
SENATE BILL 6551

State of Washington

54th Legislature

1996 Regular Session

By Senators Loveland, Rasmussen, Snyder, Morton, Oke, Prince,
A. Anderson, Hargrove, Hochstatter, Winsley and Sellar

Read first time 01/17/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to agricultural grazing on state-owned and managed
2 lands; amending RCW 79.01.295 and 77.12.204; amending 1993 sp.s. c 4 s
3 1 (uncodified); adding new sections to chapter 89.08 RCW; and creating
4 new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** 1993 sp.s. c 4 s 1 (uncodified) is amended to read as
7 follows:

8 The legislature finds that many wild stocks of salmonids in the
9 state of Washington are in a state of decline. Stocks of salmon on the
10 Columbia and Snake rivers have been listed under the federal endangered
11 species act, and the bull trout has been petitioned for listing. Some
12 scientists believe that numerous other stocks of salmonids in the
13 Pacific Northwest are in decline or possibly extinct. The legislature
14 declares that to lose wild stocks is detrimental to the genetic
15 diversity of the fisheries resource and the economy, and will represent
16 the loss of a vital component of Washington's aquatic ecosystems. The
17 legislature further finds that there is a continuing loss of habitat
18 for fish and wildlife. The legislature declares that steps must be
19 taken in the areas of wildlife and fish habitat management, water

1 conservation, wild salmonid stock protection, and education to prevent
2 further losses of Washington's fish and wildlife heritage from a number
3 of causes including urban and rural subdivisions, shopping centers,
4 industrial park, and other land use activities.

5 The legislature finds that the maintenance and restoration of
6 Washington's rangelands and shrub-steppe vegetation is vital to the
7 long-term benefit of the people of the state. The legislature finds
8 that approximately one-fourth of the state is open range or open-
9 canopied grazable woodland. The legislature finds that these lands
10 provide forage for livestock, habitat for wildlife, and innumerable
11 recreational opportunities including hunting, hiking, and fishing.

12 The legislature finds that the development of coordinated resource
13 management plans, that take into consideration the needs of wildlife,
14 fish, livestock, timber production, water quality protection, and
15 rangeland conservation on all state-owned grazing lands will improve
16 the stewardship of these lands ((and)), will allow for the increased
17 development and maintenance of fish and wildlife habitat, improved
18 grazing, and other multipurpose benefits the public derives from these
19 lands, and will result in providing fish habitat. The legislature
20 directs that all state agencies that manage grazable lands make
21 planning and implementation using the coordinated resource management
22 process a high priority and that the agencies put first emphasis on
23 those lands that obviously lack reasonably good management.

24 The legislature finds that the state currently provides
25 insufficient technical support for coordinated resource management
26 plans to be developed for all state-owned lands and for many of the
27 private lands desiring to develop such plans. As a consequence of this
28 lack of technical assistance, our state grazing lands, including fish
29 and wildlife habitat and other resources provided by these lands, are
30 not achieving their potential. The legislature also finds that with
31 many state lands being intermixed with private grazing lands,
32 development of coordinated resource management plans on state-owned and
33 managed lands ((~~provides an opportunity to improve the management and~~
34 ~~enhance the conditions of adjacent private lands~~)) presents an
35 opportunity to provide technical assistance to leasees and permittees
36 of state-owned and managed lands to enhance and improve management of
37 their own private lands strictly on a voluntary basis.

38 The legislature recognizes that conservation districts are well
39 suited to provide local leadership in efforts to protect and improve

1 our natural resources and encourages districts with significant amounts
2 of grazable lands to lead the coordination of this effort whenever
3 possible.

