

# FINAL BILL REPORT

## HB 2570

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Synopsis as Enacted

**Brief Description:** Extending the period of time for federal assurances with respect to the forests and fish report.

**Sponsors:** By Representatives Doumit, Sump, Buck and Hatfield.

**House Committee on Natural Resources**

**Senate Committee on Natural Resources, Parks & Shorelines**

### **Background:**

The Forests and Fish Report was presented to the Forest Practices Board and the Governor's Salmon Recovery Office in 1999 as a set of recommendations for developing a forestry module for the statewide salmon recovery strategy. This report was the impetus for the passage of the Forest and Fish legislation in 1999.

The Forest and Fish legislation was enacted on the premise that the requisite federal agencies would provide assurances of approval of this legislation and that additional restrictions outside of the Forests and Fish Report would not be necessary. The legislation includes provisions describing events that constitute a failure of assurances. Any interested person may contact the Governor and the Legislature if a failure of assurances occurs. The Governor is required to review the information and determine if a failure of assurances has occurred and submit a written report with recommendations to the Legislature if a failure has occurred. The Legislature would then take necessary action to modify the legislation or terminate the funding as it deems appropriate.

One of the grounds that constitutes a failure of assurances under this legislation is the failure of the federal agencies to issue a programmatic incidental take permit by June 30, 2003. The federal agencies had originally indicated that they would be able to develop this permit by this date. An incidental take permit provides protection for landowners, operators, and state and local governments from being sued for any incidental killing of species protected under the federal Endangered Species Act. The federal agencies responsible for issuing this programmatic incidental take permit will be unable to meet the 2003 deadline.

### **Summary:**

The time period for the federal government to issue an incidental take permit for the Forests and Fish Report in order to prevent a failure of assurances under the Forest and

Fish legislation is extended from June 30, 2003, to June 30, 2005. It is clarified that all components of the Forest and Fish legislation and rules will be submitted together for federal review and that the Department of Natural Resources will keep the Legislature abreast of any developments.

**Votes on Final Passage:**

House 94 0

Senate 39 0 (Senate amended)

House 94 0 (House concurred)

**Effective:** June 13, 2002