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HOUSE BILL 1259

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Sump, Sheldon, McMorris, Doumit, Dyer, Butler, Buck, Regala, B. Thomas, Thompson, Chandler, Linville, Sullivan, O'Brien, Lantz and Johnson

Read first time 01/20/97. Referred to Committee on Natural Resources.

1 AN ACT Relating to habitat conservation plans; amending RCW  
2 76.09.340; and declaring an emergency.

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

4 **Sec. 1.** RCW 76.09.340 and 1996 c 136 s 1 are each amended to read  
5 as follows:

6 Forest practices consistent with a habitat conservation plan  
7 approved (~~(prior to March 25, 1996,)~~) by the secretary of the interior  
8 or commerce under 16 U.S.C. Sec. 1531 et seq., and the endangered  
9 species act of 1973 as amended, are exempt from rules and policies  
10 under this chapter, provided the proposed forest practices indicated in  
11 the application are in compliance with the plan, and provided this  
12 exemption applies only to rules and policies adopted primarily for the  
13 protection of one or more species, including unlisted species, covered  
14 by the plan. Such forest practices are deemed not to have the  
15 potential for a substantial impact on the environment but may be found  
16 to have the potential for a substantial impact on the environment due  
17 to other reasons under RCW 76.09.050.

18 Nothing in this section is intended to limit the board's rule-  
19 making authority under this chapter.

1        NEW SECTION.    **Sec. 2.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of the  
3    state government and its existing public institutions, and takes effect  
4    immediately.

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