
SUBSTITUTE HOUSE BILL 2942

State of Washington

65th Legislature

2018 Regular Session

By House Environment (originally sponsored by Representatives Walsh, Taylor, Van Werven, and Shea)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to planning for the availability of mineral
2 resources; and amending RCW 36.70A.020 and 36.70A.131.

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

4 **Sec. 1.** RCW 36.70A.020 and 2002 c 154 s 1 are each amended to
5 read as follows:

6 The following goals are adopted to guide the development and
7 adoption of comprehensive plans and development regulations of those
8 counties and cities that are required or choose to plan under RCW
9 36.70A.040. The following goals are not listed in order of priority
10 and shall be used exclusively for the purpose of guiding the
11 development of comprehensive plans and development regulations:

12 (1) Urban growth. Encourage development in urban areas where
13 adequate public facilities and services exist or can be provided in
14 an efficient manner.

15 (2) Reduce sprawl. Reduce the inappropriate conversion of
16 undeveloped land into sprawling, low-density development.

17 (3) Transportation. Encourage efficient multimodal transportation
18 systems that are based on regional priorities and coordinated with
19 county and city comprehensive plans.

20 (4) Housing. Encourage the availability of affordable housing to
21 all economic segments of the population of this state, promote a

1 variety of residential densities and housing types, and encourage
2 preservation of existing housing stock.

3 (5) Economic development. Encourage economic development
4 throughout the state that is consistent with adopted comprehensive
5 plans, promote economic opportunity for all citizens of this state,
6 especially for unemployed and for disadvantaged persons, promote the
7 retention and expansion of existing businesses and recruitment of new
8 businesses, recognize regional differences impacting economic
9 development opportunities, and encourage growth in areas experiencing
10 insufficient economic growth, all within the capacities of the
11 state's natural resources, public services, and public facilities.

12 (6) Property rights. Private property shall not be taken for
13 public use without just compensation having been made. The property
14 rights of landowners shall be protected from arbitrary and
15 discriminatory actions.

16 (7) Permits. Applications for both state and local government
17 permits should be processed in a timely and fair manner to ensure
18 predictability.

19 (8) Natural resource industries. Maintain and enhance natural
20 resource-based industries, including productive timber, agricultural,
21 ~~((and))~~ fisheries, and mineral resource industries. Encourage the
22 conservation of productive forestlands ~~((and—productive))~~,
23 agricultural lands, and mineral resource lands, and discourage
24 incompatible uses.

25 (9) Open space and recreation. Retain open space, enhance
26 recreational opportunities, conserve fish and wildlife habitat,
27 increase access to natural resource lands and water, and develop
28 parks and recreation facilities.

29 (10) Environment. Protect the environment and enhance the state's
30 high quality of life, including air and water quality, and the
31 availability of water.

32 (11) Citizen participation and coordination. Encourage the
33 involvement of citizens in the planning process and ensure
34 coordination between communities and jurisdictions to reconcile
35 conflicts.

36 (12) Public facilities and services. Ensure that those public
37 facilities and services necessary to support development shall be
38 adequate to serve the development at the time the development is
39 available for occupancy and use without decreasing current service
40 levels below locally established minimum standards.

1 (13) Historic preservation. Identify and encourage the
2 preservation of lands, sites, and structures, that have historical or
3 archaeological significance.

4 **Sec. 2.** RCW 36.70A.131 and 1998 c 286 s 7 are each amended to
5 read as follows:

6 (1) As part of the review required by RCW 36.70A.130(1), a county
7 or city shall review its mineral resource lands designations adopted
8 pursuant to RCW 36.70A.170 and mineral resource lands development
9 regulations adopted pursuant to RCW 36.70A.040 and 36.70A.060. In its
10 review, the county or city shall take into consideration:

11 ~~((1))~~ (a) New information made available since the adoption or
12 last review of its designations or development regulations, including
13 data available from the department of natural resources relating to
14 mineral resource deposits; and

15 ~~((2))~~ (b) New or modified model development regulations for
16 mineral resource lands prepared by the department of natural
17 resources, the department of ~~((community, trade, and economic
18 development))~~ commerce, or the Washington state association of
19 counties.

20 (2)(a) In order to protect mineral resource lands from
21 incompatible uses and to maintain the long-term commercial viability
22 of mineral resource extraction, each county and city must designate
23 as mineral resource lands all lands without residential development
24 that have long-term significance for the extraction of minerals.
25 Mineral resource lands of long-term significance that were previously
26 designated as agricultural lands or forestlands are not required to
27 be redesignated, but must also receive an overlapping designation as
28 mineral resource lands. A county or city may not designate as mineral
29 resource lands pursuant to this subsection (2) lands that have
30 already been designated as agricultural lands unless the county or
31 city first determines that the overlapping mineral resource lands
32 designation will not have a substantial adverse impact on the
33 agricultural lands.

34 (b) In making designations consistent with (a) of this
35 subsection, a county or city must consider information submitted in
36 subsection (1)(a) and (b) of this section, as well as other relevant
37 information known to the county or city regarding the locations of
38 mineral resource lands of long-term significance.

1 (c) The requirement to designate mineral resource lands of long-
2 term significance consistent with (a) of this subsection must not be
3 limited, made contingent upon, or deferred by population growth
4 projections or mineral resource supply or demand forecasts, including
5 twenty-year supply threshold market analyses.

6 (d) Nothing in this chapter limits or restricts the obligation or
7 authority of a county or city to require site-specific permits for
8 the development of designated mineral resource lands.

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