Sub-Section 3.1

FEDERAL AND STATE

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Introduction

Counties existed during Washington State's territorial days in the mid- to late- 1800's and were recognized in the State Constitution adopted in 1889. In Washington, counties are the unit of local government which serve and govern all of the people who do not live in incorporated cities or towns.

The authorities and regulations of counties in Washington State are primarily codified in Chapter 36 of the Revised Code of Washington (RCW). Historically, the role of counties has been to serve as an administrative arm of the state: maintaining records, providing courts and law enforcement, building roads, assessing property and collecting taxes, and conducting elections. Counties still perform these functions, as well as others, with full-time elected officials including a board of county commissioners (or, in charter counties, council members and an executive), judges, a sheriff, assessor, treasurer, prosecutor, auditor, superior court clerk, and coroner or medical examiner. In non-charter counties, the commissioners function as both the legislative and executive body.

Today, there are 39 counties in Washington ranging in population from 2,400 to over 1.6 million. Until 1969, all Washington counties operated under the commission form of government provided by state law. Since then, five of the counties have adopted "home rule" charters as provided for in the State Constitution and legislation enacted in 1948.[1]

Article 11, Section 4 of the Washington State Constitution was amended in 1948 to provide the option for counties to adopt "home rule" charters to provide their own form of government. This home rule provision does not change the role and authority of counties, but it does allow counties to provide for a form of government different from the commission form prescribed by state law. By adopting a home rule charter, county voters can provide for appointed officers to perform functions previously performed by independently elected officials and can change the names and duties of the officers prescribed by the constitution and state law. Home rule charters may not, however, change the elected status and duties of the prosecuting attorney or superior and district court judges, or the jurisdiction of the courts.

After adoption of a charter, the powers, authority, and duties of county officers provided for by state law are vested in the county legislative authority, unless the charter expressly assigns powers and duties to a specific officer. The duties of the board of county commissioners and other elected officers may also be modified by charter. The charter also provides the powers of initiative and referendum to the citizens of the county.[2]

Federal and State Administered Legal and Regulatory Capability

The Washington State Constitution, the Washington Administrative Code (WAC), and the Revised Codes of Washington assign to counties many legal and regulatory authorities.

The Washington State Constitution is the plan for the operation of Washington State government. It describes the three branches of government: executive, legislative, and judicial. It also defines what rights are guaranteed to the people. The State Constitution is the highest law of the State, although it must also work in compliance with the U.S. Constitution.[3]

The WAC contains regulations of executive branch agencies issued by authority of statutes. Like legislation and the Constitution, regulations are a source of primary law in Washington State. The WAC codifies the regulations and arranges them by subject or agency.[4]

The RCW is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts.[5]

Below is a summary of the legal authority and regulatory powers that Washington State has granted to local governments within the state. These powers enable the counties to adopt and implement policies and ordinances that may be used to mitigate the potential harmful effects of natural hazards. Only those authorities and powers that are directly and indirectly relevant to hazard mitigation are presented, beginning with the Growth Management Act (GMA) of 1991 as it is the driving regulatory force for land use.

Growth Management Act

Purpose

The Washington State Growth Management Act (GMA) was passed in 1991 in response to rapid population growth and unmanaged development in the 1980s. The GMA sets forth several planning goals such as curbing sprawl, encouraging economic development, and protecting natural resources. It requires county and city governments to work together to develop comprehensive plans, development regulations, and urban growth area boundaries. The GMA utilizes several different growth management tools and regulations. Primarily, the GMA requires counties and cities to jointly develop comprehensive plans that designate urban growth areas (UGAs) for the county and to identify environmentally critical and resource areas for protection.

The GMA lists fourteen goals that should be met by communities through their comprehensive plans:

1) encourage development in urban areas;
2) reduce sprawl;
3) encourage efficient multi-modal transportation systems;
4) encourage the availability of affordable housing;
5) encourage economic development throughout the state;
6) protect private property rights;
7) process permits in a timely, fair, and predictable manner;
8) maintain and enhance natural-resource based industries;

9) encourage the retention of open space and recreational areas;
10) protect the environment;
11) encourage citizen participation and coordination;
12) ensure concurrency for public facilities and services;
13) encourage historical and archeological preservation; and
14) protect shorelines. [6]

Framework

The GMA provides a framework for regional coordination. Counties planning under GMA are required to adopt county-wide planning policies to guide plan adoption within the county and to establish UGAs. The comprehensive plan is the starting point for any planning process and the centerpiece of local planning. Local comprehensive plans must include the following elements (WAC 365.195.300): land use, housing, capital facilities, utilities, transportation, and rural. The comprehensive plans guide development and accommodate the population growth forecast for the next 20 years. Development regulations, including zoning, subdivision, and other controls, must be consistent with the comprehensive plans.[7] Finally, all counties fully planning under the GMA must periodically evaluate and update their comprehensive plans, development regulations, and UGA boundaries.

While all the counties fully planning under the act have developed UGAs and must have concurrency requirements, there are a variety of other policy tools being used by the various jurisdictions in their comprehensive plans. These include tax incentives for infill development, affordable housing programs, impact fees, and transfer of development rights programs to protect agricultural land. There is substantial flexibility for local governments in the act, with only a few mandates such as those to protect critical areas.[8]

Who Must Plan

The GMA requires compliance from counties that have experienced, or are experiencing, rapid growth. Every county—and subsequently every city in that county—must fully comply with GMA requirements if it meets the following criteria: a population of 50,000 or more and a population increase of more than ten percent in the decade ending May 16, 1995; a population of 50,000 or more and an increase of more than 17 percent in any ten-year period ending on or after May 16, 1995; or simply a population increase of 20 percent or more in any 10-year period. Counties not meeting these criteria had the opportunity to remove themselves from some of the act's requirements, and are considered not fully planning under the GMA.

Governing Agencies

The Office of Community Development (OCD) within the Washington Department of Community Trade and Economic Development (CTED) is the agency responsible for implementing the GMA. OCD assists local governments in developing and implementing their comprehensive plans and development regulations, and coordinates comments from other state agencies on those plans. OCD coordinates growth management activities throughout Washington with other state agencies, most of which are directly affected by the GMA. RCW 43.330.120 requires OCD to "serve as the central coordinator for state government in the implementation of

the growth management act…[and] shall ensure coordinated implementation of the growth management act by state agencies."[9]

Funding and Implementation

The state provides financial assistance to communities to implement the GMA, although the funding does not cover the full cost of planning for local governments.

