state, the conflicting part of  
21 this act is inoperative solely to the extent of the conflict and with  
22 respect to the agencies directly affected, and this finding does not  
23 affect the operation of the remainder of this act in its application to  
24 the agencies concerned. The rules under this act shall meet federal  
25 requirements that are a necessary condition to the receipt of federal  
26 funds by the state.

27        NEW SECTION.    **Sec. 12.**    If any provision of this act or its  
28 application to any person or circumstance is held invalid, the  
29 remainder of the act or the application of the provision to other  
30 persons or circumstances is not affected.

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