

SHB 2285 - H AMD 786

By Representative Blake

ADOPTED 02/12/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the 1997
4 state trust lands habitat conservation plan and the proposed
5 amendment related to the conservation of the marbled murrelet, which
6 provide certainty for beneficiaries of affected state lands and state
7 forestlands, present an important and ongoing issue for the people of
8 the state of Washington. The legislature further finds that complying
9 with the endangered species act is a necessary aspect of managing
10 state trust lands. The lands that are the subject of the 1997 habitat
11 conservation plan are held by the state in trust for the trust
12 beneficiaries, and the proposed amendment to the 1997 state trust
13 lands habitat conservation plan presents an opportunity for the
14 legislature to engage in its role as a fiduciary of those lands.

15 (2) The legislature intends that the process set forth in this
16 act will serve as a model for future processes in the event that
17 there are any subsequent amendments to the 1997 state trust lands
18 habitat conservation plan beyond those envisioned in this act.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.30
20 RCW under the subchapter heading "powers and duties--general" to read
21 as follows:

22 (1) By December 1, 2018, and each December 1st until the year
23 after the United States fish and wildlife service issues an
24 incidental take permit on the state trust land habitat conservation
25 plan for the long-term conservation strategy for the marbled
26 murrelet, the department must provide a report to the legislature,
27 consistent with RCW 43.01.036, as required in this section. No fewer
28 than ninety days before submitting the report to the legislature as
29 described in this section, the department must first submit a draft
30 of the report for review and comment to the chair and ranking member

1 of the committees of the house of representatives and senate with
2 jurisdiction over state trust lands management.

3 (2) The report required in this section must annually include an
4 economic analysis of potential losses or gains from any proposed
5 marbled murrelet long-term conservation strategy selected by the
6 board of natural resources, forwarded to or approved by the United
7 States fish and wildlife service, and subsequently adopted by the
8 board.

9 (3) The initial report required under this section must also
10 include recommendations relating to the following, to be updated as
11 appropriate in subsequent reports:

12 (a) Actions that support maintaining or increasing family-wage
13 timber and related jobs in the affected rural communities, taking
14 into account, as appropriate, the role of other market factors;

15 (b) Strategies to ensure no net loss of revenues to the trust
16 beneficiaries due to the implementation of additional marbled
17 murrelet conservation measures;

18 (c) Additional means of financing county services; and

19 (d) Additional reasonable, incentive-based, nonregulatory
20 conservation measures for the marbled murrelet that also provide
21 economic benefits to rural communities.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30
23 RCW under the subchapter heading "powers and duties--general" to read
24 as follows:

25 (1) To assist the department in developing and providing the
26 report to the legislature required in section 2 of this act, the
27 commissioner must appoint a marbled murrelet advisory committee.

28 (2) The marbled murrelet advisory committee may include one or
29 more representatives from the following categories:

30 (a) State trust lands beneficiaries;

31 (b) Impacted state forestlands beneficiaries, including counties;

32 (c) Junior taxing districts;

33 (d) Environmental organizations;

34 (e) Local governments or an association representing local
35 governments;

36 (f) Milling interests or an association representing milling
37 interests;

38 (g) Private forest landowners or a statewide association
39 representing private forest landowners; and

1 (h) Local public interest groups.

2 (3) The advisory committee required under this section may
3 consult with relevant state and federal agencies and tribes.

4 NEW SECTION. **Sec. 4.** (1) Sections 2 and 3 of this act expire at
5 the end of the calendar year following the issuance by the United
6 States fish and wildlife service of an incidental take permit on the
7 long-term conservation strategy for the marbled murrelet under the
8 state trust lands habitat conservation plan and subsequent adoption
9 by the board of natural resources.

10 (2) The department of natural resources must notify the chief
11 clerk of the house of representatives, the secretary of the senate,
12 and the office of the code reviser when the conditional expiration
13 date of sections 1 and 2 of this act is satisfied."

14 Correct the title.

EFFECT: Modifies the intent section.

Requires that the annual report submitted to the legislature include an economic analysis of potential losses or gains from any proposed marbled murrelet long-term conservation strategy approved by the board of natural resources, forwarded to or approved by the United States fish and wildlife service, and subsequently adopted by the board of natural resources.

Requires that the annual report submitted to the legislature include recommendations concerning the following:

(1) Actions that support maintaining or increasing family-wage timber and related jobs in the affected rural communities, taking into account, as appropriate, the role of other market factors;

(2) Strategies to ensure no net loss of revenues to the trust beneficiaries due to the implementation of additional murrelet conservation measures;

(3) Additional means of financing county services; and

(4) Additional reasonable, incentive-based, nonregulatory conservation measures for the marbled murrelet that also provide economic benefits to rural communities.

Modifies the scope of constituencies that may be represented on the marbled murrelet advisory committee, to include junior taxing districts, and to remove other interested parties deemed appropriate by the commissioner of public lands.

Removes the requirement that a subsequent marbled murrelet advisory committee be appointed in the event of subsequent amendments to the 1997 state trust lands marbled murrelet habitat conservation plan.

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