OCD does not receive federal money directly, but coordinates its activities with other state agencies and local governments that do. There are several sources of federal funding available to communities for developing and implementing their comprehensive plans, including funds for transportation, environmental protection and restoration, upgrading infrastructure, economic development, housing, and historic preservation. The Puget Sound Regional Council (PSRC), the region's metropolitan planning organization that certifies the transportation component of its counties' comprehensive plans, receives about 80 percent of its budget from the federal government. The state does not make a final determination on whether local plans or regulations comply with the act.

History and Related Regulations

The GMA was not developed through a concise process, but rather a through a progression of environmental and growth management legislation, negotiations, and a general realization that the state's urban areas were quickly sprawling.

In 1971 two major environmental acts were passed that had an effect on planning and development in the state: the State Environmental Policy Act (SEPA) (43.21C RCW) and the Shoreline Management Act (SMA) (90.58 RCW). Both acts required local governments to regulate development in such a way to protect the state's natural resources and its shorelines.

SEPA provides a way to identify possible environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans. Information provided during the SEPA review process helps agency decision-makers, applicants, and the public understand how a proposal will affect the environment. This information can be used to change a proposal to reduce likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified. SEPA applies to decisions by every state and local agency within Washington State, including state agencies, counties, cities, ports, and special districts (such as school or water districts). Although SEPA created a rudimentary basis for planning, the act drove local governments to deal with development issues on a case-by-case basis rather than through long-range, comprehensive plans.

The SMA requires communities to develop long-range planning and zoning plans, known as shoreline master programs, but only for their shoreline areas. The primary responsibility for administering this regulatory program is assigned to local governments. Local governments have done so through the mechanism of shoreline master programs, adopted under rules established by the Department of Ecology, that establish goals and policies that are implemented through use regulations.

There has been a major effort to incorporate the GMA with the SEPA and the SMA, the state's other two land use laws. In 1993 the Regulatory Reform and Land Use Study Commission were established to recommend ways to integrate the state's growth management and shoreline protection programs, and in particular, to create a link between the GMA critical areas requirements and shoreline protection. The focus for shoreline and conservation advocates had been to integrate state environmental protection standards with local growth management controls without losing state oversight. Although the Regulatory Reform Act, passed in 1995, was only partially successful in fully integrating the acts, counties and cities are now encouraged to conduct a SEPA review in their planning process. Further, local shoreline master programs developed under the SMA are considered development regulations.

Twenty-nine counties and the cities in those counties currently plan under the Growth Management Act.[10]

The following is an identification of the issues and comprehensive plan elements that the GMA requires of counties and cities fully planning under the GMA. Included is a discussion of those authorities that, when considering the spectrum of hazard mitigation, may relate to a particular issue or element. These related authorities may also function in concert with other issues and elements. Their placement within this section, however, was based on an identification of the authorities' closest regulatory function when identifying county and city hazard mitigation capabilities.

GMA Issues

County-Wide Planning Policies

As discussed above, the GMA requires an adoption of a county-wide planning policy (RCW 36.70A.210). The county-wide planning policy provides a framework for consistency for county and city comprehensive plans. The county-wide planning policy addresses, at a minimum, the following:

- Policies to implement urban growth areas (RCW 36.70A.110);
- Policies for promotion of contiguous and orderly development and provision of urban services to such development;
- Policies for siting public capital facilities of a county-wide or statewide nature, including transportation facilities of statewide significance (as defined in RCW 47.06.140);
- Policies for county-wide transportation facilities and strategies;
- Policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution;
- Policies for joint county and city planning within urban growth areas;
- Policies for county-wide economic development and employment; and
- An analysis of the fiscal impact.

Designation of Resource Lands and Critical Areas

All counties and cities in the state with **Resource Lands** of long-term commercial significance must designate them under the Minimum Guidelines to Classify Agriculture, Forest, Mineral Lands, and Critical Areas (WAC 365-190 and RCW 36.70A.170). Generally, counties are most affected by this requirement.[11]

All counties and cities in Washington must designate, classify and protect **Critical Areas**. Critical areas are defined as wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. There are obvious overlaps among these categories—particularly wetlands, frequently flooded areas, and fish and wildlife habitats. Most jurisdictions completed this work, adopting critical area ordinances (CAOs) in the early 1990s. Those jurisdictions planning under GMA which adopted CAOs before their GMA plan was adopted should have re-addressed this initial work within the context of their GMA plans and adopted permanent ordinances. The level of detail used in mapping and regulating critical areas varies considerably throughout the state. In addition, the linkage between CAOs and shoreline master programs requires review to assure consistency in the use of definitions and provisions mandated by the guidelines from state agencies.

Growth management, natural resource land conservation, and critical areas protection share problems related to governmental costs and efficiency. Sprawl and the unwise development of natural resource lands or areas susceptible to natural hazards may lead to inefficient use of limited public resources, jeopardize environmental resource functions and values, subject persons and property to unsafe conditions, and affect the perceived quality of life. It is more costly to remedy the loss of natural resource lands or critical areas than to conserve and protect them from loss or degradation.[12] The inherent economic, social, and cultural values of natural resource lands and critical areas should be considered in the development of strategies designed to conserve and protect lands.

In recognition of these common concerns, classification and designation of natural resource lands and critical areas is intended to assure the long-term conservation of natural resource lands and to preclude land uses and developments which are incompatible with critical areas. There are qualitative differences between and among natural resource lands and critical areas. Not all areas and ecosystems are critical for the same reasons. Some are critical because of the hazard they present to public health and safety, some because of the values they represent to the public welfare. In some cases the risk posed to the public, by use or development of a critical area, can be mitigated or reduced by engineering or design. In other cases that risk cannot be effectively reduced except by avoidance of the critical area. Hence, classification and designation of critical areas is intended to lead counties and cities to recognize the differences among these areas, and to develop appropriate regulatory and nonregulatory actions in response.

