

SENATE BILL REPORT

SB 5353

As Reported By Senate Committee On:
Land Use & Planning, February 27, 2003

Title: An act relating to agriculture.

Brief Description: Revising shoreline regulation as it relates to agriculture.

Sponsors: Senators Haugen, Swecker, Doumit, Morton, Rasmussen, Hargrove, Horn and Stevens.

Brief History:

Committee Activity: Land Use & Planning: 2/13/03, 2/27/03 [DPS, DNP].

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: That Substitute Senate Bill No. 5353 be substituted therefor, and the substitute bill do pass.

Signed by Senators Mulliken, Chair; McCaslin, Morton and T. Sheldon.

Minority Report: Do not pass.

Signed by Senator Kline.

Staff: Jennifer Arnold (786-7471)

Background: In 1995, the Growth Management Act (GMA) was amended to require that use regulations adopted in a local government's shoreline master program under the Shoreline Management Act (SMA) must be considered as a part of the local government's development regulations adopted pursuant to the GMA. Since 1995, agricultural provisions within the SMA have been revised. In 2002, new definitions were established in the SMA for "agricultural activities," "agricultural products," "agricultural equipment," "agricultural facilities," and "agricultural land." These provisions become effective on January 1, 2004, or on the date the Department of Ecology updates the shoreline master program guidelines, approval and amendment procedures, whichever is earlier.

Summary of Substitute Bill: In adopting development regulations under the GMA, local governments must ensure that such regulations are consistent with the definitions for "agricultural activities," "agricultural products," "agricultural equipment," "agricultural facilities," and "agricultural land" provided in the SMA. These definitions of the SMA relating to agriculture must be incorporated into the GMA development regulations by the next date the county or city updates their GMA development regulations or by the time lines provided in the GMA for updates, whichever is earlier.

Substitute Bill Compared to Original Bill: It is clarified that the provisions of the SMA contained in 90.58.065, which include newly defined terms relating to agriculture, are to be incorporated into the GMA development regulations. Further, it is clarified that this bill does

not integrate the time lines for shoreline master plans with the GMA update time lines for comprehensive plans and development regulations.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is a simple bill designed to integrate the agricultural protections of the SMA into the GMA. It would help farmers planning under the GMA.

Testimony Against: The bill appears to attempt to synchronize the timing of GMA and shoreline master plan updates; however, this bill will not achieve the consistency desired. If the definitions are to be integrated, the agricultural definitions in the GMA should be used instead of those in the SMA because the definitions in the SMA are too broad.

Testified: Gordon White, Ecology (con); Hertha Lund, Washington State Farm Bureau (pro).