
ENGROSSED HOUSE BILL 1128

State of Washington

55th Legislature

1997 Regular Session

By Representatives Thompson, Sump, McMorris, Mielke, Mulliken, Buck, Sheldon and Schoesler

Read first time 01/15/97. Referred to Committee on Natural Resources.

1 AN ACT Relating to necessary emergency measures for the Loomis
2 state forest; adding new sections to chapter 76.06 RCW; creating a new
3 section; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature finds an extremely serious
6 forest health situation exists in the Loomis state forest. Thousands
7 of acres of school trust lands are infested or are at risk of
8 infestation by mountain pine beetle. This major infestation, combined
9 with the presence of other insect and disease problems, clearly
10 indicates the need for implementation of a decisive plan to address
11 current forest health, and to enhance habitat and long-term
12 productivity of the Loomis state forest. Further, the final landscape
13 plan for the Loomis state forest approved by the board of natural
14 resources in June 1996 does not adequately address the emergency
15 situation in the Loomis forest. The legislature finds a long-range
16 management plan specifically for the Loomis state forest must also
17 address current forest health conditions.

1 NEW SECTION. **Sec. 2.** (1) The legislature directs the department
2 of natural resources to adopt and to immediately begin to implement a
3 long-range management plan for the Loomis state forest that will result
4 in a much healthier and more productive forest. The legislature
5 further directs the department to act in the immediate future to
6 recover as much value as operationally and economically feasible from
7 timber at risk or killed by mountain pine beetle. In designing and
8 implementing this long-range management plan and when recovering the
9 value from this dead and at-risk timber, the department shall comply
10 with all applicable state and federal laws and regulations and conduct
11 itself in a manner consistent with its obligations only to the trust
12 beneficiaries.

13 (2) The legislature declares its intent to remain actively involved
14 in the oversight of the department's efforts to address the forest
15 health problems in the Loomis state forest. The department shall
16 carefully monitor the impacts to the forest of implementation of the
17 long-range management plan and shall report on the condition of the
18 forest at least annually for the next five years to the house of
19 representatives and senate committees on natural resources.

20 NEW SECTION. **Sec. 3.** (1) In an action seeking review under
21 chapter 76.09 RCW from the appeals board of a forest practice that
22 implements the purposes of section 2 of this act, and as part of that
23 review the appeals board grants a stay of the implementation action,
24 the appeals board shall require the person requesting the stay to
25 provide security to cover the amount of damages potentially resulting
26 from the stay, but in no case will the security be less than one
27 hundred thousand dollars.

28 (2) In any judicial review of a decision under chapter 76.09 RCW of
29 the appeals board involving a forest practice that implements the
30 purposes of section 2 of this act, and as part of that review the court
31 grants a stay of the implementation action, the court shall require the
32 person requesting the stay to provide security to cover the amount of
33 damages potentially resulting from the stay, but in no case will the
34 security be less than one hundred thousand dollars.

35 NEW SECTION. **Sec. 4.** The sum of nine hundred thirty-one thousand
36 dollars, or as much thereof as may be necessary, is appropriated for
37 the biennium ending June 30, 1999, from the resource management cost

1 account to the department of natural resources for the purposes of
2 implementing this act.

3 NEW SECTION. **Sec. 5.** Sections 2 and 3 of this act are each added
4 to chapter 76.06 RCW.

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