When preparing development regulations, counties and cities required or opting to plan under the GMA prepare development regulations which may preclude uses and development incompatible with critical areas. Regulating incompatible uses and development does not mean a prohibition of all uses or development. Rather, it means governing changes in land uses, new activities, or development that could adversely affect critical areas. Thus for each critical area, counties and

cities planning under the GMA should define classification schemes and prepare development regulations that govern changes in land uses and new activities by prohibiting clearly inappropriate actions and restricting, allowing, or conditioning other activities as appropriate.[13]

It is the intent of these guidelines that critical areas designations overlay other land uses including designated natural resource lands. That is, if two or more land use designations apply to a given parcel or a portion of a parcel, both or all designations shall be made. Regarding natural resource lands, counties and cities should allow existing and ongoing resource management operations, that have long-term commercial significance, to continue. Counties and cities should encourage utilization of best management practices where existing and ongoing resource management operations that have long-term commercial significance including designated critical areas. Future operations or expansion of existing operations should be done in consideration of protecting critical areas (WAC 365-190-020).

Counties and cities are required to review, and if needed, revise their comprehensive plans and development regulations at least every five years [RCW 36.70A.130(1)].[14]

Related Authority: Floodplain management

RCW 86.12.200 authorizes counties to adopt flood control management plans that must include: designation of areas subject to flooding; a comprehensive scheme of flood control improvements for such areas; land use regulations that prevent development in critical portions of such areas; restrictions on construction activities in areas subject to periodic flooding that require flood proofing of those structures that are permitted to be constructed or remodeled in such areas; and restrictions on land clearing activities that exacerbate flood problems in such areas. Flood control management plans adopted by counties and cities are reviewed and may be disapproved by Washington State Department of Ecology (DOE) (RCW 86.16.041).[15]

In Washington, floodplain management responsibilities by counties and cities are carried out under statutory guidelines and subject to regulations adopted by DOE, which must comply with the minimum standards of the National Flood Insurance Program (NFIP). The NFIP is a federal program that enables property owners to purchase insurance protection against losses from flooding. To qualify for flood insurance under the NFIP, local communities must adopt flood plain management regulations at least as stringent as the federal minimum standards established by FEMA.

NFIP is designed to be an alternative to disaster assistance and as a tool to promote responsible floodplain management in participating communities. Insurance is made available to property owners in communities which have agreed to adopt and enforce a floodplain management ordinance that will reduce future flood risks due to new construction. The program is available to all flood-prone communities in the nation and most eligible communities have elected to participate. NFIP insurance is overseen by the Federal Insurance Administration (FIA) and sold through state-licensed insurance companies.

FEMA is responsible for the identification and mapping of flood hazard areas in support of the NFIP. Products of this work are the flood insurance rate maps, flood hazard boundary maps, and flood boundary and floodway maps. These maps identify the special flood hazard areas, also

known as the base or 100-year floodplain. The minimum level of floodplain regulations that a community in the NFIP is required to impose is dependant on the level of hazard mapping and designation that has been conducted.

A community's participation in NFIP is voluntary, but participation status can significantly affect property owners located in special flood hazard areas (that is, the floodway, floodplain, or floodway fringe) by either imposing new development controls or limiting flood recovery assistance. If a community elects to not participate, no federal financial assistance will be available for acquisition or construction within the special flood hazard areas (this includes, for example, loans guaranteed by the Veteran's Administration and/or insured by the Federal Housing Administration). Further, in the event of a presidential-declared flood disaster, no financial assistance will be available for permanent reconstruction or repair of insurable buildings in the special flood hazard area.

In general, the floodplain management requirements within the special flood hazard area are designed to prevent new development from increasing the flood threat and to protect new and existing buildings from anticipated flood events. These requirements may be met through zoning, subdivision, or building regulations, and special-purpose floodplain ordinances. The community must require permits for all development in the special flood hazard area and ensure that construction materials and methods used will minimize future flood damage. Local permits may be granted only after any required federal and state permits have been obtained.

Communities which apply more stringent protection standards than those required by the NFIP are eligible for reduced insurance rates for property owners through the NFIP's community rating system (CRS). A community participating in CRS must maintain FEMA elevation certificates for new construction in the floodplain. Other activities include:

- Provide flood insurance rate maps information to people who inquire and publicize this service;
- Give inquiring property owners technical advice on how to protect their buildings from flooding, and publicize this service;
- Require freeboard (building elevations higher than the designated flood level);
- Keep flood and property data on computer records and maintain elevation reference marks;
- Devote special attention to repetitively flooded areas;
- Provide early warnings to the public and have a detailed flood response plan keyed to flood crest predictions.

Additionally, communities are eligible for extra credit (and higher rate reductions) if they coordinate their activities through a comprehensive floodplain management plan.

In the event of a presidential-declared disaster, a number of benefits for the property owner may be available. Major flooding may trigger the need and/or desire to consider mitigation actions such as relocation, acquisition, or elevation of flood-damaged structures. Funding for such actions is available on a case-by-case basis. The NFIP establishes a mechanism through the

Flood Mitigation Account (FMA) for the buyout of properties that suffer repetitive or especially severe damage.[16]

Related Authority: Stormwater management

Under the Federal Clean Water Act (33 U.S.C. 1251 et seq.), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. The NPDES Storm Water Permit Program requires the implementation of stormwater programs. Currently the NPDES storm water permit program (Phase I) applies to only six local governments (Seattle, Tacoma, and the unincorporated areas of Snohomish, King, Pierce and Clark counties) and to the Washington State Department of Transportation (WSDOT) facilities within the legal boundaries of those jurisdictions. Industrial facilities that were owned or operated by municipalities with a population of less than 100,000 were previously exempted from the requirement to obtain a stormwater discharge permit.

New NPDES rules (Phase II), published in December 1999, extended coverage to operators of regulated small municipal separate storm sewer systems (MS4s) serving less than 100,000. These facilities are required to apply for a stormwater permit by March 2003.

The DOE administers the NPDES program in Washington State. DOE is beginning a process to update and reissue the NPDES and state waste discharge baseline general permit for stormwater discharges. Permit conditions include a requirement to have a Stormwater Pollution Prevention Plan and Best Management Practices (BMPs) implemented to eliminate or minimize the potential to contaminate stormwater at the industrial facility.

