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**HOUSE BILL 2578**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** Representatives Fuhrman, Basich, Buck, McMorris and Thompson

Read first time 01/15/96. Referred to Committee on Natural Resources.

1       AN ACT Relating to agricultural grazing on state-owned and managed  
2 lands; amending RCW 79.01.295 and 77.12.204; amending 1993 sp.s. c 4 s  
3 1 (uncodified); adding a new section to chapter 89.08 RCW; and creating  
4 a new section.

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

6       **Sec. 1.** 1993 sp.s. c 4 s 1 (uncodified) is amended to read as  
7 follows:

8       The legislature finds that many wild stocks of salmonids in the  
9 state of Washington are in a state of decline. Stocks of salmon on the  
10 Columbia and Snake rivers have been listed under the federal endangered  
11 species act, and the bull trout has been petitioned for listing. Some  
12 scientists believe that numerous other stocks of salmonids in the  
13 Pacific Northwest are in decline or possibly extinct. The legislature  
14 declares that to lose wild stocks is detrimental to the genetic  
15 diversity of the fisheries resource and the economy, and will represent  
16 the loss of a vital component of Washington's aquatic ecosystems. The  
17 legislature further finds that there is a continuing loss of habitat  
18 for fish and wildlife. The legislature declares that steps must be  
19 taken in the areas of wildlife and fish habitat management, water

1 conservation, wild salmonid stock protection, and education to prevent  
2 further losses of Washington's fish and wildlife heritage from a number  
3 of causes including urban and rural subdivisions, shopping centers,  
4 industrial park, and other land use activities.

5 The legislature finds that the maintenance and restoration of  
6 Washington's rangelands and shrub-steppe vegetation is vital to the  
7 long-term benefit of the people of the state. The legislature finds  
8 that approximately one-fourth of the state is open range or open-  
9 canopied grazable woodland. The legislature finds that these lands  
10 provide forage for livestock, habitat for wildlife, and innumerable  
11 recreational opportunities including hunting, hiking, and fishing.

12 The legislature finds that the development of coordinated resource  
13 management plans, that take into consideration the needs of wildlife,  
14 fish, livestock, timber production, water quality protection, and  
15 rangeland conservation on all state-owned grazing lands will improve  
16 the stewardship of these lands ((and)), will allow for the increased  
17 development and maintenance of fish and wildlife habitat and other  
18 multipurpose benefits the public derives from these lands, and will  
19 result in providing fish habitat.

20 The legislature finds that the state currently provides  
21 insufficient technical support for coordinated resource management  
22 plans to be developed for all state-owned lands and for many of the  
23 private lands desiring to develop such plans. As a consequence of this  
24 lack of technical assistance, our state grazing lands, including fish  
25 and wildlife habitat and other resources provided by these lands, are  
26 not achieving their potential. ((The legislature also finds that with  
27 many state lands being intermixed with private grazing lands,  
28 development of coordinated resource management plans on state-owned and  
29 managed lands provides an opportunity to improve the management and  
30 enhance the conditions of adjacent private lands.))

31 A purpose of this act is to establish state grazing lands as the  
32 model in the state for the development and implementation of  
33 ((standards)) guidelines that can be used in coordinated resource  
34 management plans and to thereby assist the timely development of  
35 coordinated resource management plans ((for)) that all state-owned  
36 ((grazing lands)) or managed grazable lands must utilize. Another  
37 purpose of this act is to provide for the continued leasing of all  
38 publicly owned lands for livestock grazing that provide income for  
39 trust beneficiaries while also protecting and improving wildlife

1   habitat with the result of incorporating practices that enhance fish  
2   propagation. Every lessee of state lands who wishes to participate in  
3   the development and implementation of a coordinated resource management  
4   plan shall have the opportunity to do so.

5   **Sec. 2.** RCW 79.01.295 and 1993 sp.s. c 4 s 5 are each amended to  
6   read as follows:

7       (1) ((By December 31, 1993,)) The department of fish and wildlife  
8   ((and the department of fisheries)) shall ((each)) develop goals ((for  
9   the wildlife and fish that these agencies respectively manage,)) to  
10   preserve, protect, and perpetuate wildlife ((and fish)) on shrub steppe  
11   habitat or on lands that are presently agricultural lands, rangelands,  
12   or grazable woodlands. These goals shall be consistent with the  
13   maintenance of a healthy ecosystem.

14      (2) ((By July 31, 1993,)) The conservation commission shall appoint  
15   a technical advisory committee to develop ((standards that achieve the  
16   goals developed in subsection (1) of this section)) guidelines for use  
17   in preparing coordinated resource management plans consistent with  
18   section 1 of this act. The committee members shall include but not be  
19   limited to technical experts representing the following interests:  
20   Agriculture, academia, range management, utilities, environmental  
21   groups, commercial and recreational fishing interests, the Washington  
22   rangelands committee, Indian tribes, the department of fish and  
23   wildlife, ((the department of fisheries,)) the department of natural  
24   resources, the department of ecology, conservation districts, and the  
25   department of agriculture. A member of the conservation commission  
26   shall chair the committee.

