
SECOND SUBSTITUTE SENATE BILL 5536

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Spanel and Gardner)

Read first time 03/08/1999.

1 AN ACT Relating to state forest lands and municipal drinking water
2 protection; and amending RCW 79.01.128.

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

4 **Sec. 1.** RCW 79.01.128 and 1971 ex.s. c 234 s 11 are each amended
5 to read as follows:

6 (1) In the management of public lands lying within the limits of
7 any watershed over and through which is derived the water supply of any
8 city or town, the department may alter its land management practices to
9 provide water with qualities exceeding standards established for
10 intrastate and interstate waters by the department of ecology:
11 PROVIDED, That if such alterations of management by the department
12 reduce revenues from, increase costs of management of, or reduce the
13 market value of public lands the city or town requesting such
14 alterations shall fully compensate the department.

15 (2) The department shall initiate a pilot project for the municipal
16 watershed delineated by the Lake Whatcom hydrographic boundaries to
17 determine what factors need to be considered to achieve water quality
18 standards beyond those required under chapter 90.48 RCW and what
19 additional management actions can be taken on state trust lands that

1 can contribute to such higher water quality standards. The department
2 shall establish an advisory committee consisting of a representative
3 each of the city of Bellingham, Whatcom county, the Whatcom county
4 water district 10, the department of ecology, the department of fish
5 and wildlife, and the department of health, and three general citizen
6 members to assist in this pilot project.

7 (3) The pilot project in subsection (2) of this section shall be
8 completed by June 30, 2000. The department shall defer all timber
9 sales in the Lake Whatcom hydrographic boundaries until the pilot
10 project is complete.

11 (4) The exclusive manner, notwithstanding any provisions of the law
12 to the contrary, for any city or town to acquire by condemnation
13 ownership or rights in public lands for watershed purposes within the
14 limits of any watershed over or through which is derived the water
15 supply of any city or town shall be to petition the legislature for
16 such authority. Nothing in this section, RCW 79.44.003 and chapter
17 79.68 RCW shall be construed to affect any existing rights held by
18 third parties in the lands applied for.

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