
SUBSTITUTE SENATE BILL 5694

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Natural Resources, Parks & Recreation
(originally sponsored by Senators Stevens, Hargrove, Morton, Jacobsen,
Oke, Snyder, T. Sheldon and Rasmussen)

Read first time 03/03/1999.

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 The department of natural resources should develop a consistent policy
8 for public needs and for trust needs. While the highest and best use
9 for trust lands is providing fiscal stability and economic gain for the
10 trust, the highest and best use of such lands for all the people of
11 Washington is the opportunity to use and enjoy access to public lands.
12 Both uses should be coordinated to assist programs such as watchable
13 wildlife, horse trails, all-terrain vehicle areas, and the widespread
14 public use of lands for family outings for all citizens of the state.
15 The solitude under the forest canopy and the enjoyment of the forest
16 environment are vital elements in calming a citizenry hard pressed to
17 maintain positive 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 to continue
6 the public's ability to access trust lands. Improving the forest road
7 system is especially necessary to allow access to the many natural area
8 preserves, natural resource conservation areas, and other public lands
9 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 and in
20 conjunction with the task force created in section 7 of this act,
21 undertake a study and report back to the legislature by December 1,
22 2001, concerning:

23 (1) A review of the state primary and secondary roads in the
24 Cascade foothills with recommendations on how to increase the number of
25 roads available and how to maintain such roads for future public use;

26 (2) Problems on all 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 (7) For the purposes of this section, "Cascade foothills" means
4 generally the nonurbanized lands within the Cascade range and drainages
5 lying between three hundred and three thousand feet above mean sea
6 level, and located within the counties of Whatcom, Skagit, Snohomish,
7 King, Pierce, and Thurston. Lands lying at lower elevations that are
8 in the immediate vicinity of the foothills area, such as lower
9 drainages, are also included within this term. These lands include
10 public lands that are devoted to developed, nonrecreational uses.

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

23 NEW SECTION. **Sec. 7.** The commissioner of public lands shall
24 appoint a task force to work on increasing public access to public
25 lands. The task force shall include federal and state land management
26 agencies and representatives of private landowners. The task force
27 shall also include four members of the legislature, one from each of
28 the two largest caucuses of the senate and house of representatives,
29 appointed by the president of the senate and the co-speakers of the
30 house of representatives, respectively.

31 NEW SECTION. **Sec. 8.** Sections 2 through 4, 6, and 7 of this act
32 are each added to chapter 79.38 RCW.

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