The Puget Sound Water Quality Management Plan (PSWQMP) serves as the federally approved Comprehensive Conservation and Management Plan (CCMP) for Puget Sound under Section 320 of the federal Clean Water Act. This management plan guides the efforts of federal and state agencies as well as tribal and local governments in Clallam, Island, Jefferson, King, Kitsap, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston and Whatcom counties. In total, 122 counties and cities and hundreds of special districts are involved in implementing the management plan. The plan contains a program for Stormwater and Combined Sewer Overflows. The state completed a Stormwater Management Manual for Western Washington in August 2001. It is a revision of the 1992 Stormwater Program Guidance Manual for the Puget Sound Basin. [17]

Related Authority: Wildfire Ordinances

The Forest Practices Act (RCW 76.09) was originally adopted in 1974. Forest practices are activities related to growing, harvesting, or processing timber, including, but not limited to, road construction and maintenance, thinning, salvage, harvesting, reforestation, brush control, and using fertilizers or pesticides. These practices are regulated by the Washington Forest Practices Act and its corresponding rules, found in Chapters 222-08 WAC through 222-50 WAC, promulgated by DNR.

Federal and state governments, in partnership with industry and non-profit organizations, developed and are implementing programs to restore watersheds. The state regulates non-federal forest practices through the Forest Practices Act. The Timber/Fish/Wildlife Agreement (TFW) created a forum for key agencies and organizations to coordinate their activities. [18]

DNR administers and enforces the rules adopted by the state Forest Practices Board. Part of the department's responsibility is to review applications for forest practices permits. Local governments have some opportunity to voice their objections while the department is reviewing an application, and local governments may appeal department approval of an application with respect to lands within the local government's jurisdiction.

Local governments play a somewhat larger role with regard to lands being converted out of forestry uses. If the land is to be converted, the state's reforestation requirement does not apply, but the proposed forest practice becomes subject to applicable local government authority such as zoning and land use planning. If the forest practices application does not state that the land will be, or is intended to be converted, then for the six years following the filing of the application, the local government may deny any or all applications for permits or approvals relating to non-forestry uses of the land.

A portion of the Washington State Department of Natural Resources' (DNR) responsibility for the administration and enforcement of forest practices regulations is transferred to local governments. Since December, 2001, county and city governments may administer and enforce forest practices related to the conversion of forest land to non-forestry uses in urban growth areas.

Each county and city must adopt ordinances or regulations setting standards for those Class IV forest practices in urban growth areas regulated by local government. DNR continues to administer and enforce the rules of the Forest Practices Board until such time as the department determines that the local government has promulgated regulations that meet or exceed the Forest Practices Board standards in effect at the time the local regulations are adopted. The department's review of the initial regulations takes place upon the written request of the county or city. Once the new forest practices regulations are in place, the local government administers and enforces them.[19]

Urban Growth Areas Issue

In cooperation with cities, counties must designate those areas to be reserved for urban levels of development as Urban Growth Areas (UGAs) (RCW 36.70A.110). GMA plans require designation of UGAs that include incorporated cities and any additional land sufficient to permit urban growth expected in the next 20 years.[20]

Counties, in consultation with cities, assign expected population growth to UGAs. The State Office of Financial Management (OFM) provides the population growth figures for each county. Incorporated cities and towns are by definition UGAs. Establishing any other areas for future urban development is a major step local communities take in managing their growth. The GMA states that urban growth should be located in two areas: first, in areas characterized by urban growth that have existing public facility and service capabilities; and second, in areas

characterized by urban growth that will be served by existing and additional needed facilities and services.

Siting Essential Facilities Issue

All comprehensive plans are required to provide a process for identifying and Siting Essential Public Facilities (RCW 36.70A.200). No local plan may preclude the siting of these facilities.[21] Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities.

OFM maintains a list of those essential state public facilities that are required or likely to be built within the next six years.

Comprehensive Plan Issue

Introduction

A Comprehensive Plan is a generalized coordinated land use policy statement adopted by a City or County Council or Commission under the GMA. Comprehensive Plans must comply with the goals and requirements of the GMA, including requirements for the elements that must be included and the process used to prepare and adopt comprehensive plans [RCW 36.70A.030(4)].

Counties and cities must adopt an internally consistent comprehensive plan that includes maps, text, standards and the following elements: land use, housing, capital facilities, utilities, rural (for counties only), and transportation (RCW 36.70A.070). Other elements, such as economic development and parks and recreation, can also be adopted as part of the comprehensive plan as can subarea plans or neighborhood plans (RCW 36.70A.080).

Cities and counties must adopt development regulations that are consistent with and implement the comprehensive plan [RCW 36.70A.040(3) and (4)]. Development regulations are controls placed on development or land use activities by a county or city, including but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments. There is a trend to unified development regulations that combine these types of requirements into an integrated whole [RCW 36.70A.030(7)].

After adopting a comprehensive plan, counties and cities must review their critical areas regulations to determine if they are consistent with the adopted comprehensive plan and development regulations. If they are not consistent, they must be updated to make them consistent [RCW 36.70A.060(3)]. City and county activities and capital budgeting decisions conform to the comprehensive plan [RCW 36.70A.120].

Counties fully planning under the GMA and the cities in those counties must review their comprehensive plans and development regulations every five years and, if needed, update them so the plans and development regulations comply with the GMA (RCW 36.70A.130). Counties and cities not fully planning under the GMA must review and update their critical areas designations, policies, and regulations and their natural resource land designations every seven years [RCW 36.70A.130(1)]. Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties are required to prepare a buildable lands analysis every five years that determines whether these counties are achieving their planned densities, if sufficient buildable lands are available to meet the population projections and employment needs for the county, and whether measures need to be taken to accommodate the projected growth (RCW 36.70A.215).

The following is an assessment of the comprehensive plan elements that the GMA requires. Following the outline of required elements is an assessment of the optional comprehensive plan element for natural hazard reduction which addresses each of the below elements as they relate to natural hazard reduction planning.

Land Use Element

The Land Use Element [RCW 36.70A.070 (1)] is the portion of the GMA plan where the community's plan for the future meshes with the physical characteristics and limitation of the land. The land use element designates the proposed general distribution and general location and extent of the uses of land for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element includes population densities, building intensities, and estimates of future population growth. It also provides for protection of the quality and quantity of ground water used for public water supplies. Further, the land use element calls for a review of drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provides guidance for corrective actions to mitigate or cleanse those discharges that pollute the waters.[22]

Related Authority: Zoning Ordinance

Zoning ordinances (RCW 36.70.750) provide regulations for, among other things, the use and characteristics of structures and land. In communities that are planning under GMA, development regulations are required to be consistent with adopted comprehensive plans.[23]

The RCW states that any board, by ordinance, may establish classifications which will regulate the following:

- The use of buildings, structures, and land as between agriculture, industry, business, residence, and other purposes;
- The location, height, bulk, number of stories and size of buildings and structures;
- The size of yards, courts, and other open spaces;
- The density of population;
- The percentage of a lot which may be occupied by buildings and structures; and
- The area required to provide off-street facilities for the parking of motor vehicles.

