

# SENATE BILL REPORT

## SHB 2472

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As Reported By Senate Committee On:  
Natural Resources, Ocean & Recreation, February 28, 2008

**Title:** An act relating to establishing a work group to make recommendations for improving recreation on state trust lands, aquatic lands, and other state-owned lands managed by the department of natural resources.

**Brief Description:** Seeking to improve recreational opportunities on state-owned lands managed by the department of natural resources.

**Sponsors:** House Committee on Ecology & Parks (originally sponsored by Representatives Blake, Warnick, Condotta, Sells, Linville, Hinkle, VanDeWege, McCoy, Lantz, Morrell, Loomis, Kretz, Chase, Kristiansen and McDonald; by request of Department of Natural Resources).

**Brief History:** Passed House: 2/13/08, 96-0.

**Committee Activity:** Natural Resources, Ocean & Recreation: 2/21/08, 2/28/08 [DPA].

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Majority Report:** Do pass as amended.

Signed by Senators Jacobsen, Chair; Hatfield, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Rockefeller, Spanel, Stevens and Swecker.

**Staff:** Sherry McNamara (786-7402)

**Background:** The Department of Natural Resources (DNR) manages more than 5 million acres of state land. More than 3 million acres of upland trust lands are managed to generate revenue for state trust beneficiaries, including common schools, state colleges and universities, and state institutions. In addition, DNR is responsible for more than 2 million acres of aquatic lands and about 120,000 acres of natural areas.

Current law requires recreation and public access on state trust lands to be compatible with the primary purpose of these lands which is to provide support for school construction and other public institutions. Other state lands are to be open and available to the public for hunting, fishing, and other wildlife activities unless those activities endanger crops on the land or when accessing the land could endanger a person.

**Summary of Bill (Recommended Amendments):** A 28 member work group is established to make recommendations to improve recreation on state trust lands, aquatic lands, and other state-owned lands managed by DNR. The members are appointed by the Commissioner of

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Public Lands (Commissioner) in consultation with several entities, including but not limited to recreational associations and organizations; environmental protection associations and organizations; corporate and community leaders; major landowners; local government; tribal governments; state agencies; and the Legislature.

The work group's recommendations to improve recreation on state-owned lands must do the following:

- be compatible with adjacent and nearby land uses, including residential land uses;
- provide ways to coordinate trail maintenance work with volunteer organizations;
- consider the legal obligations for trusts, aquatic lands, and natural areas;
- be consistent with environmental standards needed to protect lands and natural systems; and
- be consistent with group recommendations such as the Puget Sound Action Agenda, the Washington Biodiversity Strategy and the Invasive Species Council.

The work group must conduct two open public workshops, one of which must be conducted in a location east of the Cascades. The Commissioner, or the Commissioner's designee, serves as the work group chair and is responsible for submitting a report to the Legislature by December 1, 2008 on its findings and recommendations. The reports must include an assessment of how various kinds of recreation affect the costs and risks to specified entities and the environment. The reports must include recommendations for appropriate fund sources to mitigate these identified risks.

**EFFECT OF CHANGES MADE BY NATURAL RESOURCES, OCEAN & RECREATION (Recommended Amendments):** Requires the work group's recommendations to be compatible with adjacent and nearby land uses, including residential land uses. The work group must consider the legal obligations for trusts, aquatic lands, and natural areas; consistency with environmental standards needed to protect lands and natural systems; and related work group recommendations such as the Puget Sound Action Agenda, the Washington Biodiversity Strategy, and the Invasive Species Council. In addition, the work group must consider ways to coordinate trail maintenance work with volunteer organizations on state owned lands.

Requires the work group to consist of not more than 28 members appointed by the commissioner in consultation with several specified entities such as recreational associations and organizations, environmental protection associations and organizations, and federal, state and local agencies. Members of the Senate must be appointed by the President of the Senate and members of the House of Representatives must be appointed by the Speaker of the House.

Work group members who are employees of the state or federal agencies are not eligible for compensation. Costs associated with the work group must be paid by DNR from appropriations made available to DNR for the purpose of this study.

The work group is required to conduct one of two open public workshops east of the Cascades.

A progress report with preliminary findings must be submitted to the Legislature by December 1, 2008 with the final report due June 30, 2009. The reports must include an assessment of how various kinds of recreation affect the costs and risks to:

- the interests of beneficiaries of state lands;
- private landowners, federal landowners, and state government due to increased wildfire risks;
- local and state government due to personal injury and property damage;
- natural habitat, water quality, and air quality; and
- the land uses and management plans of adjacent landowners.

The reports must include recommendations for appropriate fund sources to mitigate these identified risks.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Substitute Bill:** PRO: Recreation on our state-owned lands is very important. Providing an opportunity for citizens to recreate on these lands is part of our heritage. It is essential to put together a work group with a good representation of recreational interests and to have individuals participating on both sides of the Cascades. This work group will provide a forum for discussion for all of the interest groups and present a chance for everyone to come together on how we can protect state lands and improve appropriate access. DNR supports this bill and the amended Senate version.

**Persons Testifying:** PRO: Bonnie Bunning, DNR; Robert Brooke, Backcountry Horsemen.