27      (3) ((By December 31, 1994,)) The committee shall develop  
28   ((standards)) guidelines to meet the goals developed under subsection  
29   (1) of this section consistent with section 1 of this act. These  
30   ((standards)) guidelines shall not conflict with the recovery of  
31   wildlife or fish species that are listed or proposed for listing under  
32   the federal endangered species act. These ((standards)) guidelines  
33   shall be utilized to the extent possible in development of coordinated  
34   resource management plans, consistent with section 1 of this act, to  
35   provide a level of management that sustains and perpetuates renewable  
36   resources, including fish and wildlife, riparian areas, soil, water,  
37   timber, and forage for livestock and wildlife. Furthermore, the  
38   ((standards)) guidelines are recommended for application to model

1 watersheds designated by the Northwest power planning council in  
2 conjunction with the conservation commission. The maintenance and  
3 restoration of sufficient habitat to preserve, protect, and perpetuate  
4 wildlife and fish shall be a major component included in the  
5 ((standards)) guidelines and coordinated resource management plans.  
6 Application of ((standards)) guidelines to privately owned lands is  
7 voluntary and may be dependent on funds to provide technical assistance  
8 through conservation districts.

9 (4) The conservation commission shall approve the ((standards))  
10 guidelines and shall provide them to the department((s)) of natural  
11 resources and the department of fish and wildlife, each of the  
12 conservation districts, Washington State University cooperative  
13 extension service, and the appropriate committees of the legislature.  
14 The conservation districts shall make these ((standards)) guidelines  
15 available to the public and for coordinated resource management  
16 planning. Application to private lands is voluntary.

17 (5) Consistent with section 1 of this act, the department of  
18 natural resources shall ((implement practices necessary to meet the  
19 standards developed pursuant to this section on department managed))  
20 utilize the guidelines in the coordinated resource management plan  
21 process to implement practices on agricultural and grazing lands,  
22 consistent with the trust mandate of the Washington state Constitution  
23 and Title 79 RCW. The ((standards)) guidelines may be modified on a  
24 site-specific basis as needed to achieve the fish and wildlife goals,  
25 and as determined by the ((department of fisheries or wildlife, and the  
26 department of natural resources)) agency managing the land. Existing  
27 lessees shall be provided an opportunity to participate in any site-  
28 specific field review. Department agricultural and grazing leases  
29 issued after ((December 31, 1994, shall be subject to practices to  
30 achieve the standards that meet those developed pursuant to this  
31 section)) the effective date of this act shall utilize the guidelines  
32 in the development of coordinated resource management plans consistent  
33 with the purposes under section 1 of this act.

34 **Sec. 3.** RCW 77.12.204 and 1993 sp.s. c 4 s 6 are each amended to  
35 read as follows:

36 Consistent with section 1 of this act, the department of fish and  
37 wildlife shall ((implement practices necessary to meet the standards  
38 developed under RCW 79.01.295 on)) utilize the guidelines in the

1 coordinated resource management plan process to implement practices on  
2 agency-owned and managed agricultural and grazing lands. The  
3 ((standards)) guidelines may be modified on a site-specific basis as  
4 necessary and as determined by the department of ((fisheries or)) fish  
5 and wildlife, for species that these agencies respectively manage, to  
6 achieve the goals ((established under RCW 79.01.295(1))) consistent  
7 with section 1 of this act. Existing lessees shall be provided an  
8 opportunity to participate in any site-specific field review.  
9 Department agricultural and grazing leases issued after ((December 31,  
10 1994, shall be subject to practices to achieve the standards that meet  
11 those developed pursuant to RCW 79.01.295)) the effective date of this  
12 act shall utilize the guidelines in the development of coordinated  
13 resource management plans consistent with the purposes under section 1  
14 of this act.

15 This section shall in no way prevent the department of fish and  
16 wildlife from managing its lands to accomplish its statutory mandate  
17 pursuant to RCW 77.12.010, nor shall it prevent the department from  
18 managing its lands according to the provisions of RCW 77.12.210 ((or  
19 rules adopted pursuant to this chapter)).

20 NEW SECTION. **Sec. 4.** This act does not authorize the  
21 establishment of standards or guidelines pertaining to water quality or  
22 water quantity that conflict or otherwise duplicate the power to set  
23 water quality or water quantity standards granted to the department of  
24 ecology.

25 NEW SECTION. **Sec. 5.** Section 1 of this act is added to chapter  
26 89.08 RCW.

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