
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2004

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Thompson, Fuhrman, Goldsmith, Buck, Elliot, Cairnes and Sheldon)

Read first time 03/06/95.

1 AN ACT Relating to necessary emergency measures for the Loomis
2 state forest; adding new sections to chapter 76.06 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that an extremely
6 serious forest health situation exists in the Loomis state forest.
7 Thousands of acres of school trust lands are infested or are at risk of
8 infestation by mountain pine beetle. This major infestation, combined
9 with the presence of other insect and disease problems, clearly
10 indicates the need for implementation of a decisive plan to address the
11 health and productivity of the Loomis state forest.

12 NEW SECTION. **Sec. 2.** (1) The legislature directs the department
13 of natural resources to adopt and to immediately begin to implement a
14 long-range management plan for the Loomis state forest that will result
15 in a much healthier and more productive forest. The legislature
16 further directs the department to act in the immediate future to
17 recover as much value as operationally and economically feasible from
18 timber at-risk or killed by mountain pine beetle. In designing and

1 implementing this long-range management plan and when recovering the
2 value from this dead and at-risk timber, the department shall comply
3 with all applicable state and federal laws and regulations and shall
4 conduct itself in a manner consistent with its obligations only to the
5 trust beneficiaries.

6 (2) The legislature declares its intent to remain actively involved
7 in the oversight of the department's efforts to address the forest
8 health problems in the Loomis state forest. The department shall
9 carefully monitor the impacts to the forest of implementation of the
10 long-range management plan and shall report on the condition of the
11 forest at least annually for the next five years to the house of
12 representatives and senate committees on natural resources.

13 NEW SECTION. **Sec. 3.** (1) In an action seeking review under
14 chapter 76.09 RCW from the appeals board of a forest practice that
15 implements the purposes of section 2 of this act, and as part of that
16 review the appeals board grants a stay of the implementation action,
17 the appeals board shall require the person requesting the stay to
18 provide security to cover the amount of damages potentially resulting
19 from the stay, but in no case shall the security be less than one
20 hundred thousand dollars.

21 (2) In any judicial review of a decision under chapter 76.09 RCW
22 of the appeals board involving a forest practice that implements the
23 purposes of section 2 of this act, and as part of that review the court
24 grants a stay of the implementation action, the court shall require the
25 person requesting the stay to provide security to cover the amount of
26 damages potentially resulting from the stay, but in no case shall the
27 security be less than one hundred thousand dollars.

28 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each added
29 to chapter 76.06 RCW.

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