

2091

Sponsor(s): Representatives Buck, Regala, Dunshee, Thomas, Alexander, Doumit, Kessler, McMorris, Grant, Hatfield, Linville, G. Chandler, Reardon, Ericksen, Quall, Ogden, Clements, Schoesler, Anderson, Lisk, Eickmeyer, D. Sommers and Veloria; by request of Governor Locke

Brief Title: Contributing to salmon and water quality enhancement in areas impacted by forest practices.

HB 2091 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Declares that the changes in laws and rules contemplated by this act, taken as a whole, constitute a comprehensive and coordinated program to provide substantial and sufficient contributions to salmon recovery and water quality enhancement in areas impacted by forest practices and are intended to fully satisfy the requirements of the endangered species act (16 U.S.C. Sec. 1531 et seq.) with respect to incidental take of salmon and other aquatic resources and the clean water act (33 U.S.C. Sec. 1251 et seq.) with respect to nonpoint source pollution attributable to forest practices.

Finds that coordination is needed between the laws relating to forestry in chapter 76.09 RCW and the state salmon recovery strategy being developed under this act.

Recognizes that the adoption of forest practices rules consistent with the forests and fish report will impose substantial financial burdens on forest landowners which, if not partially offset through other changes in the laws and rules governing forestry, could lead to significantly reduced silvicultural investments on nonfederal lands, deterioration in the quality, condition, and amounts of forests on those lands, and long-term adverse effects on fish and wildlife habitat and other environmental amenities associated with well managed forests. Moreover, as the benefits of the proposed revisions to the forest practices rules will benefit the general public, fairness requires that these costs be shared with the general public through: (1) Reductions in timber harvest taxes;

(2) government acquisition of certain forest lands in stream channel migration zones; and

(3) a direct cost-sharing program for small landowners.

Authorizes the forest practices board to adopt interim rules amending the forest practices rules consistent with the forests and fish report. The interim rules may remain in effect until permanent amendments to the forest practices rules are adopted under normal rule-making procedures.

Authorizes the interim rules to address less than all the elements of the forests and fish report if the forest practices board determines that this is necessary because of the interim nature of the rules. Adoption of the interim rules does not require compliance with the procedural requirements of the forest practices act, the administrative procedure act, chapter 34.05 RCW,

the small business economic impact provisions of the regulatory fairness act, chapter 19.85 RCW, or the procedural requirements of the state environmental protection act, chapter 43.21C RCW.