
Local Government Committee

HB 1016

Brief Description: Designating facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements. .

Sponsors: Representatives Angel, Takko, Zeiger, Johnson, Haigh and Magendanz.

Brief Summary of Bill

- Adds facilities and infrastructure of water purveyors to the list of essential public facilities delineated under the Growth Management Act (GMA).
- Defines "water purveyor" in the GMA to mean any person or other entity that owns or operates for wholesale or retail service a public water system, or the authorized agents of these entities.

Hearing Date: 1/15/13

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 Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a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.

The Department of Commerce provides technical and financial assistance to jurisdictions that must implement requirements of the GMA.

The GMA directs planning jurisdictions (*i.e.*, jurisdictions that fully plan under the GMA) to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans, which are the frameworks of

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county and city planning actions, are implemented through locally-adopted development regulations.

Comprehensive plans must include a process for identifying and siting essential public facilities (EPFs). Although not expressly defined in statute, the GMA specifies that EPFs include facilities that are typically difficult to site, such as airports, regional transportation facilities, and state and local correctional facilities. Comprehensive plans and development regulations may not preclude the siting of EPFs, and facilities using an EPF siting process remain obligated to comply with all applicable aspects of the GMA as well as local, state, and federal regulations.

The list of EPFs specified in the GMA has been periodically modified through adopted legislation. Most recently, in 2010 Senate Bill 6279 (enacted as ch. 62, Laws of 2010) expanded the delineated list of EPFs to include certain regional transit authority facilities.

Summary of Bill:

Facilities and infrastructure of water purveyors are added to the delineated list of essential public facilities in the Growth Management Act.

"Purveyor" is defined in the GMA using a public water system definition to mean any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity, that owns or operates for wholesale or retail service a public water system, or the authorized agents of these entities.

Appropriation: None.

Fiscal Note: Available.

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