Related Authority: Subdivision and Site Plan Regulation

The subdivision regulations (RCW 58.17.010) are administered in a uniform manner by cities, towns, and counties throughout the State. The purpose is to regulate the subdivision of land and:

- To promote the public health, safety and general welfare in accordance with standards established by the State to prevent the overcrowding of land;
- To lessen congestion in the streets and highways;
- To promote effective use of land;
- To promote safe and convenient travel by the public on streets and highways;
- To provide for adequate light and air;
- To facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements;
- To provide for proper ingress and egress;
- To provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies;
- To adequately provide for the housing and commercial needs of the citizens of the state; and
- To require uniform monumenting of land subdivisions and conveyancing by accurate legal description.

Housing Element

The Housing Element [RCW 36.70A.070 (2)] blends the population forecast data with local trends to determine the projected population and future housing needs for the area. The OFM is responsible for determining population forecast data. Each jurisdiction plans for its share of its county's affordable housing allocation. The Housing Element assesses the community's residential land capacity. This assessment provides a more realistic view of existing and future housing capacity.[24]

The housing element, which ensures the vitality and character of established residential neighborhoods, includes the following:

- An inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- A statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- An identification of sufficient land for housing, including government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- Adequate provisions for existing and projected needs of all economic segments of the community.

Related Authority: Real Estate Disclosure Requirements

The Real Estate Disclosure Requirement [RCW 64.06.020 (1)] states that in a residential property sale, the seller shall deliver to the buyer a completed real property transfer disclosure statement. This statement includes the following questions:

- Is there any settling, soil, standing water, or drainage problem on the property?
- Does the property contain fill material?
- Is there any material damage to the property or any of the structure from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?
- Is the property in a designated flood plain?
- Are there any substances, materials, or products that may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, and contaminated soil or water on the subject property?
- Are there any tanks or underground storage tanks (e.g., chemical, fuel, etc.) on the property?
- Has the property ever been used as an illegal drug manufacturing site?

Capital Facilities Element

The capital facilities plan element [RCW 36.70A.070 (3)] serves to inventory existing capital facilities and plan for current and future financial and regulatory capacities. The capital facilities plan element consists of:

- an inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- a forecast of the future needs for such capital facilities;
- the proposed locations and capacities of expanded or new capital facilities;
- at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes;
- and requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent..[25]

Utilities Element

The Utilities Element [RCW 36.70A.070 (4)] identifies the capacities and locations of existing utilities and evaluates proposed utility development relative to forecast population. The utilities element consists of the general location, proposed location, and capacity of all existing and proposed utilities, including electrical lines, telecommunication lines, and natural gas lines.[26]

Rural Element

Counties planning under GMA must include a Rural Element [RCW 36.70A.040(5)]. This element provides land use designations and development densities and locations appropriate to the rural area. The rural element includes lands that are not designated for urban growth,

agriculture, forest, or mineral resources. The rural element permits land uses that are compatible with the rural character of such lands and provides for a variety of rural densities.[27]

Provisions for this element include issues relating to:

- GMA goals and local circumstances;
- Rural development with regard to various densities and uses;
- Measures governing rural areas including protecting critical areas and protecting surface water and ground water resources; and
- Limited areas of more extensive rural development with provisions limiting the providing of public facilities and services.

Transportation Element

Under the GMA, the Transportation Element [RCW 36.70A.070 (6)] of a comprehensive plan provides an inventory of the various local transportation facilities and identifies future needs, and must be consistent with the land use element. The transportation element implements, and is consistent with, the land use element.[28]

The transportation element also includes the following subsections:

- Land use assumptions used in estimating travel;
- Level of service standards for local, regional and state transportation facilities;
- A multi-year financial plan that is coordinated with the Washington State Department of Transportation's 6 year improvement program;
- Intergovernmental coordination efforts; and
- Demand management strategies.

Economic Development Element

The Economic Development Element profiles the existing local economy through a variety of variables, and seeks to identify policies, programs, and projects to foster economic growth and development and to address future needs.

Park and Recreation Element

The GMA calls for the Parks and Recreation Element to implement the capital facilities plan as it relates to park and recreation facilities. The element includes an evaluation of park and recreation demand, facilities and service needs, and regional approaches for meeting the demand.

Optional Element: Natural Hazard Reduction Element

Introduction

The Natural Hazard Reduction Element is an optional element of comprehensive plans. A detailed analysis of this element and its capacity is outlined in the guidebook, "Comprehensive

Plan Element for Natural Hazard Reduction."[29] The development of the hazard reduction plan element ties the comprehensive planning process to the key components of the state's GMA. Mandatory elements of the GMA include land use, housing, capital facilities, transportation, and utilities. For counties, a rural element is mandatory as well. Some counties may also choose to include elements relating to Parks and Recreation and Economic Development and these are therefore addressed below. In all of these elements, the GMA requires communities to address urban growth areas, locating essential facilities, and designation of rural lands and critical areas. The hazard reduction element, as proposed by CTED, recommends specific actions as mandated by GMA under the various mandatory elements for both linking the goals to planning strategies and implementation. The following discussion of each element's relation to the natural hazard reduction element is based on the outline and descriptions found in the "Comprehensive Plan Element for Natural Hazard Reduction" guidebook.

Land Use Element

One of the most obvious limitations to future development is the physical location of areas susceptible to natural hazards. Through the collection and analysis of data associated with the natural hazard areas, local communities will be able to identify these areas, assess the risks associated with development, and reevaluate, and possibly change, proposed land uses. In addition, certain land use activities may increase the possibility or severity of natural disasters. Local government can address these considerations in designating land uses and in the supporting land development regulations.

Housing Element

The Housing Element will assess the community's residential land capacity and incorporate the information on identified hazard areas and the risks associated with developing in those areas. This assessment will provide a more realistic view of existing and future housing capacity. The information generated for the optional Natural Hazard Reduction Element will increase understanding of how certain development activities can exacerbate hazard vulnerability. This information is relevant to both the siting of various land uses and accompanying land development standards and regulations. This analysis will provide insight on areas that may represent an unacceptably high level of risk to future and existing housing. In these areas, the community may consider if acquiring land is appropriate, or if it should provide suggestions and development standards that address how vulnerability to damage in a natural hazard event can be reduced.

