
SUBSTITUTE SENATE BILL 5207

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Natural Resources & Parks (originally sponsored by Senators Swecker, Oke, Stevens, Hargrove, Snyder, Haugen, Morton, Rossi, Roach and Anderson)

Read first time 03/03/97.

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 (1) Forest practices consistent with a habitat conservation plan
7 approved prior to March 25, 1996, by the secretary of the interior or
8 commerce under 16 U.S.C. Sec. 1531 et seq., and the endangered species
9 act of 1973 as amended, are exempt from rules and policies under this
10 chapter, provided the proposed forest practices indicated in the
11 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 (2) Forest practices consistent with a habitat conservation plan
19 approved by the secretary of the interior or commerce under 16 U.S.C.

1 Sec. 1531 et seq., and the endangered species act of 1973 as amended,
2 are exempt from rules and policies under this chapter, provided the
3 proposed forest practices indicated in the application are in
4 compliance with the plan, and provided this exemption applies only to
5 rules and policies adopted primarily for the protection of threatened
6 or endangered species covered by the plan. Such forest practices are
7 deemed not to have the potential for a substantial impact on the
8 environment within the meaning of the state environmental policy act
9 for fish and wildlife species covered by the plan but may be found to
10 have the potential for a substantial impact on the environment within
11 the meaning of the state environmental policy act due to other factors.

12 (3) Nothing in this section is intended to limit the board's rule-
13 making authority under this chapter.

14 NEW SECTION. Sec. 2. This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately.

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