

SENATE BILL REPORT

SB 5301

As Reported by Senate Committee On:
Local Government, February 13, 2025

Title: An act relating to extending governmental services from cities to tribal lands.

Brief Description: Concerning extending governmental services from cities to tribal lands.

Sponsors: Senators Braun, Cleveland, Kauffman and Wilson, J..

Brief History:

Committee Activity: Local Government: 2/06/25, 2/13/25 [DPS].

Brief Summary of First Substitute Bill

- Allows a federally recognized Indian tribe and a city to agree to extend urban governmental services beyond the city and urban growth areas to tribal property under certain conditions.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 5301 be substituted therefor, and the substitute bill do pass.

Signed by Senators Salomon, Chair; Lovelett, Vice Chair; Torres, Ranking Member; Bateman and Goehner.

Staff: Karen Epps (786-7424)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Urban Growth Areas. Counties that fully plan under the GMA must designate urban growth areas (UGAs), within which urban growth must be encouraged and outside of which growth may occur only if it is not urban in nature. UGAs must contain sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. Fully planning counties must review the designated UGAs, patterns of development within the UGAs, and the densities permitted within the incorporated and unincorporated portions of each UGA during the regularly scheduled comprehensive review update cycle.

Urban Governmental Services. Cities are the units of local government most appropriate to provide urban governmental services. Urban governmental services include those public services that are typically provided in cities, including storm and sewer systems, domestic water systems, public transit, public safety, and other services associated with urban areas and not associated with rural areas. It is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

Summary of Bill (First Substitute): By December 31, 2028, a federally recognized Indian tribe and a city may agree to extend urban governmental services beyond the city and urban growth areas to property within the federally recognized Indian tribe's jurisdiction that abuts the city's boundaries.

EFFECT OF CHANGES MADE BY LOCAL GOVERNMENT COMMITTEE (First Substitute):

- Removes that the provision that the city be located in a county touching the Columbia River with a population of greater than 500,000.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill will allow La Center to provide wastewater service to the Cowlitz Tribe. The Cowlitz reservation is located directly adjacent to La Center. In 2015, the Cowlitz Tribe needed wastewater services to support the development of its casino and surrounding growth. La Center agreed to provide this wastewater service, upgraded its sewer plant, and extended sewer lines to the tribe. Clark County sued the city, arguing that providing urban services beyond the urban growth

boundary violated the GMA. The tribe constructed a wastewater treatment plant, but this facility is reaching capacity while the infrastructure that La Center built remains unused. This bill is a good governance bill that resolves a local issue while allowing responsible growth, environmental protection, and intergovernmental collaboration. The tribe wants to partner with the city and this bill will benefit both the tribe and La Center. This bill retains the integrity of the GMA by restricting this exemption to the tribe's reservation land. This bill is narrow and supports the goals of the tribe within their tribal lands.

Persons Testifying: PRO: Bill Chairman Iyall; Bryce Yadon, Futurewise; Tom Strobehn, City of La Center.

Persons Signed In To Testify But Not Testifying: No one.