Capital Facilities Element

The inventory of existing Capital Facilities would be expanded to reflect facilities that may be located in areas of high risk due to natural hazards. This information is critical to the jurisdiction's ability to ensure that facilities and services continue in the event of a natural disaster. The jurisdiction may determine that critical government services would be jeopardized and that facility relocation or structural reinforcement is necessary. An understanding of circumstances that contribute to disaster susceptibility may also impact siting and other development decisions. These possibilities may impact how capital funds are allocated and may

refocus local efforts on planning strategies for minimizing potential damage and disruption of service.

Transportation Element

Data gathered for the Natural Hazard Reduction Element will indicate if disaster emergency routes are truly reliable, or if they are prone to damage in certain disaster events. Hazard reduction planning will permit local authorities to develop alternative routes, plan for relocation or reinforcement of vulnerable facilities, and improve preparation for likely hazard scenarios.

Utilities Element

As with the Capital Facilities Element, data gathered for the Natural Hazard Reduction Element will better identify if there are vulnerabilities in the locations of utilities and provide a better picture of how well utility service would be provided in the event of a disaster. Equipped with such information, local governments may choose to reevaluate how and where utility service is provided and reassess land use decisions (for example, the locations of hospitals, fire stations, etc.) based on hazard related limitations of utility service.

Rural Element

Information regarding the locations and nature of hazards and development activities that may exacerbate hazard vulnerability will provide guidance on how best to locate and site development in rural areas.

Economic Development Element

Natural disasters can inflict a great negative impact on a jurisdiction's economy. The element can outline a means for involving the business community in natural hazard vulnerability reduction. Further, it can begin to incorporate information and economic impact data from natural hazards into forecasting models and decision making mechanisms.

Park and Recreation Element

This element can be used to designate open space acquisition priorities. As open spaces many times are also hazard areas, comprehensive open space identification and acquisition can serve as an extremely effective means of limiting the built environment within the hazard areas.

Urban Growth Areas Issue

Because these areas are reserved to absorb future development, it is important that the data gathered for the Natural Hazard Reduction Element realistically reflect the capacity of that area to accept the proposed level of development. In addition, since these areas are usually less developed that urban areas, jurisdictions may wish to apply land development standards that protect future development from increased hazard risk.

Siting Essential Facilities Issue

The information gathered for the optional Natural Hazard Reduction Element would provide important information on appropriate siting relative to hazard risk.

Designation of Resource Lands Issue

Information developed for the Natural Hazard Reduction Element may make recommendations for how these activities should be managed to prevent environmental impacts that may exacerbate hazard risk and vulnerability.

Designation of Critical Areas Issue

All cities and counties in Washington must also designate, classify and protect Critical Areas. Most jurisdictions completed this work, adopting CAOs in the early 1990s. Those jurisdictions planning under GMA which adopted CAOs before their GMA plan was adopted should have re-addressed this initial work within the context of their GMA plans and adopted permanent ordinances. The level of detail used in mapping and regulating critical areas varies considerably throughout the state. In addition, the linkage between CAOs and shoreline master programs requires review to assure consistency in the use of definitions and provisions mandated by the guidelines from state agencies.

Critical areas are defined as 1) wetlands, 2) aquifer recharge areas, 3) frequently flooded areas, 4) geologically hazardous areas, and 5) fish and wildlife habitat conservation areas. There are obvious overlaps among these categories--particularly wetlands, frequently flooded areas, and fish and wildlife habitats. Clearly, there are important linkages between these designations and the related analysis and policy development for flood, earthquake, volcanic, landslide, and wildfire hazard mitigation.

Mapping, land use designations, and regulatory provisions adopted by local governments as part of the CAO can be the basis for the implementation of more specific hazard reduction provisions in the optional element. This requires a thorough review of the existing CAO within the context of these guidelines to determine if there are inconsistencies in methodology or in the policies and strategies used to promote reduction of hazard events. This more detailed hazard reduction planning could result in reevaluation of critical area locations, management methods, and development standards.

Building Code Authority[30]

The Washington State Building Code (WSBC, RCW 19.27) is applicable to all construction in the State, and includes the adoption of the following: Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code, Uniform Plumbing Code. Washington State Energy Code, and Standards for Making Buildings Accessible to the Physically Handicapped.

The WSBC promotes the health, safety and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes throughout the state. The WSBC includes building regulations which seek to mitigate the effects of natural hazards.

Counties and cities enforce the Building Code. Counties and cities with no building department contract with another county, city, or inspection agency for enforcement of the WSBC within its jurisdictional boundaries (RCW 19.27.050). Counties and cities can amend the WSBC as it applies within the jurisdiction of the county or city, but the minimum performance standards of the codes and the objectives must remain (RCW 19.27.040).

Acquisition Authority

Washington legislation empowers counties, cities, and towns to acquire property for public purpose by gift, grant, devise, bequest, exchange, purchase, lease or eminent domain.

The power of acquisition can be a useful tool for pursuing mitigation goals. Local governments may find the most effective method for completely "hazard-proofing" a particular piece of property or area is to acquire the property (either in fee or a lesser interest, such as an easement), thus removing the property from the private market and eliminating or reducing the possibility of inappropriate development occurring.

Counties, cities, towns, metropolitan park districts, metropolitan municipal corporations, nonprofit historic preservation corporations, or nonprofit nature conservancy corporations or associations may acquire rights to property for the preservation of open spaces. This constitutes a public purpose for which funds may be used. Land eligible for such purpose includes open space land, agricultural land, and timber land (RCW 84.34.200 and RCW 84.34.210).

Eminent domain is the right of a government to appropriate private property for public use, with adequate compensation to the owner. Though this right could be a potential avenue to remove hazard prone property, there is possibly a great deal public opposition to invoking it and therefore it has limited feasibility in many jurisdictions and is rarely used.

Every county in Washington has the ability to condemn land and property within the county for public use. This power is granted to the county council whenever it deems it necessary for county purposes to acquire land, real estate, premises or other property, and is unable to agree with the owner for its purchase (RCW 8.08.010).

Comprehensive Emergency Management Authority

In order to insure that the state be adequately prepared to deal with disasters, each political subdivision establishes a local organization or joint local organization for emergency management. These organizations must be in accordance with the state comprehensive emergency management plan and program (RCW 38.52.070). The purpose of emergency management departments/divisions is to insure the administration of state and federal programs providing disaster relief to individuals, to provide adequate support for search and rescue operations, and preserve the lives and property of the people of the state (RCW 38.52.020).

