WAC 365-195-900 Background and purpose. (1) Counties and cities planning under RCW 36.70A.040 are subject to continuing review and evaluation of their comprehensive land use plan and development regulations. Periodically, they must take action to review and, if needed, revise their plans and regulations to ensure they comply with the requirements of RCW 36.70A.130.

(2) Counties and cities must include the "best available science" when developing policies and development regulations to increase climate resilience, reduce greenhouse gas emissions, and to protect the functions and values of critical areas, and must give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries. The rules in WAC 365-195-900 through 365-195-925 are intended to assist counties and cities in identifying and including the best available science in newly adopted policies and regulations and in demonstrating how they met their statutory obligations under RCW 36.70A.172(1) and 36.70A.070 (9)(e) during this periodic review.

(3) The duty to include best available science is more than a procedural requirement. Best available science is not the sole factor in making decisions related to climate resilience or critical areas; other factors may include nonscientific information such as legal, social, cultural, economic, and political information. Inclusion means that the resulting policies and regulations must substantively reflect the results of a valid weighing of scientific evidence and other factors consistent with the requirements in WAC 365-195-915. Local governments may not ignore the best available science in favor of science it prefers simply because the latter supports the decision it wants to make. The characteristics of a valid scientific process show how local governments should weigh evidence in the process of including best available science, giving the most weight to the evidence that best exhibits the characteristics of good science.

(4) The inclusion of the best available science in the development of critical areas policies and regulations is especially important to salmon recovery efforts, and to other decision-making affecting threatened or endangered species.

(5) These rules are adopted under the authority of RCW 36.70A.190 (4)(b) which requires the department of commerce (department) to adopt rules to assist counties and cities to comply with the goals and requirements of the Growth Management Act.

[Statutory Authority: RCW 36.70A.190 (4)(b), 36.70A.096, and 36.70A.190(8). WSR 26-01-181, s 365-195-900, filed 12/23/25, effective 1/23/26. Statutory Authority: RCW 36.70A.050 and 36.70A.190. WSR 23-08-037, § 365-195-900, filed 3/29/23, effective 4/29/23. Statutory Authority: RCW 36.70A.190 (4)(b). WSR 01-08-056, § 365-195-900, filed 4/2/01, effective 5/3/01; WSR 00-16-064, § 365-195-900, filed 7/27/00, effective 8/27/00.]