H-1532.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2071**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2015 Regular Session**

**By** Representative Kretz

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

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

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

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

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

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

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

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

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

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

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

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

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

((~~(10)~~)) (j) Municipal or other public watershed protection;

((~~(11)~~)) (k) Greenbelt areas;

((~~(12)~~)) (l) Public rights-of-way;

((~~(13)~~)) (m) Forest management applications that create favorable or enhanced water flows or water supply through the application of precommercial or commercial thinning designed to achieve optimal stem spacing for each age class of a forest parcel; and

(n) Other uses or activities by public agencies((~~;~~)).

(2)(a) If ((~~such~~)) the additional uses identified in subsection (1) of this section are not compatible with the financial obligations in the management of trust land, they may be permitted only if there is compensation from such uses satisfying the financial obligations.

(b) The department of ecology may, consistent with section 2 of this act, provide compensation for the management of forests to create favorable or enhanced water flows as authorized under subsection (1) of this section if it is determined by the department that forest management for stream flow outcomes is not financially compatible with the department's trust obligations.

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

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

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

**--- END ---**