Each jurisdiction providing emergency management services also must develop a Comprehensive Emergency Management Plan (CEMP). The CEMP is a written basic plan with elements which address all natural and man-made emergencies and disasters to which a political

subdivision is vulnerable. The CEMP specifies the purpose, organization, responsibilities and facilities of agencies and officials of the political subdivision in the mitigation of, preparation for, response to, and recovery from emergencies and disasters [WAC 118-30-030 (9)]. Local CEMPs must specify the use of the incident command system for multiagency/multijurisdiction operations. The local CEMP must be consistent with the state CEMP, in order that the local and state organizations be coordinated (RCW 38.52.070).

Federal and State Administrative and Technical Capability

Agencies such as FEMA and the Washington State EMD have made available numerous implementation manuals and other resource documents. These manuals provide information on mitigation techniques for various hazards including earthquakes, floods, severe storms, volcanoes, and landslides. One important set of manuals is the FEMA 386 Mitigation Planning "How-To" Series.

Internet resources are also a valuable technical asset. Hazard-specific sites are available at both the federal and state levels. These are outlined in this Plan at the end of each Hazard Sub-Section within the Risk Assessment.

Another potential resource for local mitigation efforts is the contribution of non-governmental organizations, such as churches, charities, community relief funds, the Red Cross, hospitals, for-profit businesses, and nonprofit organizations. A variety of these local organizations can be tapped to help carry out local hazard mitigation initiatives. There are also key personnel at both the State and Federal level that can assist Pierce County.[31]

Fiscal Capability

Federal and State Fiscal Resources

Fiscal resources in the form of grants are available to jurisdictions in pursuing hazard reduction activities. Grants may be administered from the federal or state level, and in some instances may be administered by the private or non-profit sector. Each grant has specific requirements and uses varying elements to conduct benefit-cost analysis. The purpose of the benefit-cost analysis is to determine if the benefits of the project exceed the federal costs of the project. Counties or cities should coordinate with the administering agency to understand the program-specific requirements and conduct the required analyses.

For example, if either Hazard Mitigation Grant Program (HMGP) or Pre-Disaster Mitigation (PDM) funding is involved in a hazard mitigation project, counties or cities will conduct a benefit/cost analysis based on guidelines provided by U.S. Department of Homeland Security, FEMA, and Washington Emergency Management Division on how to determine cost-effectiveness of mitigation projects and how to calculate the benefit-cost ratio. Both the HMGP and PDM require a benefit-cost ratio of at least 1.0 for a project to be considered for funding. Because the funding source, available funding, requirements, and type and number of grants is constantly changing, this assessment will outline neither all potential grants nor the detailed

requirements of those grants that are mentioned. The following are some of the major federal and state grants that currently may be used to secure funding to pursue implementation of mitigation measures.

Hazard Mitigation Grant Program (HMGP)

Authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the HMGP is funded by the Federal Emergency Management Agency (FEMA) and administered by Washington State EMD to provide grants to local governments(to include Indian Tribal governments) to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the program is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. HMGP funds can be used for such projects as acquisition or relocation of structures from hazard-prone areas, retrofitting, development of local mitigation standards and comprehensive mitigation plans, structural hazard control and the purchase of equipment to improve preparedness and response.

The program may provide a State with between 7.5-15% percent of the total disaster grants awarded by FEMA for a given disaster. The amount of funding available for the HMGP under a particular disaster declaration is limited and historically the requests for HMGP funds have exceeded the available funding by a ratio of 10 to 1. FEMA can fund up to 75% of the eligible costs of each project. The State or local governments must provide a 25% match, which can be fashioned from a combination of cash and in-kind sources. In Washington State, the state legislature historically provided 50% of the non-federal share.

Pre-Disaster Mitigation Grant Program (PDM)

Authorized by §203 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act), 42 USC, as amended by §102 of the Disaster Mitigation Act of 2000 (DMA), the PDM provides technical and financial assistance to States and local governments (including Indian tribal governments) to assist in the implementation of pre-disaster hazard mitigation measures that are cost-effective and are designed to reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities under the jurisdiction of the States or local governments.

Funding for the program is provided through the National Pre-Disaster Mitigation Fund by FEMA to assist States and local governments (to include Indian Tribal governments) in implementing cost-effective hazard mitigation activities that complement a comprehensive mitigation program and reduce injuries, loss of life, and damage and destruction of property. All applicants must be participating in the National Flood Insurance Program (NFIP) if they have been identified through the NFIP as having a Special Flood Hazard Area (a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) has been issued). In addition, the community must not be suspended or on probation from the NFIP. FEMA will fund up to 75 percent of the cost of activities approved for funding. At least 25 percent of the total eligible

costs must be provided from a non-Federal source, which can be fashioned from a combination of cash and in-kind sources.

Flood Mitigation Grant Program (FMAP)

Federally funded program for mitigation assistance to states, communities and individuals for cost-effective measures to reduce or eliminate the long-term risk of flood damage to the built environment and to real property. Unlike the HMGP, FMAP is available to eligible communities on an annual basis. An eligible community must be a participant in the National Flood Insurance Program and must develop a flood mitigation plan. FMAP funds may be used for such projects as elevation and/or dry flood proofing of structures, acquisition of real property, relocation or demolition of structures, and minor structural projects.

Flood Control Account Assistance Program (FCAAP)

DOE, through FCAAP, provides financial assistance through matching grants for the preparation of comprehensive flood control management plans, for flood control maintenance projects and studies, and for emergency flood-related projects (RCW 86.26.32)

All Washington State jurisdictions, flood related special districts, and tribal nations participating in the NFIP are eligible to apply.

Community Development Block Grants (CDBG)

These grants are a source of funding for hazard mitigation initiatives. The objective of the CDBG program is to assist communities in rehabilitating substandard dwelling structures and to expand economic opportunities, primarily for low-to-moderate-income families. Following a Presidential declared disaster, CDBG funds may be used for long-term needs such as acquisition, reconstruction, and redevelopment of disaster-affected areas.

