
SENATE BILL 5694

State of Washington

56th Legislature

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By Senators Stevens, Hargrove, Morton, Jacobsen, Oke, Snyder,
T. Sheldon and Rasmussen

Read first time 02/03/1999. Referred to Committee on Natural
Resources, Parks & Recreation.

1 AN ACT Relating to primary and secondary forest roads; adding new
2 sections to chapter 79.38 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** In the department of natural resources'
5 program for planning and development of primary and secondary forest
6 roads, the department should be sensitive to compatible public access
7 for recreation. The department of natural resources should develop a
8 consistent policy for public needs and for trust needs within the
9 framework of the public trust doctrine. While the highest and best use
10 for trust lands is providing fiscal stability and economic gain for the
11 trust, the highest and best use of such lands for all the people of
12 Washington is public recreational use and enjoyment. Both uses should
13 be coordinated to assist programs such as watchable wildlife, horse
14 trails, all-terrain vehicle areas, and the widespread public use of
15 lands for family outings for all citizens of the state. The solitude
16 under the forest canopy and the enjoyment of the forest environment are
17 vital elements in calming a citizenry hard pressed to maintain positive
18 social values.

1 NEW SECTION. **Sec. 2.** Primary and secondary forest roads in danger
2 of failing should be part of an ongoing upgrading process for future
3 use. The department of natural resources shall review the road system
4 on public trust lands in order to develop a schedule to upgrade those
5 roads that will increase both the value of the trust and the public's
6 ability to access trust lands for recreational purposes. Improving the
7 forest road system is especially necessary to allow access to the many
8 natural area preserves, natural resource conservation areas, and other
9 public lands that the legislature has been creating by its funding.

10 NEW SECTION. **Sec. 3.** The department of natural resources shall
11 give special consideration to the federal Americans with disabilities
12 act in providing roads that will allow vehicle use for those persons
13 who are disabled.

14 NEW SECTION. **Sec. 4.** The department of natural resources may
15 stockpile road building materials and may require the stockpiling of
16 materials by persons harvesting or using public lands when those
17 persons are building roads.

18 NEW SECTION. **Sec. 5.** The department of natural resources shall,
19 as manager for the trust, as part of its management program, undertake
20 a study and report back to the legislature by December 1, 2001,
21 concerning:

22 (1) An inventory of state primary and secondary forest roads
23 available for public recreation and recommendations on how to increase
24 the number of roads available and how to maintain such roads for future
25 public use;

26 (2) Problems on public lands caused by vandalism and
27 recommendations on how to approach the problem;

28 (3) Garbage and illegal dumping on public lands and recommendations
29 on needed legislation;

30 (4) A review of misuse of public resources and how the department
31 and the legislature should address this problem;

32 (5) Develop recommendations on road damage and on old road failure
33 in order to upgrade the road system to benefit both the trust and the
34 general public; and

35 (6) An analysis of road standards, public use, and the methods to
36 ensure that roads are built to standards that will provide a greater

1 value to the trust and a more permanent road system for the public's
2 use and benefit.

3 NEW SECTION. **Sec. 6.** The department of natural resources shall,
4 when making temporary primary and secondary road closures, prepare a
5 list of road closures at the beginning of each year and notify the
6 affected counties, cities, and all user groups of proposed temporary
7 road closures. The department of natural resources must hold a hearing
8 in the general area to discuss the temporary closure with the public
9 and with user groups. It is the department's responsibility to notify
10 as many user groups as possible prior to the hearing. The list
11 submitted by the department shall show the area and use pattern of each
12 road to be temporarily closed. The list shall include as much
13 information on the recreational and public use of the roads as
14 possible.

15 NEW SECTION. **Sec. 7.** In making any permanent primary or secondary
16 road closure, the department of natural resources must meet all of the
17 requirements of section 6 of this act, and in addition, must provide an
18 economic impact analysis of the road closure, a recreational impact
19 analysis of the road closure, and a public use impact analysis of the
20 road closure. The permanent closure of a road requires a full analysis
21 of trust needs and how the department, through land management and road
22 access building, shall mitigate for the public's loss of roads that
23 have been permanently closed. Consideration of adjacent private and
24 federal access to public land shall be part of the process to help to
25 inform the public about alternate road availability. All permanent
26 primary and secondary road closures must be approved by the board of
27 natural resources.

28 NEW SECTION. **Sec. 8.** The department of natural resources shall
29 establish an intergovernmental team to work on increasing public access
30 to public lands. The team shall include federal and state land
31 management agencies and representatives of private land owners.

32 NEW SECTION. **Sec. 9.** Sections 2 through 4 and 6 through 8 of this
33 act are each added to chapter 79.38 RCW.

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