
Natural Resources Committee

HB 2311

Brief Description: Changing provisions relating to small forest landowners.

Sponsors: Representatives Doumit, Sump, Jackley, Rockefeller, Kessler, Eickmeyer, Hatfield, Delvin, Buck, Linville, Upthegrove, Ericksen and Cairnes.

Brief Summary of Bill

- Requires the small forest landowner office (office) to reimburse small forest landowners participating in the easement program for the actual costs incurred for cruising the timber, laying out the streamside buffers, and marking the qualifying timber.
- Staggers the terms of the initial representatives of small forest landowners appointed to the advisory committee to the office.
- Requires the removal of qualifying timber prior to the expiration of the easement to be done in accordance with the forest practice rules and the terms of the easement.
- Expands the categories of compliance costs that small forest landowners are reimbursed to include the cost of cruising the timber, laying out the streamside buffers, and marking the qualifying timber.
- Places in the chapter of the Code that relates to the Forest Practices Board (board) the directive that the board is required to adopt a manual and rules for alternative management plans and alternative harvest restrictions for use by small forest landowners.

Hearing Date: 1/18/02

Staff: Jason Callahan (786-7117).

Background:

The small forest landowner office (office) was established within the Department of Natural Resources by the Legislature in 1999 as part of the Forests and Fish legislation. The office is required to work with small forest landowners on the development of alternate management plans or alternate harvest restrictions for riparian buffers, and is required to

develop criteria for adoption by the Forest Practices Board (board) in a manual for these alternate management plans and harvest restrictions.

The Forests and Fish legislation established an advisory committee to assist the office in developing policy and recommending rules to the board. This advisory committee is composed of representatives of state agencies, tribes, and small forest landowners.

A forest landowner must obtain an approved forest practices application for timber harvest on his or her property as a prerequisite for participating in the forest riparian easement program. The office determines the amount of compensation to be offered to the small forest landowner for the easement.

The amount of compensation offered by the office for a riparian easement is an amount equal to 50 percent of the value of the timber that was covered in a forest practices application that is required to be left unharvested. Compensation for small forest landowners who are unable to obtain approval of a forest practices application because of forest practice rules restrictions is determined by the office. If any timber is removed prior to the expiration of the 50-year easement, the office is required to apply a reduced compensation factor to determine the value of those trees based on the proportional economic value lost to the landowner, considering income and growth. The compensation also includes the landowner's compliance costs. These costs account for the preparing and recording of the easement and any business and occupation or real estate taxes.

The office is authorized to contract with private consultants to conduct timber cruises of forestry riparian easements, for laying out streamside buffers, or for other regulatory requirements associated with the forest riparian easement program.

Summary of Bill:

The small forest landowner office (office) is required to reimburse small forest landowners participating in the easement program for the actual costs incurred for cruising the timber, laying out the streamside buffers, and marking the qualifying timber. Reimbursement is only available if the work is completed by a qualified person, the work is acceptable by the Department of Natural Resources, and the costs are reasonable. The small forest landowner may be deemed a qualified person.

The initial representatives of small forest landowners appointed to the advisory committee to the office are given staggered terms. Two of the four members will serve five-year terms, and the other two will serve four-year terms. After these terms are completed, all members will serve four-year terms.

Removal of qualifying timber prior to the expiration of the easement must be done in accordance with the forest practice rules and the terms of the easement. Removing the timber does not result in reduced compensation to the landowner.

The categories of compliance costs that small forest landowners are reimbursed is expanded beyond the costs of preparing and recording the easement and any additional tax burdens. Compliance costs also includes the cost of cruising the timber, laying out the streamside

buffers, and marking the qualifying timber.

The directive that the Forest Practices Board (board) is required to adopt a manual and rules for alternative management plans and alternative harvest restrictions for use by small forest landowners is placed in the chapter of the Code related to the board. The definition of a small forest landowner for these purposes is clarified to be consistent with the definition in the small forest landowner chapter of the Code.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: Ninety days after adjournment of session in which bill is passed.