
Local Government Committee

E2SSB 5292

Brief Description: Exempting certain structures that are constructed and maintained by irrigation districts and port districts from the definition of critical areas.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Honeyford, Schoesler, Swecker, Holmquist Newbry and Roach).

Brief Summary of Engrossed Second Substitute Bill

- Modifies the definition of "critical areas" within the Growth Management Act to exclude certain water-based artificial features or constructs from being considered part of a fish and wildlife habitat conservation area, one of the five types of critical areas.

Hearing Date: 2/17/12

Staff: Ethan Moreno (786-7386).

Background:

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 29 counties and the cities within that are obligated by mandate or choice to satisfy all planning requirements of the GMA.

All counties and cities are required by the GMA to designate natural resource lands and critical areas. In addition to satisfying the designation obligations, counties and cities must protect critical areas through locally-adopted development regulations that comply with requirements established in the GMA. As defined in the GMA, "critical areas" include five general categories: wetlands; aquifer recharge areas; fish and wildlife habitat conservation areas; frequently flooded areas; and geologically hazardous areas.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The GMA definition of "critical areas" is amended to specify that fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.

Appropriation: None.

Fiscal Note: Available on substitute bill.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.