

SENATE BILL REPORT

ESHCR 4409

As Reported By Senate Committee On:
Agriculture & Environment, April 22, 1997

Brief Description: Establishing a joint select subcommittee on wetlands.

Sponsors: House Committee on Government Reform & Land Use (originally sponsored by Representatives Thompson, Reams, Bush, Mielke, Sherstad, Pennington, Sheldon, Grant, Kastama, McMorris and Mastin).

Brief History:

Committee Activity: Agriculture & Environment: 4/22/97 [DP].

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: Do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Newhouse, Oke and Rasmussen.

Staff: Kari Guy (786-7437)

Background: Each county and city is required by the Growth Management Act (GMA) to designate critical areas and adopt development regulations that protect designated critical areas. In designating critical areas, counties and cities must consider the minimum guidelines adopted by the Department of Community, Trade, and Economic Development.

Under GMA, the definition of critical areas includes wetlands. GMA defines a wetland as an area saturated by surface or ground water at a frequency or duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands must be delineated according to the 1987 Army Corps of Engineers delineation manual.

Summary of Bill: The Legislature recognizes the importance of protecting critical areas and wildlife diversity, but also wishes to ensure a balance between appropriate development and environmental protection.

The Legislature finds that the current definition of wetlands is broad and focuses on the physical conditions of a wetland and on temporary rather than long-term conditions. Landowners have little certainty as to whether a parcel of property will be deemed a wetland.

The Legislature requests the establishment of a joint select subcommittee on wetlands to review the statutory definition of wetlands and all related issues associated with the definition and regulation of wetlands. The subcommittee consists of eight members, four members each selected by the President of the Senate and the Speaker of the House of Representatives. Four of the eight members are drawn from the majority caucus, and four of the eight are

drawn from the minority caucus. The subcommittee must report its findings and recommendations to the Legislature at the regular 1998 session.

Appropriation: None.

Fiscal Note: Requested March 3, 1997.

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

Testimony For: The Legislature needs to evaluate the wetland definition and wetlands functions. The joint select committee will hold a number of meetings and wetland site visits to develop a definition that provides greater flexibility for landowners.

Testimony Against: None.

Testified: Representative Thompson, original prime sponsor (pro).