

SB 5145-S - DIGEST

(AS OF SENATE 2ND READING 3/9/2007)

Finds that the decision of the Washington state supreme court in *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000) reflects the original and continuing intent of the legislature regarding designation and conservation of agricultural lands under the growth management act, when it says that the act creates an agricultural conservation imperative that imposes an affirmative duty on local governments to designate and conserve agricultural lands in order to assure the maintenance and enhancement of the agricultural resource industry, and, again, when it says that agricultural lands are protected not for the sake of their ecological role but to ensure the viability of the resource-based industries that depend upon them.

Declares that allowing conversion of resource lands to other uses or allowing incompatible uses impairs the viability of the agricultural industry.

Declares an intent to clarify the existing requirements of the growth management act that pertain to conservation of agricultural lands, in order to help assure that comprehensive plans and corresponding development regulations adopted by local governments conserve agricultural lands according to the original and continuing intent of the growth management act as reflected in *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000).

Provides that wetland mitigation banking projects may be permitted by conditional or special use on agricultural lands, including agricultural lands of long-term commercial significance, if the local government has adopted the criteria for evaluating such projects established by rule by the department. "Wetland mitigation banking project" means any private or public project on a site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

Requires that, by January 1, 2008, the department shall provide a written report on the recommended criteria to the chief clerk of the house of representatives and the secretary of the senate.