
SUBSTITUTE HOUSE BILL 1110

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Buck, Fuhrman, Pennington, Silver, Johnson, Brumsickle, Stevens, Hargrove and Benton)

Read first time 01/30/95.

1 AN ACT Relating to the department of natural resources; adding a
2 new section to chapter 43.30 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of this legislation to
5 establish necessary oversight by the legislature and the governor
6 regarding long-range commitments made by the department of natural
7 resources in its management of state forest lands, particularly
8 commitments made with the federal government pursuant to the federal
9 endangered species act. It is important to reserve the legislature's
10 authority to set overall policy for the management of the lands of the
11 state and to maintain a watchful eye on the decisions of the department
12 affecting our trust lands.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.30 RCW
14 to read as follows:

15 The department of natural resources is prohibited from entering
16 into any agreement and from making any commitment intended to induce
17 the issuance of a permit from the federal government which,
18 individually or together with any other agreement or commitment,

1 affects more than ten thousand acres of public and/or state forest land
2 for five or more years unless the department has obtained express
3 legislative and gubernatorial approval of the terms of such agreement
4 or commitment. Agreements and commitments to which this section
5 applies include but are not limited to conservation plans and
6 incidental take permits under 16 U.S.C. Sec. 1539, and all other
7 agreements, management plans, and "no-take" or similar letters relating
8 to the federal endangered species act. Approval must be in the form of
9 duly enacted legislation. Prior to seeking approval, the department
10 shall provide the legislature and governor with copies of all proposed
11 plans, agreements, and commitments, together with a complete analysis
12 demonstrating that the proposed agreement or commitment is in the best
13 interests of the affected entities, trust beneficiary, federally
14 recognized Indian tribes, other public entity, or the public at large,
15 as the case may be.

--- END ---