4 A purpose of this act is to establish state grazing lands as the
5 model in the state for the development and implementation of
6 (~~standards~~) guidelines that can be used in coordinated resource
7 management plans and to thereby assist the timely development of
8 coordinated resource management plans (~~for~~) that state agencies must
9 utilize on all state-owned (~~grazing lands~~) or managed grazable lands
10 except for small isolated parcels or those that are deemed uneconomical
11 to participate in the full coordinated resource management planning
12 processes. Another purpose of chapter . . . , Laws of 1996 (this act),
13 is to provide for the continued leasing of all publicly owned and
14 managed lands by using the multiple use concept to the fullest extent
15 possible that provide income for trust beneficiaries while also
16 protecting and improving wildlife habitat with the result of
17 incorporating practices that enhance fish propagation. Every lessee of
18 state lands who wishes to participate in the development and
19 implementation of a coordinated resource management plan shall have the
20 opportunity to do so.

21 NEW SECTION. Sec. 2. For the purposes of chapter . . . , Laws of
22 1996 (this act), "coordinated resource management planning" means a
23 voluntary process whereby land owners and managers, both public and
24 private, consult and by mutual agreement establish management
25 objectives for a specific land area or management unit of grazing
26 lands. Through this process, alternative actions are reviewed and
27 agreement is reached on which alternatives are to be employed to reach
28 the management objectives. State land managers, permittees, and
29 leasees, may be joined by private landowners in or near the proposed
30 management unit, federal land managers, and managers of tribal land, in
31 the planning and implementation processes. Local public interest
32 groups or affected individuals may participate in the planning process.
33 When the coordinated resource management planning process is considered
34 for grazing lands, generally accepted grazing land management practices
35 under the multiple use concept must be an integral part to enhance the
36 grazing resource and fish and wildlife habitat.

1 **Sec. 3.** RCW 79.01.295 and 1993 sp.s. c 4 s 5 are each amended to
2 read as follows:

3 (1) (~~By December 31, 1993,~~) The department of fish and wildlife
4 (~~and the department of fisheries~~) shall (~~each~~) develop goals (~~for~~
5 ~~the wildlife and fish that these agencies respectively manage,~~) to
6 preserve, protect, and perpetuate habitat for fish and wildlife (~~and~~
7 ~~fish~~) on shrub steppe habitat or on lands that are presently
8 agricultural lands, rangelands, or grazable woodlands. These goals
9 shall be consistent with the maintenance of a healthy ecosystem.

10 (2) (~~By July 31, 1993,~~) The conservation commission shall appoint
11 a technical advisory committee to develop (~~standards that achieve the~~
12 ~~goals developed in subsection (1) of this section~~) guidelines for use
13 in preparing coordinated resource management plans consistent with
14 these goals and section 1 of this act. The committee members shall
15 include but not be limited to technical experts representing the
16 following interests: Agriculture, academia, range management,
17 utilities, environmental groups, commercial and recreational fishing
18 interests, the Washington rangelands committee, Indian tribes, the
19 department of fish and wildlife, (~~the department of fisheries,~~) the
20 department of natural resources, the department of ecology,
21 conservation districts, and the department of agriculture. A member of
22 the conservation commission shall chair the committee.

23 (3) (~~By December 31, 1994,~~) The committee shall develop
24 (~~standards~~) guidelines to meet the goals developed under subsection
25 (1) of this section consistent with section 1 of this act. These
26 (~~standards~~) guidelines shall not conflict with the recovery of
27 wildlife or fish species that are listed or proposed for listing under
28 the federal endangered species act. These (~~standards~~) guidelines
29 shall be utilized to the extent possible in development of coordinated
30 resource management plans, consistent with section 1 of this act, to
31 provide a level of management that sustains and perpetuates renewable
32 resources, including fish and wildlife, riparian areas, soil, water,
33 timber, and forage for livestock and wildlife. Furthermore, the
34 (~~standards~~) guidelines are recommended for application to model
35 watersheds designated by the Northwest power planning council in
36 conjunction with the conservation commission. The maintenance and
37 restoration of sufficient habitat to preserve, protect, and perpetuate
38 wildlife and fish shall be a major component included in the
39 (~~standards~~) guidelines and coordinated resource management plans.

