



American Planning Association  
Washington Chapter

*Making Great Communities Happen*

The Honorable Pam Roach, Chair  
Senate Committee on Government Operations & Security  
411 J.A. Cherberg Building  
P.O. Box 40466  
Olympia, Washington 98504-0466

Dear Senator Roach and Committee Members:

The American Planning Association – Washington Chapter (APA Washington) opposes **Senate Bill 6168 removing drainage ditches from the definition of fish and wildlife habitat conservation areas in chapter 36.70A RCW**. APA Washington counts more than 1,400 members: professional planners, planning commissioners, researchers, and others with a passion for “making great communities happen.” Our diverse membership works every day with communities around the state to help plan a prosperous, healthy, and sustainable future. We appreciate the opportunity to work with the Legislature to build the tools we need for a brighter tomorrow.

SB 6168 amends the Growth Management Act (GMA) definition of “critical areas” regarding “fish and wildlife habitat conservation areas,” with regard to drainage ditches as follows:

RCW 36.70A.030(5) "Critical areas" include the following areas and ecosystems: Wetlands; areas with a critical recharging effect on aquifers used for potable water; fish and wildlife habitat conservation areas; frequently flooded areas; and geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches ~~((that lie within the boundaries of and are maintained by a port district or an irrigation district or company)).~~ (Underline Added)

The existing GMA definition of “critical areas” exempts from the definition of habitat conservation areas those human-constructed drainage ditches or irrigation structures that are located within established port or irrigation districts. SB 6168 would broaden the exemption to include **all** human-constructed, artificially created facilities, whether inside or outside a port or an irrigation district.

APA Washington’s opposition to this legislation is based on the following. Whether an artificially created drainage facility morphs into a habitat for plants or animals should be analyzed on a case-by-case basis. Critical area regulations affecting wetlands do not exempt wetlands just because they resulted from uplands receiving drainage.

The relative importance of these wetlands is rated I to IV with appropriate mitigation to follow. Whatever the reason for port or irrigation districts having received a habitat conservation exemption, to broaden the exemption represents a potential scope creep that could be in conflict with locally adopted critical areas ordinances.

As we set forth in the [APA Washington 2016 Legislative Agenda](#), we support incorporating the value of ecosystems in decision-making. **We urge you to oppose SB 6168.** Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Paula Reeves".

Paula Reeves, AICP CTP  
President  
Washington Chapter of the American Planning Association