

Staff Report
Growth Management Act
Designation of Natural Resource Lands Periodic Review

Background information

All counties and cities in Washington State are required to designate natural resource lands of long-term commercial significance under the Growth Management Act (GMA) including counties not planning under RCW 36.70A.040.¹ Skamania County is one of ten counties that are not required to fully plan under RCW 36.70A.040, often referred to as a “partially planning county”. Under the GMA, natural resource lands include agriculture, forest, and mineral lands of long-term commercial significance. Designation” means, at a minimum, formal adoption of a policy statement, and may include further legislative action.

State law broadly defines natural resource lands as lands of long-term commercial significance that are not already characterized by urban growth and those lands which have long-term commercial significance for the commercial production of timber, food, agricultural products, and the extraction of minerals.”²

RCW 36.70A.030 (10) defines “long-term commercial significance” as ...the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

In 1996, Skamania County adopted Title 21A protecting Critical Areas and in 1993, the county adopted regulations for the conservation of agricultural, forest, and mineral resource lands with the adoption of Title 22 (National Scenic Area Code).

RCW 36.70A.130(b) requires all counties not planning under the Growth Management Act to take action to review and, if needed, revise their policies and development regulations regarding critical areas and natural resource lands.

The schedule set out by law under RCW 36.70A.130(4) required Skamania County to review and if needed revise their comprehensive plans and development regulations for Critical Areas and Natural Resource lands no later than December 1, 2005. On August 2, 2005, the Board of Commissioners passed in regular session Resolution 2005-35, which designated the County's natural resource lands pursuant to GMA. Resolution 2005-35 recognized that the designation of approximately 39,416 acres forest land with long-term commercial significance and approximately 4,241 acres of agricultural land with long-term commercial significance located within in the National Scenic Area and the National Scenic Area Code (Title 22) development regulations, were consistent with RCW 36.70A's requirements to designate agricultural, forest, and mineral resource lands.

RCW 36.70A.130(5) requires Skamania County by law to review and, if needed, to revise comprehensive plans and regulations for critical areas and natural resource lands on or before June 30, 2017. This review of Skamania County's designation of natural resource lands is intended to meet the June 30, 2017, deadline.

¹ RCW 36.70A.130(b)

² RCW 36.70A.170(1)

Skamania County is unique, in that over 88% of the land within Skamania County is held in public ownership (Federal or State) and approximately 12% of the land is located within the National Scenic Area. As such, the primary responsibility for addressing natural resource lands does not lie with the County. Nevertheless, the County has designated long-term natural resource lands outside of federal jurisdiction. Historically, Skamania County is a timber county, with the majority of its businesses and industries related to the timber industry.

Since the adoption of Resolution 2005-35, Skamania County has designated approximately 48,500 acres as West End Commercial Resource Lands 40 (WE-CRL40) with the adoption of the West End Community Comprehensive Plan and associated maps under Resolution 2007-12 and designated approximately 66,775 acres of land as Swift Commercial Resource Lands 40 (SW-CRL40) with the adoption of the Swift Subarea plan and associated maps under Resolution 2007-38.

Although not required to adopt development regulations that conserve natural resource lands of long-term commercial significance, Skamania County Board of Commissioners adopted development regulations for the West End Commercial Resource Lands (WE-CRL40) and for the Swift Commercial Resource Lands 40 (SW-CRL40) on May 1, 2012, providing further protection of natural resource lands with long-term commercial significance.

2016 GMA Review and Evaluation of Natural Resource Lands

The purpose of this review is to determine if revisions are needed. The scope of the review includes consideration of new GMA amendments, new mineral resource information per RCW 36.70A.131, and planning concerns which the County determines are appropriate to be addressed.

GMA Revisions. Relevant GMA amendments have been limited. RCW 36.70A.177 was amended in 2006 to provide greater flexibility for locating accessory uses on agricultural lands. The County's zoning code already provides for the range of uses authorized within designated agricultural resource lands and the County is not required to adopt development regulations to protect agricultural lands, although it did so in 2005 and 2012. But, even if applicable, this amendment simply would provide the County additional flexibility in accommodating rural uses, so does not require any revisions.

New Mineral Resource Information (since 2005). [address RCW 36.70A.131]

The Department of Natural Resources (DNR) was contacted regarding new information on Skamania County's mineral resources. No new information on Mineral Resource Lands is available for Skamania County. Current zoning allows for the expansion of existing quarries in the rural lands zoning designations, the mountain land zoning designations, and in the resource production zoning designations through conditional uses and outright allowed in commercial resource zoning designations in conjunction with forest practice activities.

County's Existing Resource Lands Designations and Administrative Implementation.

The County's current natural resource designations have served to protect the County's resource lands base from inconsistent development patterns. As summarized above, the County's designated natural resource lands are located within the National Scenic Area, Swift Subarea, and West End Subarea, and total 115,275 acres. This is coupled with the approximately 850,000 acres or roughly 85% of the County owned by the federal government and managed for forest use.³ All total, close to 90% of the County is owned by the state and federal governments, with the vast majority of that acreage in forest use.

Designated Agricultural lands located within the National Scenic Area are identified in the controlling document (Title 22) as Special Management Area (SMA) Agriculture and General Management Area (GMA) Large Scale Agriculture⁴. Title 22 limits the type, square footage, and location of non-agricultural uses within SMA Agriculture and GMA Large Scale Agriculture.⁵

Title 22 (National Scenic Area) governs proposed new residential buildings on residentially zoned parcels that abut or are within 500 feet of lands zoned as agriculture or forestry and require buffer areas that range from 300 feet to 100 feet⁶.

The West End Community Subarea Comprehensive Plan (adopted on February 27, 2007), covering 67,566 acres, and the Swift Subarea Comprehensive Plan (adopted on September 4, 2007) and covering 89,553 acres, set out the common polices for County designated GMA resource lands, or the lands designated as Commercial Resource Lands 40 (WE-CRL40 and SW-CRL40).

Within the Swift Subarea, acreage outside the 66,775 acres of Commercial Resource Lands 40 designation has minimum lot size requirements ranging from 5-20 acres, with one 15,231 acre designation (Swift Recreational) which strictly limited new land divisions (to such an extent that now new divisions or cabins expected within the planning period).

Within the West End Subarea, acreage outside the 48,500 acres of Commercial Resource Lands 40 has a range of lot size minimums, but with the next largest designation being FL 20, with 10,714 acres.

The designation of commercial resource lands was designed to meet the minimum requirements of the Growth Management Act. This designation takes into account the proximity to human settlement, the size of the parcel, and the long-term economic conditions for the commercial production of timber and agriculture as well as the commercial extraction of minerals. Both Subareas Commercial Resource Lands require that all plats, development permits, and building permits issued contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands which may not be compatible with residential development. The notice for mineral resource lands includes information that

³ There are management concerns on the forest lands which have adversely impacted their value for forest resource use. This has included fire management problems. This is an issue the County devotes resources to addressing, including through partnership with various forest management resource organizations.

⁴ Resolution 2005-35

⁵ SCC Section 22.14.010 and Section 22.16.010

⁶ SCC Section 22.14.010(D) and SCC Section 22.14.030(D)

applications for mining related activity including extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals may be made.

RECOMMENDATION

Based upon the limited GMA revisions, new mineral resource information reviewed, and successful implementation of the present designations, revisions are not necessary.