
HOUSE BILL 2273

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Manweller and Blake

Read first time 01/15/14. Referred to Committee on Environment.

1 AN ACT Relating to public recreational access; and amending RCW
2 79.10.110, 79.10.120, and 79.155.030.

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

4 **Sec. 1.** RCW 79.10.110 and 2003 c 334 s 535 are each amended to
5 read as follows:

6 (1) "Multiple use," as used in RCW 79.10.070, 79.44.003, and this
7 chapter ((shall)), means the management and administration of state-
8 owned lands under the jurisdiction of the department to provide for
9 several uses simultaneously on a single tract and/or planned rotation
10 of one or more uses on and between specific portions of the total
11 ownership consistent with the provisions of RCW 79.10.100.

12 (2)(a) "Public recreational access" means the opportunity for
13 members of the general public to access a landholding and engage in
14 outdoor recreational activities that are appropriate given the unique
15 physical qualities of the land and the values and desires of the local
16 community. Examples of these activities are found in the historic and
17 traditional recreational uses of the land and may include, but are not
18 limited to: Hunting; fishing; gathering activities; camping;
19 picnicking; swimming; skiing; hiking; running; mountaineering; caving;

1 snowshoeing; bicycling or other nonmotorized wheel-based activities;
2 aviation activities such as the operation of airplanes, ultra-light
3 airplanes, hanggliders, parachutes, and paragliders; rock climbing; the
4 riding of horses or other animals; dog trials; clam digging; operating
5 off-road vehicles, snowmobiles, and other vehicles; boating; kayaking;
6 canoeing; rafting; nature study; photography; bird watching; winter and
7 water sports; geocaching; and viewing or enjoying historical,
8 archaeological, scenic, or scientific sites.

9 (b) The term "public recreational access" includes:

10 (i) Both free and fee-based access to land;

11 (ii) Open access, permitted access, and invitation-only access;

12 (iii) Consumptive and nonconsumptive activities; and

13 (iv) The actual recreational use of the land together with the
14 roads, trails, parking areas, and other infrastructure that supports or
15 allows for the ultimate recreational activity to be enjoyed by people
16 of various skills and abilities.

17 **Sec. 2.** RCW 79.10.120 and 2003 c 182 s 2 are each amended to read
18 as follows:

19 (1) Multiple uses additional to and compatible with those basic
20 activities necessary to fulfill the financial obligations of trust
21 management may include but are not limited to:

22 ((+1)) (a) Recreational areas;

23 ((+2)) (b) Recreational trails for both vehicular and nonvehicular
24 uses;

25 ((+3)) (c) Special educational or scientific studies;

26 ((+4)) (d) Experimental programs by the various public agencies;

27 ((+5)) (e) Special events;

28 ((+6)) (f) Hunting and fishing and other sports activities;

29 ((+7)) (g) Nonconsumptive wildlife activities as defined by the
30 board of natural resources;

31 ((+8)) (h) Maintenance of scenic areas;

32 ((+9)) (i) Maintenance of historical sites;

33 ((+10)) (j) Maintenance of public recreational access, as that
34 term is defined in RCW 79.10.110;

35 (k) Municipal or other public watershed protection;

36 ((+11)) (l) Greenbelt areas;

37 ((+12)) (m) Public rights-of-way; and

1 ~~((+13))~~ (n) Other uses or activities by public agencies~~((+))~~.

2 (2) If such additional uses are not compatible with the financial
3 obligations in the management of trust land they may be permitted only
4 if there is compensation from such uses satisfying the financial
5 obligations.

6 **Sec. 3.** RCW 79.155.030 and 2011 c 216 s 3 are each amended to read
7 as follows:

8 (1) The department must identify lands for inclusion into the
9 community forest trust, and manage the resulting community forest trust
10 lands, in furtherance of goals that must be identified by the
11 department prior to the creation of a community forest.

12 (2) In addition to any goals for a community forest identified by
13 the department, the community forest trust program must satisfy the
14 following minimum program management principles:

15 (a) Protecting in perpetuity working forest lands that are at a
16 significant risk of conversion to another land use;

17 (b) Securing financial and social viability through sound
18 management plans and objectives that are consistent with the values of
19 the local community;

20 (c) Maintaining the land in a working status, through traditional
21 forestry, management of specialized forest products harvest consistent
22 with chapter 76.48 RCW, land leases, renewable energy opportunities,
23 ecosystem services such as clean water protection or carbon storage,
24 and other sources of revenue appropriate for the community forest to
25 generate;

26 (d) Generating revenue at levels that are, at a minimum, capable of
27 reimbursing the department for management costs and providing for some
28 reinvestment into the management objectives of the community forest;

29 (e) Providing for ongoing, sustainable public recreational access,
30 as that term is defined in RCW 79.10.110, local timber jobs, clean air
31 and water, carbon storage, fish and wildlife habitat, and open space in
32 a manner that is compatible with management plans and objectives
33 adopted for the community forest; and

34 (f) Providing educational opportunities for local communities
35 regarding the benefits that working forests provide to Washington's

1 economy, communities, environment, and quality of life.

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