1 Application of (~~standards~~) guidelines to privately owned lands is
2 voluntary and may be dependent on funds to provide technical assistance
3 through conservation districts.

4 (4) By December 1, 1996, the conservation commission shall
5 (~~approve~~) modify in accordance with chapter . . . , Laws of 1996 (this
6 act), the (~~standards~~) guidelines and shall provide them to the
7 departments of natural resources and fish and wildlife, each of the
8 conservation districts, Washington State University cooperative
9 extension service, and the appropriate committees of the legislature.
10 The conservation districts shall make these (~~standards~~) guidelines
11 available to the public and for coordinated resource management
12 planning. Application to private lands is voluntary.

13 (5) Consistent with section 1 of this act, the department of
14 natural resources shall (a) implement practices necessary to meet the
15 (~~standards~~) guidelines developed (~~pursuant to~~) under this section
16 on department managed cultivated agricultural lands; and (b) utilize
17 the guidelines in the coordinated resource management planning process
18 to implement practices on grazing lands, consistent with the trust
19 mandate of the Washington state Constitution and Title 79 RCW. The
20 (~~standards~~) guidelines may be modified on a site-specific basis as
21 needed to achieve the fish and wildlife goals, and as determined by the
22 (~~department of fisheries or wildlife, and the department of natural~~
23 ~~resources~~) agency managing the land. Existing lessees shall be
24 provided an opportunity to participate in any site-specific field
25 review. Department agricultural and grazing leases issued after
26 (~~December 31, 1994, shall be subject to practices to achieve the~~
27 ~~standards that meet those developed pursuant to this section~~) the
28 effective date of this act must utilize the guidelines in compliance
29 with this section and consistent with section 1 of this act.

30 **Sec. 4.** RCW 77.12.204 and 1993 sp.s. c 4 s 6 are each amended to
31 read as follows:

32 Consistent with section 1 of this act, the department of fish and
33 wildlife shall (1) implement practices necessary to meet the
34 (~~standards~~) guidelines developed under RCW 79.01.295 on agency-owned
35 and managed cultivated agricultural (~~and~~) land; and (2) utilize the
36 guidelines in the coordinated resource management planning process to
37 implement practices on grazing lands. The (~~standards~~) guidelines may
38 be modified on a site-specific basis as necessary and as determined by

1 the department of (~~(fisheries or)~~) fish and wildlife, for species that
2 these agencies respectively manage, to achieve the goals (~~(established~~
3 ~~under RCW 79.01.295(1))~~) consistent with section 1 of this act.
4 Existing lessees shall be provided an opportunity to participate in any
5 site-specific field review. Department agricultural and grazing leases
6 issued after (~~(December 31, 1994, shall be subject to practices to~~
7 ~~achieve the standards that meet those developed pursuant to RCW~~
8 ~~79.01.295))~~) the effective date of this act shall utilize the guidelines
9 in the development of coordinated resource management plans consistent
10 with the purposes under section 1 of this act.

11 This section shall in no way prevent the department of fish and
12 wildlife from managing its lands to accomplish its statutory mandate
13 pursuant to RCW 77.12.010, nor shall it prevent the department from
14 managing its lands according to the provisions of RCW 77.12.210 (~~(or~~
15 ~~rules adopted pursuant to this chapter)~~)).

16 NEW SECTION. Sec. 5. Nothing in this act related to coordinated
17 resource management planning may interfere with state agencies moving
18 forward with a collaborative program of working with leasees or permit
19 holders to enhance the natural resources while phasing in
20 implementation of the coordinated resource management program under
21 this act.

22 NEW SECTION. Sec. 6. This act does not authorize the
23 establishment of standards or guidelines pertaining to water quality or
24 water quantity that conflict or otherwise duplicate the power to set
25 water quality or water quantity standards granted to the department of
26 ecology.

27 NEW SECTION. Sec. 7. Sections 1 and 2 of this act are each added
28 to chapter 89.08 RCW.

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