
ENGROSSED SUBSTITUTE HOUSE BILL 1204
CORRECTED COPY

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Riley, Beck, Fraser, Wynne, Winsley and Jacobsen).

Read first time February 6, 1991.

1 AN ACT Relating to natural resources conservation areas; amending
2 RCW 79.71.010, 79.71.020, 79.71.030, 79.71.050, 79.71.060, 79.71.070,
3 79.71.080, and 79.71.090; and creating a new section.

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

5 **Sec. 1.** RCW 79.71.010 and 1987 c 472 s 1 are each amended to read
6 as follows:

7 The legislature finds that: (1) (~~That~~) There is an increasing
8 and continuing need by the people of Washington for certain areas of
9 the state to be conserved, in rural as well as urban settings, for the
10 benefit of present and future generations; (2) (~~that~~) such areas are
11 worthy of conservation for their outstanding scenic and ecological
12 values and provide opportunities for (~~dispersed~~) low impact public
13 (~~recreation~~) use; (3) (~~that~~) in certain cases acquisition of
14 property or rights in property is necessary to protect these areas for
15 public purposes; and (4) (~~that~~) there is a need for (~~an~~) a state

1 agency to act in an effective and timely manner to acquire interests in
2 such areas and to develop appropriate management strategies for
3 conservation purposes.

4 **Sec. 2.** RCW 79.71.020 and 1987 c 472 s 2 are each amended to read
5 as follows:

6 Lands possessing the following characteristics are considered by
7 the legislature to be worthy of consideration for conservation
8 purposes:

9 (1) Lands identified as having high priority for conservation,
10 natural systems, wildlife, and ~~((dispersed recreational))~~ low-impact
11 public use values;

12 ~~((Prime natural features of the Washington landscape or~~
13 ~~portions thereof, inland or coastal wetlands, significant littoral,~~
14 ~~estuarine, or aquatic sites, or important geological features))~~ An area
15 of land or water, or land and water, that has flora, fauna, geological,
16 archaeological, scenic, or similar features of critical importance to
17 the people of Washington and that has retained to some degree or has
18 reestablished its natural character;

19 (3) Examples of native ecological communities; and

20 (4) Environmentally significant sites threatened with conversion to
21 incompatible or ecologically irreversible uses.

22 **Sec. 3.** RCW 79.71.030 and 1987 c 472 s 3 are each amended to read
23 as follows:

24 As used in this chapter:

25 "Commissioner" means the commissioner of public lands.

26 "Department" means the department of natural resources.

27 "Conservation purposes" include but are not limited to: (1)

28 Maintaining, enhancing, or restoring ecological systems, including but

1 not limited to aquatic, coastal, riparian, montane, and geological
2 systems, whether such systems be unique or typical to the state of
3 Washington; (2) maintaining exceptional scenic landscapes; (3)
4 maintaining habitat for threatened, endangered, and sensitive species;
5 (4) enhancing sites for primitive recreational purposes; and (5)
6 outdoor environmental education.

7 "Low-impact public use" includes public recreation uses and
8 improvements that do not adversely affect the resource values, are
9 appropriate to the maintenance of the site in a relatively unmodified
10 natural setting, and do not detract from long-term ecological
11 processes.

12 "Management (~~for conservation purposes~~) activities" may include
13 limited production of income from forestry, agriculture, or other
14 resource management activities, if such actions are consistent with the
15 other purposes and requirements of this chapter.

16 (~~"Washington natural resources conservation area" is an area of~~
17 ~~land and/or water which retains to some degree or has reestablished its~~
18 ~~natural character, although it need not be completely undisturbed, or~~
19 ~~has flora, fauna, geological, archaeological, scenic, or similar~~
20 ~~features of critical importance to the people of Washington.~~)

21 "Natural resources conservation area" or "conservation area" means
22 an area having the characteristics identified in RCW 79.71.020.

23 **Sec. 4.** RCW 79.71.050 and 1987 c 472 s 5 are each amended to read
24 as follows:

25 The department is authorized to transfer fee simple interest or
26 less than fee interests in trust land, as defined by Article XVI of the
27 Washington Constitution, for the creation of natural resources
28 conservation ((management)) areas, ((providing there is)) provided the
29 owner of the trust land receives full fair market value compensation

1 for all rights transferred. The proceeds from such transfers shall be
2 used for the exclusive purpose of acquiring real property to replace
3 those interests utilized for the conservation area in order to meet the
4 department's fiduciary obligations and to maintain the productive land
5 base of the various trusts.

6 **Sec. 5.** RCW 79.71.060 and 1987 c 472 s 6 are each amended to read
7 as follows:

8 The department shall hold a public hearing in the county where the
9 majority of the land in the proposed natural resources conservation
10 area is located prior to establishing the boundary. An area proposed
11 for designation must contain resources consistent with (~~the purposes~~
12 ~~of this chapter~~) characteristics identified in RCW 79.71.020.

13 **Sec. 6.** RCW 79.71.070 and 1987 c 472 s 7 are each amended to read
14 as follows:

15 The department shall develop a management plan for each designated
16 area. The plan shall identify the significant resources to be
17 conserved consistent with the purposes of this chapter and identify the
18 areas with potential for (~~primitive recreation~~) low-impact public and
19 environmental educational uses. The plan shall specify what types of
20 management activities (~~will be~~) and public uses that are permitted,
21 consistent with the conservation purposes of this chapter. The
22 department shall make such plans available for review and comment by
23 the public and other state, tribal, and local agencies, prior to final
24 approval by the commissioner.

25 **Sec. 7.** RCW 79.71.080 and 1987 c 472 s 8 are each amended to read
26 as follows:

1 The department is authorized to administer natural ~~((resource[s]))~~
2 resources conservation areas and may enter into management agreements
3 for these areas with ~~((other))~~ federal agencies, state agencies, local
4 governments, and private nonprofit conservancy corporations, as defined
5 in RCW 64.04.130, when such agreements are consistent with the purposes
6 of acquisition as defined in the adopted ~~((site))~~ management plan. All
7 management activities within a Washington natural resources
8 conservation area will conform with the plan. Any moneys derived from
9 the management of these areas in conformance with the adopted plan
10 shall be deposited in the natural resources conservation areas
11 stewardship account ~~((established in RCW 79.71.090))~~.

12 **Sec. 8.** RCW 79.71.090 and 1987 c 472 s 9 are each amended to read
13 as follows:

14 There is hereby created the natural resources conservation areas
15 stewardship account in the state treasury to ensure proper and
16 continuing management of land acquired or designated pursuant to this
17 chapter. Funds for the stewardship account shall be derived from
18 appropriations of state general funds, federal funds, grants,
19 donations, gifts, bond issue receipts, securities, and other monetary
20 instruments of value. Income derived from the management of natural
21 resources conservation areas shall also be deposited in this
22 stewardship account.

23 Appropriations from this account to the department shall be
24 expended for no other purpose than to manage the areas approved by the
25 legislature in fulfilling the purposes of this chapter, property
26 acquired as natural area preserves under chapter 79.70 RCW, and
27 property transferred under the authority and appropriation provided by
28 the legislature to be managed under chapters 79.70 and 79.71 RCW or
29 acquired under chapter 43.98A RCW.

1 NEW SECTION. **Sec. 9.** The balance in the conservation area
2 account is transferred to the natural resources conservation areas
3 stewardship account under RCW 79.71.090.