

SHB 1885 - H AMD 176

By Representative Taylor

FAILED 03/01/2011

1 On page 74, after line 16, insert the following:

2

3

"PART 8

4

MULTIPLE AGENCIES

5

6 NEW SECTION. **Sec. 800.** The legislature finds that:

7 (1) The public interest will be best served if lands throughout  
8 the state and their resources are subject to the coordinated  
9 management efforts of the state and local governments;

10 (2) The federal government requires its agencies to coordinate and  
11 provide meaningful involvement to government officials at various  
12 levels in the development and revisions of federal land use plans,  
13 guidelines, and regulations as explained in 43 U.S.C. Sec. 1712  
14 (c)(9);

15 (3) Many local governments have extensive plans for the lands  
16 within their jurisdiction as required by various state laws, including  
17 but not limited to Titles 35, 35A, and 36 RCW; and

18 (4) The citizens of Washington benefit when state agencies  
19 coordinate their activities with local government officials regarding  
20 land use administration, management, and planning.

21

22 NEW SECTION. **Sec. 801.** A new section is added to chapter 77.12  
23 RCW to read as follows:

24 (1)(a) The department shall coordinate with all applicable  
25 affected local government officials during the development, revision,  
26 and implementation of any public land use plan under the control of  
27 the department.

1 (b) Implementation of this section requires the department to, at  
2 a minimum:

3 (i) Keep itself apprised of relevant local and tribal land use  
4 plans and ordinances;

5 (ii) Ensure that consideration is given to local and tribal plans  
6 that are germane in the development of land use activities for the  
7 department and strive to make corresponding state policies, plans, or  
8 actions consistent with local policies, plans, or actions;

9 (iii) Assist in resolving inconsistencies between department land  
10 management and local and tribal plans and ordinances;

11 (iv) Provide for meaningful public involvement of other local  
12 government officials, both elected and appointed, in the development  
13 of land use programs, land use policies, land use rules, and land use  
14 decisions for department lands; and

15 (v) Provide local government officials early notification of all  
16 land use actions or plans of the department that will affect the unit  
17 of local government directly or indirectly.

18 (2) If, after consulting with an affected local government, the  
19 department finds that the statutory limitations of the department make  
20 compliance with a particular locally adopted land use plan or  
21 ordinance unlawful, the department shall report this finding to the  
22 appropriate committees of the legislature along with specific  
23 information relating to the statute or statutes limiting the  
24 department from complying with local plans or ordinances.

25 (3) The director must make available a formal channel through  
26 which local government officials may provide direct feedback and other  
27 communications regarding proposed actions by the department relating  
28 to the purchase and sale of land, the development or revision of land  
29 use plans, land use guidelines, land use policies, and land use rules  
30 for department lands within the local jurisdiction and with respect to  
31 other land use matters as deemed relevant to a local official.

32  
33 NEW SECTION. **Sec. 802.** A new section is added to chapter 79.02  
34 RCW to read as follows:

1 (1)(a) The department shall coordinate with all applicable  
2 affected local government officials during the development, revision,  
3 and implementation of any public land use plan under the control of  
4 the department.

5 (b) Implementation of this section requires the department to, at  
6 a minimum:

7 (i) Keep itself apprised of relevant local and tribal land use  
8 plans and ordinances;

9 (ii) Ensure that consideration is given to local and tribal plans  
10 that are germane in the development of land use activities for the  
11 department and strive to make corresponding state policies, plans, or  
12 actions consistent with local policies, plans, or actions;

13 (iii) Assist in resolving inconsistencies between department land  
14 management and local and tribal plans and ordinances;

15 (iv) Provide for meaningful public involvement of other local  
16 government officials, both elected and appointed, in the development  
17 of land use programs, land use policies, land use rules, and land use  
18 decisions for public lands; and

19 (v) Provide local government officials early notification of all  
20 land use actions or plans of the department that will affect the unit  
21 of local government directly or indirectly.

22 (2) If, after consulting with an affected local government, the  
23 department finds that the statutory limitations of the department make  
24 compliance with a particular locally adopted land use plan or  
25 ordinance unlawful, the department shall report this finding to the  
26 appropriate committees of the legislature along with specific  
27 information relating to the statute or statutes limiting the  
28 department from complying with local plans or ordinances.

29 (3) The commissioner of public lands must make available a formal  
30 channel through which local government officials may provide direct  
31 feedback and other communications regarding proposed actions by the  
32 department relating to the purchase and sale of land, the development  
33 or revision of land use plans, land use guidelines, land use policies,  
34 and land use rules for public lands within the local jurisdiction and

1 with respect to other land use matters as deemed relevant to a local  
2 official.

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4 NEW SECTION. **Sec. 803.** A new section is added to chapter 79A.05  
5 RCW to read as follows:

6 (1)(a) The commission shall coordinate with all applicable  
7 affected local government officials during the development, revision,  
8 and implementation of any public land use plan under the control of  
9 the commission.

10 (b) Implementation of this section requires the commission to, at  
11 a minimum:

12 (i) Keep itself apprised of relevant local and tribal land use  
13 plans and ordinances;

14 (ii) Ensure that consideration is given to local and tribal plans  
15 that are germane in the development of land use activities for the  
16 commission and strive to make corresponding commission policies,  
17 plans, or actions consistent with local policies, plans, or actions;

18 (iii) Assist in resolving inconsistencies between commission land  
19 management and local and tribal plans and ordinances;

20 (iv) Provide for meaningful public involvement of other local  
21 government officials, both elected and appointed, in the development  
22 of land use programs, land use policies, land use rules, and land use  
23 decisions for commission lands; and

24 (v) Provide local government officials early notification of all  
25 land use actions or plans of the commission that will affect the unit  
26 of local government directly or indirectly.

27 (2) If, after consulting with an affected local government, the  
28 commission finds that the statutory limitations of the commission make  
29 compliance with a particular locally adopted land use plan or  
30 ordinance unlawful, the commission shall report this finding to the  
31 appropriate committees of the legislature along with specific  
32 information relating to the statute or statutes limiting the  
33 commission from complying with local plans or ordinances.

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1 (3) The director must make available a formal channel through  
2 which local government officials may provide direct feedback and other  
3 communications regarding proposed actions by the commission relating  
4 to the purchase and sale of land, the development or revision of land  
5 use plans, land use guidelines, land use policies, and land use rules  
6 for commission lands within the local jurisdiction and with respect to  
7 other land use matters as deemed relevant to a local official."

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9 Correct the title.

EFFECT: Requires the State Parks and Recreation Commission, the Department of Fish and Wildlife, and the Department of Natural Resources to coordinate their respective agency land use plans with all applicable local government officials.

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