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HOUSE BILL 1110

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representatives Taylor, Shea, Kretz, Short, Rolfes, and McCune

Read first time 01/12/11. Referred to Committee on Agriculture & Natural Resources.

1            AN ACT Relating to coordinated state land management by agencies  
2 responsible for managing natural resources; adding a new section to  
3 chapter 77.12 RCW; adding a new section to chapter 79.02 RCW; adding a  
4 new section to chapter 79A.05 RCW; and creating a new section.

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

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

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

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

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

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

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 77.12 RCW  
2 to read as follows:

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

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

9        (i) Keep itself apprised of all relevant local and tribal land use  
10 plans and ordinances;

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

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

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

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

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

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

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 79.02 RCW  
2 to read as follows:

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

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

9        (i) Keep itself apprised of all relevant local and tribal land use  
10 plans and ordinances;

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

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

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

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

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

31        (3) The commissioner of public lands must make available a formal  
32 channel through which local government officials may provide direct  
33 feedback and other communications regarding proposed actions by the  
34 department relating to the purchase and sale of land, the development  
35 or revision of land use plans, land use guidelines, land use policies,  
36 and land use rules for public lands within the local jurisdiction and  
37 with respect to other land use matters as deemed relevant to a local  
38 official.

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

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

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

9           (i) Keep itself apprised of all relevant local and tribal land use  
10 plans and ordinances;

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

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

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

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

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

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

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

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