

ESHB 2285 - S COMM AMD
By Committee on Ways & Means

ADOPTED 03/02/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the 1997
4 state trust lands habitat conservation plan and the proposed
5 amendment related to the conservation of the marbled murrelet, which
6 provide certainty for beneficiaries of affected state lands and state
7 forestlands, present an important and ongoing issue for the people of
8 the state of Washington. The legislature further finds that complying
9 with the endangered species act is a necessary aspect of managing
10 state trust lands. The lands that are the subject of the 1997 habitat
11 conservation plan are held by the state in trust for the trust
12 beneficiaries, and the proposed amendment to the 1997 state trust
13 lands habitat conservation plan presents an opportunity for the
14 legislature to engage in its role as a fiduciary of those lands.

15 (2) The legislature intends that the process set forth in this
16 act will serve as a model for future processes in the event that
17 there are any subsequent amendments to the 1997 state trust lands
18 habitat conservation plan beyond those envisioned in this act.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.30
20 RCW under the subchapter heading "powers and duties--general" to read
21 as follows:

22 (1)(a) By December 1, 2018, and each December 1st until the year
23 after the United States fish and wildlife service issues an
24 incidental take permit on the state trust land habitat conservation
25 plan for the long-term conservation strategy for the marbled
26 murrelet, the department must provide a report to the legislature,
27 consistent with RCW 43.01.036, as required in this section.

28 (b) No fewer than ninety days before submitting the report to the
29 legislature as described in this section, the department must first
30 submit a draft of the report for review and comment to the chair and

1 ranking member of the committees of the house of representatives and
2 senate with jurisdiction over state trust lands management.

3 (c) Each regular legislative session, the standing committee with
4 jurisdiction over state trust land management from the house of
5 representatives and senate must each hold a meeting, which may be
6 held as a joint meeting, on the report required in this section and
7 the habitat conservation plan update process.

8 (2) The report required in this section must annually include an
9 economic analysis of potential losses or gains from any proposed
10 marbled murrelet long-term conservation strategy selected by the
11 board of natural resources, forwarded to or approved by the United
12 States fish and wildlife service, and subsequently adopted by the
13 board.

14 (3) The initial report required under this section must also
15 include recommendations relating to the following, to be updated as
16 appropriate in subsequent reports:

17 (a) Actions that support maintaining or increasing family-wage
18 timber and related jobs in the affected rural communities, taking
19 into account, as appropriate, the role of other market factors;

20 (b) Strategies to ensure no net loss of revenues to the trust
21 beneficiaries due to the implementation of additional marbled
22 murrelet conservation measures;

23 (c) Additional means of financing county services; and

24 (d) Additional reasonable, incentive-based, nonregulatory
25 conservation measures for the marbled murrelet that also provide
26 economic benefits to rural communities.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30
28 RCW under the subchapter heading "powers and duties--general" to read
29 as follows:

30 (1) To assist the department in developing and providing the
31 report to the legislature required in section 2 of this act, the
32 commissioner must appoint a marbled murrelet advisory committee.

33 (2) The marbled murrelet advisory committee may include one or
34 more representatives from the following categories:

35 (a) State trust lands beneficiaries;

36 (b) Impacted state forestlands beneficiaries, including counties;

37 (c) Junior taxing districts;

38 (d) Environmental organizations;

1 (e) Local governments or an association representing local
2 governments;

3 (f) Milling interests or an association representing milling
4 interests;

5 (g) Private forest landowners or a statewide association
6 representing private forest landowners; and

7 (h) Local public interest groups.

8 (3) The advisory committee required under this section may
9 consult with relevant state and federal agencies and tribes.

10 NEW SECTION. **Sec. 4.** (1) Sections 2 and 3 of this act expire at
11 the end of the calendar year following the issuance by the United
12 States fish and wildlife service of an incidental take permit on the
13 long-term conservation strategy for the marbled murrelet under the
14 state trust lands habitat conservation plan and subsequent adoption
15 by the board of natural resources.

16 (2) The department of natural resources must notify the chief
17 clerk of the house of representatives, the secretary of the senate,
18 and the office of the code reviser when the conditional expiration
19 date of sections 1 and 2 of this act is satisfied."

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20 On page 1, line 3 of the title, after "information;" strike the
21 remainder of the title and insert "adding new sections to chapter
22 43.30 RCW; creating a new section; and providing a contingent
23 expiration date."

EFFECT: Directs the relevant legislative policy committees to
hold an annual meeting on the DNR report and HCP update process.
Reorganizes language.

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