

SENATE BILL REPORT

ESHB 2151

As of February 25, 2014

Title: An act relating to recreational trails.

Brief Description: Concerning recreational trails.

Sponsors: House Committee on Environment (originally sponsored by Representatives Blake and Seaquist).

Brief History: Passed House: 2/12/14, 97-1.

Committee Activity: Natural Resources & Parks: 2/20/14.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Staff: Bonnie Kim (786-7316)

Background: The Department of Natural Resources (DNR) manages nearly 3 million acres of public uplands and over 2 million acres of public aquatic lands. DNR manages each individual land holding for a specific benefit or purpose. Statute also directs DNR to use a multiple use concept in the administration of public lands where it is in the best interests of the state and its citizens.

"Multiple use" land management refers to the provision of several simultaneous uses on the same tract of land. For example, DNR may provide for various forms of outdoor recreation, including hunting, fishing, hiking, and camping, where such recreation is compatible with an underlying land management purpose. DNR may plan, construct, and operate recreational areas, trails, and facilities for educational, scientific, or experimental multiple use purposes. In addition, DNR may enter into contracts, leases, or other agreements and coordinate with public or private entities to carry out the multiple use mandates.

Summary of Bill: DNR must work with stakeholders to develop and implement an official recreational trail policy consistent with its management mandate. The policy must adhere to the following principles regarding recreational trails: (1) cause the least impact to the land; (2) protect environment and water quality; and (3) maintain the lowest reasonable construction costs.

DNR is encouraged to use the United States Forest Service trail standards as primary guidelines for trail construction and maintenance. DNR must develop its own standards,

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however, if it deems the federal standards to be insufficient or impractical. DNR may incorporate public input on new and existing trail systems and, if appropriate, support public forums to organize volunteer trail maintenance activities. DNR may not be held liable for any activity or project performed by volunteers or volunteer organizations under the act.

DNR is encouraged to work with local governments to create efficient local permitting processes for trail development and maintenance. DNR must provide the Legislature with options to overcome barriers to efficient permitting, if any. After the policy is developed, DNR may evaluate existing nondesignated trails for compliance with trail standards and, if compliant, incorporate those trails into comprehensive recreational management plans.

DNR must, after review by the Department of Ecology and stakeholders, adopt an initial policy by October 31, 2015.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill allows parks to collaborate with the public and expand recreation opportunities. This bill substantially lowers trail development and maintenance costs, maintains environmental impact, and fosters recreation. This bill will also lead to community prosperity. The trail plan will prevent illegal trail building and allow citizens to participate and volunteer. The amended version of this bill removes gate fees that would have prohibited volunteer organizations from assisting DNR and includes provisions to address liability. The bill requires DNR to develop trail standards in consideration of federal standards but recognizes that DNR must have the flexibility to develop standards that will work for Washington.

Persons Testifying: PRO: Jonathan Guzzo, Evergreen Mountain Bike Assn.; Joan Fleming, Back Country Horsemen of WA; Ted Jackson, Sky Valley Chamber, Sky Valley Recreation; Jed Herman, DNR; Jakob Perry, Dispersed Recreationalist; Steve Davies, citizen.