
SENATE BILL 6354

State of Washington

61st Legislature

2010 Regular Session

By Senators Swecker, Morton, and Sheldon

Read first time 01/13/10. Referred to Committee on Natural Resources,
Ocean & Recreation.

1 AN ACT Relating to the regulation of nonindustrial forests;
2 amending RCW 76.13.130; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that providing for
5 long-term stewardship of nonindustrial forests and woodlands in
6 projected growth areas and rural areas is an important factor in
7 maintaining Washington's special character and quality of life.

8 (2) The legislature further finds that in order to encourage and
9 maintain nonindustrial forests and woodlands for their present and
10 future benefit to all citizens, Washington's nonindustrial forest and
11 woodland owners' long-term commitments to stewardship of forest
12 resources must be recognized and supported by the citizens of
13 Washington.

14 (3) The legislature further finds that the adoption of forest
15 practices rules consistent with the forests and fish report, as defined
16 in RCW 76.09.020, has imposed substantial financial burdens on small
17 forest landowners.

18 (4) The legislature further finds that forest practices rules
19 adopted since the forests and fish report have not provided small

1 forest landowners with the alternate plan processes or alternate
2 harvest restrictions that were intended by the legislature to lower the
3 overall cost of regulation to small forest landowners while meeting the
4 public resource protection standard set forth in RCW 76.09.370(3).

5 (5) The legislature further finds that in order to maintain the
6 economic viability of eighty-nine thousand family forest owners
7 managing five million acres of forestland across the state, small
8 forest landowners must be provided with incentives to keep their land
9 in long-term forestry. The legislature intends to provide regulatory
10 certainty and remove disincentives in order to encourage ownership
11 tenure for generations to come.

12 **Sec. 2.** RCW 76.13.130 and 1999 sp.s. c 4 s 505 are each amended to
13 read as follows:

14 (1)(a) On ((parcels)) harvest areas of twenty contiguous acres or
15 less, forest landowners ((with a total parcel ownership of less than
16 eighty acres)) shall not be required to leave riparian buffers adjacent
17 to streams according to forest practices rules adopted under the
18 forests and fish report, as defined in RCW 76.09.020, if the forest
19 landowner has not, from his or her own land or from the land of another
20 under a right or license granted by lease or contract, either directly
21 or by contracting with others for the necessary labor or mechanical
22 services, fell, cut, or taken timber for sale or for commercial or
23 industrial use in an amount exceeding two million board feet during any
24 three-year period. ((These))

25 (b) Landowners who qualify under this subsection shall be subject
26 to the permanent forest practices rules in effect as of January 1,
27 1999, but may additionally be required to:

28 (i) Comply with administrative rules adopted by the forest
29 practices board relating to the size and timing of even-aged harvests;
30 and

31 (ii) Leave timber adjacent to streams that is equivalent to no
32 greater than fifteen percent of a volume of timber contained in a stand
33 of well managed fifty-year old commercial timber covering the harvest
34 area. The additional fifteen percent leave tree level shall be
35 computed as a rotating stand volume and shall be regulated through
36 flexible forest practices as the stream buffer is managed over time to
37 meet riparian functions.

1 (~~On parcels of twenty contiguous acres or less~~) (2) The small
2 forest landowner office shall work with small forest landowners (~~(with~~
3 ~~a total parcel ownership of less than eighty acres)~~), as defined in RCW
4 76.13.120, to develop alternative management plans for riparian
5 buffers. Such alternative plans shall provide for the removal of leave
6 trees as other new trees grow in order to ensure the most effective
7 protection of critical riparian function. The office may recommend
8 reasonable modifications in alternative management plans of such
9 landowners to further reduce risks to public resources and endangered
10 species so long as the anticipated operating costs are not unreasonably
11 increased and the landowner is not required to leave a greater volume
12 than the threshold level. (~~(To qualify for the provisions of this~~
13 ~~section, parcels must be twenty acres or less in contiguous ownership,~~
14 ~~and owners cannot have ownership interests in a total of more than~~
15 ~~eighty acres of forest lands within the state.)~~)

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