
SUBSTITUTE SENATE BILL 5547

State of Washington

66th Legislature

2019 Regular Session

By Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Van De Wege, Braun, Takko, Warnick, and Short)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the proposed department of natural resources'
2 marbled murrelet long-term conservation strategy; adding a new
3 section to chapter 43.30 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the department
6 of natural resources has been working for more than three years to
7 develop a marbled murrelet long-term conservation strategy to
8 incorporate in the 1997 state lands habitat conservation plan.

9 The legislature further finds that in August 2018, the department
10 of natural resources released a revised draft environmental impact
11 statement analyzing eight alternatives for the long-term conservation
12 strategy. Alternatives A, B, C, D, E, and H set aside from management
13 between nine thousand acres (alternative B) to forty-three thousand
14 acres (alternative H) of trust lands. Alternative H was selected as
15 the preferred alternative. Two of the options analyzed, alternatives
16 F and G, would set aside up to one hundred thirty-three thousand
17 acres of trust lands, beyond alternative H, and conflict with the
18 state's trust mandate to the beneficiaries.

19 The legislature further finds that the department of natural
20 resources released two documents on October 31, 2018, to provide
21 additional economic impact analysis data related to the long-term

1 conservation strategy. The department of natural resources updated
2 the draft financial analysis for the sustainable harvest calculation.
3 However, the analysis does not provide projected revenue or cash flow
4 impacts to individual trust beneficiaries, including counties and
5 junior taxing districts, that receive revenue from state trust land
6 timber sales. Further, the analysis does not disclose harvest volumes
7 by trust or junior taxing districts beyond the planning decade fiscal
8 years 2015 to 2024.

9 The legislature further finds that the department of natural
10 resources has prepared a "losses and gains" analysis of management
11 options to meet their requirements under chapter 255, Laws of 2018
12 (marbled murrelet habitat information report). The "losses and gains"
13 analysis only analyzed the revenue impact in the first decade for
14 some beneficiaries, fiscal years 2015 to 2024, of a fifty-year plan
15 and relied on regional and statewide economic multipliers and
16 assumptions to estimate potential private sector job impacts related
17 to alternative H. The analysis does not provide fiscal impact data
18 for individual county beneficiaries and associated junior taxing
19 districts.

20 The legislature further finds that the decision to permanently
21 exclude timber management on state trust lands has long-lasting
22 economic, environmental, and social consequences to the citizens of
23 Washington and to the beneficiaries of trust lands managed by the
24 department. Therefore, the legislature finds that to ensure that a
25 decision is made with the utmost care and transparency, and is made
26 with the interest of the trust beneficiaries and the citizens they
27 provide services for, further analysis is necessary.

28 NEW SECTION. **Sec. 2.** (1) The department of natural resources
29 must analyze the harvest volume and revenue impacts of the department
30 of natural resources' preferred alternative, alternative H, for the
31 long-term conservation strategy to all department of natural
32 resources' trust beneficiaries, including local governments and
33 junior taxing districts. The analysis must consider the impacts of
34 the preferred alternative compared to both the interim strategy,
35 alternative A, and to the five hundred eighty-seven thousand acres of
36 baseline long-term forest cover set aside under the 1997 habitat
37 conservation plan.

38 (2) The analysis must report, at a minimum, by ten-year periods
39 as identified below:

- 1 (a) Fiscal years 2015 to 2024;
- 2 (b) Fiscal years 2025 to 2034;
- 3 (c) Fiscal years 2035 to 2044;
- 4 (d) Fiscal years 2045 to 2054;
- 5 (e) Fiscal years 2055 to 2064; and
- 6 (f) Fiscal years 2065 to 2074.

7 (3) At a minimum, the report must provide the following data for
8 each trust beneficiary, including individual counties and junior
9 taxing districts, by each of the six periods listed in subsection (2)
10 of this section:

- 11 (a) Revenue;
- 12 (b) Sustainable harvest volume;
- 13 (c) Acres available for management; and
- 14 (d) Acres deferred by age class.

15 (4) The department of natural resources must consult with
16 representatives of trust beneficiaries to seek input and guidance on
17 the method of analysis, type of data, and sources of data needed for
18 the analysis.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30
20 RCW to read as follows:

21 (1) The board may not adopt a marbled murrelet long-term
22 conservation strategy until the analysis required under section 2 of
23 this act has been finalized and:

24 (a) Made available for public review and comment for at least
25 thirty days, including a public hearing to receive input on the
26 analysis; and

27 (b) Transmitted to the appropriate committees of the legislature
28 along with a summary of the comments received under (a) of this
29 subsection.

30 (2) Lands identified for potential set-aside from timber
31 management under the marbled murrelet long-term conservation strategy
32 alternatives that are not included within the department's preferred
33 alternative are not subject to any limitation on management
34 activities relating to marbled murrelet conservation following the
35 issuance of a final environmental impact statement by the department.

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