

Public Notice Regarding Hirst Decision

On October 6, 2016, in a case called *Whatcom County v. Hirst, et al.*, the Washington State Supreme Court ruled that Whatcom County's Comprehensive Land Use Plan and related Development Regulations do not comply with the Growth Management Act ("GMA," RCW 36.70A). More specifically, the Supreme Court ruled that Whatcom County must determine independently whether water is physically and legally available before issuing land use decisions such as building permits and may no longer rely on regulations promulgated by the Department of Ecology that establish a land owner's right to appropriate water.

While the *Hirst* decision is specific to Whatcom County, it is also clear that other GMA counties, including Stevens County, will be expected to comply with the newly announced requirement. However, no timeline for compliance is given outside of the update schedule imposed under GMA. Consequently, Stevens County will review its Comprehensive Plans and Development Regulations to determine if any amendments may be required to our building permit process and when those amendments would become effective.

At this present time, no change has been made and the Land Services staff will assist you in every way they can.