

HOUSE BILL REPORT

HB 2578

As Reported By House Committee On:

Natural Resources

Title: An act relating to agricultural grazing on state-owned and managed lands.

Brief Description: Managing grazing lands.

Sponsors: Representatives Fuhrman, Basich, Buck, McMorris and Thompson.

Brief History:

Committee Activity:

Natural Resources: 1/23/96, 2/2/96 [DPS].

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Basich, Ranking Minority Member; Regala, Assistant Ranking Minority Member; Elliot; Hatfield; Jacobsen; Keiser; Sheldon; Stevens; B. Thomas; L. Thomas and Thompson.

Staff: Linda Byers (786-7129).

Background: In 1993, the Legislature directed the (then separate) departments of Fisheries and Wildlife to develop goals to preserve, protect, and perpetuate wildlife and fish on shrub steppe habitat or on lands that are currently agricultural lands, rangelands, or grazable woodlands. The Legislature then directed the Conservation Commission to assemble a technical advisory committee to develop standards that achieve the goals developed by Fisheries and Wildlife. The technical advisory committee and the Conservation Commission completed their work on the ecosystems standards in December 1994.

The same 1993 legislation directed the Department of Natural Resources and the Department of Wildlife to implement practices necessary to meet the Conservation Commission ecosystem standards on the agricultural and grazing lands managed by the two agencies. Agricultural and grazing leases issued after December 31, 1994, for these state-owned lands are subject to practices to achieve the ecosystems standards. Application of the standards to privately-owned lands is strictly voluntary.

Summary of Substitute Bill: The Conservation Commission ecosystem standards are defined as desired ecological conditions. The standards are not intended to prescribe practices. Land managers are encouraged to use an adaptive management approach in selecting and implementing practices that work towards meeting the standards, based on the best available science and evaluation tools. The standards are to be achieved by applying appropriate land management practices on riparian lands and on uplands to reach the desired ecological conditions.

The Department of Fish and Wildlife and the Department of Natural Resources shall work with their lessees and permittees in a collaborative process with regard to the ecosystem standards. The land manager and lessee or permittee are to look at the land together and make every effort to reach agreement on management and resource objectives for the land under consideration. They are then to discuss management options and make every effort to reach agreement on which of the available options will be used to achieve the agreed-upon objectives. No land manager or owner ever gives up his or her management prerogative. Efforts are to be made to make land management plans economically feasible for landowners, managers, and lessees, and to make the land management plan compatible with the lessee's entire operation. Coordinated resource management planning is encouraged where multiple ownerships or multiple management practices are involved.

The Department of Fish and Wildlife is to consider multiple use, including grazing, on lands owned or managed by the department where it is compatible with the management objectives of the land. The Department of Natural Resources is to allow multiple use on lands owned or managed by the department where multiple use is compatible with the department's multiple use statutes. All state agricultural lands, grazing lands, and grazable woodlands are to be managed in keeping with the statutory and constitutional mandates under which the two agencies operate.

Substitute Bill Compared to Original Bill: The original bill makes a number of changes to the 1993 legislation, which called for the creation of the ecosystem standards. The substitute bill leaves the 1993 legislation intact and adds new language regarding the appropriate interpretation of the ecosystem standards and the collaborative process to be used in reaching the standards.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: (first proposed substitute) This is a process to improve the environment. The Joint Administrative Rules Review Committee has asked the

Legislature to clarify HB 1309. It was supposed to be a state lands management bill; the problem came with how it was interpreted. Nothing is intended to affect future use of the Conservation Commission report, with fish and wildlife the prime beneficiary. This will offer guidelines for resource management under the multiple use concept. It will foster cooperative coalitions. Properly managed lands benefit fish and wildlife and ensure money for schools. There is common ground about protection of natural resources. This is a land management bill, but many of the standards apply to water. In some areas, ranchers have been standing in line to perform voluntary coordinated resource management planning. People were warned about a violation of the trust mandate and the water issues while the standards were being developed, and those warnings were ignored. Implementation by the agencies has been okay, but there must be certainty that something bad won't happen in the future.

Testimony Against: (first proposed substitute) The agencies have concerns about the requirement for performing coordinated resource management planning. The bill tells us to do this in areas where we should not. The multiple use language could inhibit our ability to convert lands to uses that are better money-makers for the trusts. Revenue generation is not a primary purpose for the Department of Fish and Wildlife. This bill will restrict the agency's current and future management options. Fish and Wildlife has a different set of priorities in managing its lands. Let 1309 be implemented and evaluated before the legislative mandates are changed. Coordinated resource management planning can be great but is not always applicable. Language in the bill is inconsistent, and the bill sets up contradictory expectations for the department. The controversy over this will not abate, but increase. Conservation districts do not have money in every district for administering the active management role assigned to them in the bill. This bill could have an ill effect on existing leases. Give the standards a chance to work.

Testified: Scott Barr; Penny Rosenberg; Norman McClure; Kent Lebsack, Washington Cattlemen's Association (all in favor). Stan Biles, Department of Natural Resources; and Ed Manary, Department of Fish and Wildlife (opposed as written). Ted Bottiger, Washington Association of Conservation Districts (with concern); and Steve Meyer, Conservation Commission.