
Environment Committee

HB 1589

Brief Description: Concerning natural resource management activities.

Sponsors: Representatives Taylor, Shea, Harris, Short, G. Hunt, Scott, Pike and Condotta.

Brief Summary of Bill

- Provides the Washington Department of Fish and Wildlife (WDFW) with specific authority to manage lands acquired by the WDFW using the best available land management techniques.
- Includes a non-exclusive list of land management techniques available to the WDFW which are, except for grazing leases on lands that have not been grazed for ten years, similar to categorical exemptions to the State Environmental Policy Act (SEPA).
- Exempts the enumerated list of land management techniques from the SEPA when undertaken by the WDFW.

Hearing Date: 2/16/15

Staff: Jason Callahan (786-7117).

Background:

Department of Fish and Wildlife.

Land acquisition is a tool used by the Washington Department of Fish and Wildlife (WDFW) to meet its legislative mandate of preserving, protecting, and perpetuating fish and wildlife, while providing sustainable recreational and commercial opportunities. The WDFW currently owns or manages about 900,000 acres in 32 wildlife areas, along with approximately 700 public water access sites.

State Environmental Policy Act.

The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts that may result from governmental decisions, such as the issuance of permits or the adoption of land use plans. Except for development

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projects that are exempt from SEPA requirements, the SEPA generally requires a project applicant to submit an environmental checklist. The checklist includes questions about the potential impacts of the project on the built environment and the natural environment. Generally, an environmental impact statement must be prepared for a proposal which the lead agency determines will have a probable significant, adverse impact on the environment.

State statutes and the SEPA rules contain categorical exemptions for certain actions that are not major actions significantly affecting the quality of the environment (WAC 197-11-800). Categorically exempt actions do not require the submission of a checklist or the development of an environmental impact statement. Under the existing SEPA rules, certain natural resources management activities are considered to be exempt from review under the SEPA. These include activities such as:

- issuing certain new grazing leases for land that has been subject to a grazing lease within the previous 10 years;
- issuing licenses or approvals to remove firewood;
- issuance of agricultural leases covering 160 contiguous acres or less;
- issuance of leases for Christmas tree harvesting, brush picking, or school sites;
- issuance of leases for mooring buoys designed to serve pleasure craft;
- development of recreational sites not specifically designed for all-terrain vehicles and not including more than 12 campsites;
- periodic use of certain chemical or mechanical means to maintain public park and recreational land;
- issuance of rights-of-way, easements and use permits to use existing roads in nonresidential areas; and
- establishment of natural area preserves to be used for scientific research and education and for the protection of rare flora and fauna.

Summary of Bill:

The WDFW is provided with the specific authority to manage lands acquired by the WDFW using the best available land management techniques. A non-exclusive list of land management techniques available to the WDFW is provided. These include:

- issuing or reissuing a grazing lease, regardless of if or when the land had been actively grazed in the past;
- granting permission to collect firewood;
- issuing a lease for brush picking;
- issuing a rights-of-way or other legal permission to use existing roads; and
- using certain chemical or mechanical means periodically to maintain public park and recreational land, as long as the use is consistent with the rules of the Washington State Department of Agriculture.

The specific land management techniques enumerated for the WDFW are exempted from the requirements of the SEPA. Consequently, an environmental impact statement is not necessary to perform the listed techniques. The enumerated list is similar to the existing categorical exemptions provided in rule; however, the categorical exemptions are expanded to include all grazing leases issued by the WDFW and not just those for land that has been grazed within the past 10 years.

Appropriation: None.

Fiscal Note: Not requested.

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