Hazard Mitigation Technical Assistance Program (HMTAP)

The HMTAP is an ad hoc technical assistance program created to provide assistance to the Federal Emergency Management Agency's Headquarters and Regional Mitigation Staff. This multi-hazards program was designed to provide architectural, engineering, and other mitigation related technical assistance in support of post disaster mitigation initiatives. The HMTAP is available for use by all FEMA Regional and Headquarters Mitigation staff. Examples of HMTAP projects are environmental assessments, benefit-cost analysis, engineering/architectural feasibility studies, remote sensing and geographic information systems assistance, post disaster floodplain analysis to assist in mitigation activities, and training to assist in the implementation of mitigation activities.

National Earthquake Technical Assistance Program (NETAP)

The NETAP is a technical assistance program created to provide ad hoc short-term architectural and engineering support to state/local communities as they are related to earthquake mitigation. The program was designed to enhance the state/local communities' ability to become more

resistant to seismic hazards. This assistance cannot be used for actions that are covered under the State's/Territories Performance Partnership Agreement (PPA). This program assists in carrying out the statutory authorities of the National Earthquake Hazards Reduction Act of 1977, as amended.

Technical assistance under the NETAP is available for use by the state/local communities within the 45 eligible and or participating seismic states and U.S. territories. This assistance is provided at no cost to the requesting local community/state government. Examples of NETAP projects are seismic retrofit/evaluation training, evaluation of seismic hazards critical/essential facilities, post earthquake evaluations of buildings and development of retrofit guidance for homeowners. Additional information concerning the NETAP Program maybe acquired through the FEMA Regional Office or your state/territorial earthquake program representative.

Wind and Water Technical Assistance Program (WAWTAP)

The WAWTAP is a technical assistance program created to provide ad hoc short-term assistance in support of the hurricane and flood programs. The program was designed to enhance the state/local communities' ability to become more resistant to hazards related to flooding and hurricanes. This assistance cannot be used for actions that are covered under the State's/Territories Performance Partnership Agreement (PPA). This program assists in carrying out the statutory authorities of the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973. Technical assistance under the WAWTAP is available for use by all states and U.S. territories that participate in the Hurricane and or Flood Programs. This assistance is provided at no cost to the requesting State/local communities. Examples of projects that can be executed under WAWTAP are hurricane/flood mitigation planning assistance, technical guidance in developing flood/wind retrofit measures, study and analysis of storm phenomena, and training associated with flood/wind mitigation.

Emergency Management Program (EMPG)

These grants are a source of funding for hazard mitigation initiatives. Washington State annually solicits funding through the FEMA Emergency Management Performance Grant (EMPG). The purpose of EMPG is to support comprehensive all-hazard emergency management at the state and local levels. EMPG combined several previously separate federal grant programs including State and Local Assistance (SLA), Superfund Amendments Reauthorization Act (SARA), Mitigation Assistance Program (Earthquake and State Hazard Mitigation Officer), and the Disaster Preparedness Improvement Grant (DPIG) into a single consolidated award. The Terrorism Consequence Management Program (TCMP) is part of EMPG, but is awarded and managed separately from the remaining funds. The largest single component of EMPG is SLA. The SLA Program is the primary federal funding source available to local and state governments to increase their operational capability for emergency management. Financial assistance is provided on a matching basis to jurisdictions for maintaining and improving emergency management organizations. A central objective of this program is to ensure that trained, experienced, professional personnel are present in each eligible jurisdiction.

SLA provides funding to local emergency management organizations to assist with:

- Emergency planning
- Training local emergency management personnel
- Exercising and testing emergency response plans
- Assessing hazards and capabilities
- Funding day-to-day program administration

Overview of County Revenues

Washington counties are unique governmental organizations with responsibilities for many types of services for their citizens. They function in three basic roles. First, they act as agents of the state in providing many services, such as those of or concerning the prosecuting attorney, public defender, superior court, juvenile court, elections, property tax administration and collection, etc. Second, they provide strictly local governmental services in the unincorporated areas such as sheriff's patrols, developing and maintaining county roads and bridges, providing parks and recreation services, etc. Lastly, they act as regional governments when providing Medic I emergency medical care services, central dispatch services for police and fire, public health services, senior services, veterans assistance, emergency management services, and solid waste stream management.

Given the complexity of the mix of services provided, it follows that the revenue sources that fund those services would also be difficult to understand and/or master. This document serves to identify many of the important revenue sources and their legal authority and purpose.

Property tax is the single largest source of operating revenues for Washington's counties. This tax is the main source of revenue for both the general (current expense) fund and the road fund. The productivity of the tax varies, in part, because of differences in the underlying assessed valuation.

Sales and use taxes are often the second largest source of tax revenues for a county general fund. There are also vast differences in the sales and use tax productivity, depending on such factors as whether the county is largely urban or rural and whether tourism is an important industry.

In reviewing each of the revenue sources available to county government, one is struck by the extent to which revenues are restricted, both in revenue-generating potential and in allowable uses. This confirms that although counties are mandated to serve their citizens as local governments, regional governments, and agents of the state, they remain severely constrained by state law as to their revenue-raising abilities, beholden to the state for any potential relief.

Continually expanding state and federal mandates interacting with the omnipresent restrictions in county revenues will likely lead to financial difficulties in a number of counties, especially those primarily rural in character.[33]

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Resource Directory

Regional

- **Washington State**
  http://access.wa.gov

- **Washington State Department of Natural Resources**
  http://www.dnr.wa.gov

- **Washington State Department of Ecology**
  http://www.ecy.wa.gov

- **Municipal Research & Service Center of Washington**
  http://www.mrsc.org

National

- **National Flood Insurance Program**
  http://www.fema.gov/nfip

- **Federal Emergency Management Agency**
  http://www.fema.gov

- **Environmental Protection Agency**
  http://www.epa.gov

Endnotes

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[20] Washington Department of Community Trade and Economic Development. 1998. *Optional Comprehensive Plan Element for Natural Hazard Reduction*. Olympia, Washington: Washington Department of Community Trade and Economic Development.S2-9,10.
[21] *Ibid*. S2-10.
[22] *Ibid*. S2-5.
[23] Municipal Research & Service Center of Washington. (http://www.mrsc.org/Subjects/Planning/devregpg.aspx). [Accessed November, 2003].
[24] Washington Department of Community Trade and Economic Development. 1998. *Optional Comprehensive Plan Element for Natural Hazard Reduction*. Olympia, Washington: Washington Department of Community Trade and Economic Development.S2-5.
[25] *Ibid*. S2-7.
[26] *Ibid*. S2-9.
[27] *Ibid*. S2-9.
[28] *Ibid*. S2-7, 8.
[29] *Ibid.*
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