
**Agriculture & Natural Resources
Committee**

HB 2695

Brief Description: Ensuring that historic public recreational access is not diminished by the road maintenance and abandonment efforts of public forest landowners.

Sponsors: Representatives Blake, Rossetti and Scott.

Brief Summary of Bill

- Requires public landowners regulated under the Forest Practices Act to ensure that road engineering projects are designed to preserve the ability for non-motorized access to continue when roads are being maintained or abandoned.

Hearing Date: 1/26/16

Staff: Jason Callahan (786-7117).

Background:

The Department of Natural Resources (DNR) is charged with managing most of the state's public lands. The DNR manages nearly 3 million acres of uplands and over 2 million acres of aquatic lands. Although each individual land holding is managed by the DNR for a specific benefit or purpose, the concept of multiple use management covers all DNR-managed land.

The idea of "multiple use" means the provision of several uses simultaneously on the same tract of land. Outdoor recreation, in all of its various forms, is one of the multiple uses that the DNR is directed to provide when the recreation does not negatively impact the underlying land management purposes. Many lands managed by the DNR are used for hunting, fishing, hiking, camping, and motorized vehicle riding.

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.

In implementing the multiple use mandate, the DNR is authorized to plan, construct, and operate recreational areas, trails, and facilities for educational, scientific, or experimental purposes. These activities may be carried out in conjunction with any other public or private agency.

Summary of Bill:

Public landowners regulated under the Forest Practices Act (FPA) are required to ensure that road engineering projects are designed to preserve the ability for at least non-motorized access to continue when roads are being maintained or abandoned. This includes a requirement that the removal of culverts historically supporting public access are designed to ensure a graded final product that allows continued stream crossing opportunities within a reasonable distance of the original culvert.

The continuity of public access is required regardless of whether the road is being abandoned as part of a formal FPA compliance effort or if the road is being managed under a different authority. The road access must not jeopardize the habitat value of the underlying road maintenance efforts. If the land is managed by the DNR, then the continuity of access is required to satisfy the DNR's multiple use mandate.

The road access requirement is prospective only. There is encouragement that a public landowner should retrofit abandoned roads, but there is no requirement to do so.

Appropriation: None.

Fiscal Note: Available.

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