
HOUSE BILL 2071

State of Washington

64th Legislature

2015 Regular Session

By Representative Kretz

Read first time 02/10/15. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the impact of appropriate forest management on
2 stream flow outcomes; amending RCW 79.10.120; and adding a new
3 section to chapter 90.22 RCW.

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

5 **Sec. 1.** RCW 79.10.120 and 2014 c 114 s 4 are each amended to
6 read as follows:

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

10 ~~((1))~~ (a) Recreational areas;

11 ~~((2))~~ (b) Recreational trails for both vehicular and
12 nonvehicular uses developed or maintained consistent with RCW
13 79.10.500;

14 ~~((3))~~ (c) Special educational or scientific studies;

15 ~~((4))~~ (d) Experimental programs by the various public agencies;

16 ~~((5))~~ (e) Special events;

17 ~~((6))~~ (f) Hunting and fishing and other sports activities;

18 ~~((7))~~ (g) Nonconsumptive wildlife activities as defined by the
19 board of natural resources;

20 ~~((8))~~ (h) Maintenance of scenic areas;

21 ~~((9))~~ (i) Maintenance of historical sites;

1 ~~((10))~~ (j) Municipal or other public watershed protection;
2 ~~((11))~~ (k) Greenbelt areas;
3 ~~((12))~~ (l) Public rights-of-way;
4 ~~((13))~~ (m) Forest management applications that create favorable
5 or enhanced water flows or water supply through the application of
6 precommercial or commercial thinning designed to achieve optimal stem
7 spacing for each age class of a forest parcel; and
8 (n) Other uses or activities by public agencies(~~(+)~~).
9 (2)(a) If (~~such~~) the additional uses identified in subsection
10 (1) of this section are not compatible with the financial obligations
11 in the management of trust land, they may be permitted only if there
12 is compensation from such uses satisfying the financial obligations.
13 (b) The department of ecology may, consistent with section 2 of
14 this act, provide compensation for the management of forests to
15 create favorable or enhanced water flows as authorized under
16 subsection (1) of this section if it is determined by the department
17 that forest management for stream flow outcomes is not financially
18 compatible with the department's trust obligations.

19 NEW SECTION. Sec. 2. A new section is added to chapter 90.22
20 RCW to read as follows:

21 (1) The department of ecology may not establish minimum water
22 flows or levels under this chapter after the effective date of this
23 section for any rivers located in a watershed encompassing forest
24 lands managed by the department of natural resources unless that
25 forest land is managed under RCW 79.10.120 specifically to create
26 favorable or enhanced water flows or water supply through the
27 application of precommercial or commercial thinning designed to
28 achieve optimal stem spacing for each age class of a forest parcel.

29 (2) The department of ecology may, through funds obtained through
30 legislative appropriations, public or private grants, or private
31 donation, provide compensation to the department of natural resources
32 as required under RCW 79.10.120 to allow the department of natural
33 resources to manage forest lands to create favorable or enhanced
34 water flows while still fulfilling the financial obligations related
35 to the management of trust land.

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