
**Agriculture & Natural Resources
Committee**

HB 1110

Brief Description: Requiring certain state agencies that manage natural resources to coordinate their land management with local governments.

Sponsors: Representatives Taylor, Shea, Kretz, Short, Rolfes and McCune.

Brief Summary of Bill

- Requires the State Parks and Recreation Commission, the Department of Fish and Wildlife, and the Department of Natural Resources to coordinate their respective agency land use plans with all applicable local government officials.

Hearing Date: 2/11/11

Staff: Jason Callahan (786-7117).

Background:

State Land Management.

The management of land owned in the name of the state has been delegated to a number of state agencies and universities. The management approach for the land is generally determined by the jurisdiction, authorities, and priorities of the agency delegated the management responsibilities.

The State Parks and Recreation Commission (Parks Commission), the Department of Fish and Wildlife (WDFW), and the Department of Natural Resources (DNR) are three agencies that manage many acres of undeveloped public lands in the state. Each of these agencies implement different management goals. For instance, the Parks Commission primarily provides recreational access, the WDFW manages land to enhance wildlife habitat and hunting access, while the DNR is primarily responsible for managing land in a manner that satisfies its fiduciary duty to the various state trust beneficiaries.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Federal Land Management.

The federal government requires, to the extent consistent with the laws governing the administration of the public lands, the coordination of certain land use inventory, planning, and management activities of the federal government with the land use planning and management programs of other federal departments, states, local governments, and Indian tribes [43 U.S.C. Sec. 1712(c)(9)].

This coordination must include the consideration of the policies of state and tribal land resource management programs. In implementing this directive, the Secretary of the Interior must:

- keep apprised of state, local, and tribal land use plans;
- assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands;
- assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans;
- provide for meaningful public involvement of state and local government officials in the development of land use programs, land use regulations, and land use decisions for public lands; and
- enable state officials to furnish advice to the Secretary of the Interior with respect to the development and revision of land use plans, land use guidelines, land use rules, and land use regulations for the public lands within the state.

Summary of Bill:

The Parks Commission, the WDFW, and the DNR are all required to coordinate their respective agency land use plans with all applicable local government officials. The coordination of plans must occur in the plan development stage, along with the plan revision and implementation stages.

At a minimum, all three agencies are required to keep apprised of all relevant local and tribal land use ordinances and plans, strive to ensure state policies and actions are consistent with local land use plans, assist in resolving inconsistencies between state and local land use policies, and provide meaningful public involvement, access to the agency director, and early notice of agency actions to local government officials. The agencies are required to report to the Legislature any instances that arise causing the agency to be incapable of compliance with local plans and ordinances because of conflicting statutory limitations or responsibilities.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.