

5658-S

Sponsor(s): Senate Committee on Land Use & Planning (originally sponsored by Senators Mulliken, Haugen, T. Sheldon, Morton and Rasmussen)

Brief Description: Concerning use of the best available science under the growth management act. Revised for 1st Substitute: Clarifying requirements for the use of best available science in developing critical areas policies and regulations.

**SB 5658-S - DIGEST**

(AS OF SENATE 2ND READING 3/19/03)

Provides that the requirements for counties and cities to consider best available science and conservation or protection measures shall be procedural requirements, not substantive requirements for the final adopted plans or regulations.

Provides that, in developing policies and development regulations, counties and cities: (1) May not consider approaches to protecting critical areas based on science derived from a different physical context than the one at issue, unless the approach is theoretically sound and specifically applicable to the physical context at issue, as determined by the county or city upon consultation with a qualified scientific expert in the applicable field or fields of science;

(2) Are not restricted to a precautionary or no-risk approach where there is an absence of adequate science applicable to the physical context at issue; and

(3) Should consider the cost-effectiveness of each alternative approach to protecting critical areas.

Provides that, in reaching its decision, a board shall give deference to the local government findings and conclusions in the record of developing the plans or regulations under review if the procedure by which the plans or regulations were adopted complies with this act.