

# HOUSE BILL REPORT

## HB 1421

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### As Reported by House Committee On:

Local Government

Appropriations

**Title:** An act relating to adding counties to the voluntary stewardship program.

**Brief Description:** Adding counties to the voluntary stewardship program.

**Sponsors:** Representatives Chambers, Rule, Jacobsen, Dent, Taylor, Barkis, Christian, Springer, Lekanoff, Berg, Schmick, Klicker, Goehner, Eslick and Robertson.

### Brief History:

#### Committee Activity:

Local Government: 1/31/23, 2/3/23 [DP];

Appropriations: 2/15/23, 2/21/23 [DP].

#### Brief Summary of Bill

- Changes the date to join the Voluntary Stewardship Program under the Growth Management Act from January 2012 to July 1, 2024.

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## HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 6 members: Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Berg, Griffey and Riccelli.

**Staff:** Elizabeth Allison (786-7129).

### Background:

#### Growth Management Act.

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 Originally enacted in 1990 and 1991, the GMA

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establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes referred to as "fully planning" under the GMA.

All jurisdictions are required by the GMA to satisfy specific designation mandates for natural resource lands and critical areas. In addition to requirements for natural resource lands, all local governments must designate and protect environmentally sensitive critical areas. These protection requirements obligate local governments to adopt development regulations, also known as critical areas ordinances (CAOs), that meet specified criteria. As defined by statute, critical areas include: wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

Growth Management Act—Voluntary Stewardship Program.

The Voluntary Stewardship Program (VSP) was created in 2011 and allows participating counties to develop local work plans that use voluntary and incentive-based tools, as an alternative to regulation, to protect critical areas and agricultural lands. Counties had to opt in to the VSP by early 2012, and 27 counties chose to participate.

Counties participating in the VSP create a work plan that is approved by the Washington State Conservation Commission (Conservation Commission) and then implement the plan by recruiting local landowners to participate in incentive-based stewardship activities. Counties report their progress to the Conservation Commission. The Conservation Commission is required to determine every two years which watersheds in participating counties received adequate funding to implement the VSP.

If the Conservation Commission determines that a watershed within a participating county has not received adequate funding to implement the VSP, the county must take one of four specified actions:

- develop, adopt, and implement a work plan in the watershed that protects critical areas used for agricultural activities;
- adopt development regulations that have previously been adopted by another local government for the purpose of protecting critical areas used for agricultural activities;
- adopt development regulations certified by the Department of Commerce as protective of critical areas in areas used for agricultural activities; or
- review, and if necessary, update development regulations adopted under the GMA to protect critical areas as they relate to agricultural activities.

Washington State Conservation Commission.

The Conservation Commission assists and guides Washington's 47 conservation districts, which are political subdivisions of the state, as they work with local communities to conserve renewable natural resources.

**Summary of Bill:**

The date to join the Voluntary Stewardship Program is changed from January 2012 to July 1, 2024.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) The VSP was introduced in 2011 and there has been time to see how it works. The deadline to apply was in 2015 so legislation is needed to reopen the window to allow counties that did not opt in the chance to do so. Landowners and farmers want to be proactive and have opportunities to manage the land, but prefer an option rather than a mandate. The VSP is an alternative program for protecting critical areas with no net ecological loss. It also includes strategies for watersheds that fail to meet their objectives. The VSP has been in place for six years, and the 27 participating counties have had their five-year check-ins. The VSP was always intended to foster cooperation between landowners and regulators. The early results are encouraging.

(Opposed) None.

(Other) As new counties join the program, new funding needs to be provided. There is currently funding for the VSP, and from that budget, funding is given to counties. The goal is not to diminish funds for existing counties when new counties join, so there needs to be additional funding.

**Persons Testifying:** (In support) Representative Kelly Chambers, prime sponsor; and Paul Jewell, Washington State Association of Counties.

(Other) Ron Shultz, Washington State Conservation Commission.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** Do pass. Signed by 31 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant

Ranking Minority Member; Berg, Chandler, Chopp, Connors, Couture, Davis, Dye, Fitzgibbon, Hansen, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

**Staff:** Dan Jones (786-7118).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Local Government:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) The Voluntary Stewardship Program (VSP) has shown some benefits, and there are a number of counties that did not originally opt in that are now looking to enroll.

(Opposed) None.

(Other) Additional funding should be provided to the State Conservation Commission to pass to counties if any additional counties join the VSP.

**Persons Testifying:** (In support) Representative Kelly Chambers, prime sponsor.

(Other) Bill Eller, Washington State Conservation Commission.

**Persons Signed In To Testify But Not Testifying:** None.