
**Agriculture & Natural Resources
Committee**

HB 3015

Brief Description: Concerning timelines for forest riparian easements.

Sponsors: Representatives Orcutt, Sump, Hunt, Kristiansen, Schoesler and Boldt.

Brief Summary of Bill

- Requires the Small Forest Landowner Office to provide the compensation to a participant in the Forest Riparian Easement Program within 30 days of the landowner completing his or her requirements.

Hearing Date: 2/6/04

Staff: Jason Callahan (786-7117).

Background:

The Forest Riparian Easement (FRE) Program is a program managed by the Department of Natural Resources's (DNR) Small Forest Landowner Office to acquire fifty-year easements along riparian and other sensitive aquatic areas from small forest landowners that are willing to sell or donate easements to the state [RCW 76.13.120(1)]. The DNR is authorized to purchase easements from small forest landowners and hold the easements in the name of the state [RCW 76.13.120(3)]. The easements are restrictive only, and do not restrict the landowner's activities except as necessary to protect the riparian functions of the habitat for the term of the easement [RCW 76.13.120(5)].

The value of the easement is determined by the DNR based on the fair market value of the timber volume covered by the easement [RCW 76.13.120(6)]. This calculation is made by the DNR after it conducts a timber cruise of 100 percent of the proposed easement [WAC 222-21-040]. The data gathered in the timber cruise is then applied to a stumpage value table to calculate the fair market value [WAC 222-21-045].

If a landowner accepts the DNR's offer for the easement's value, payment must be made to the landowner promptly after harvest has occurred, compliance with the state regulations has been verified, and the easement has been executed [RCW 76.13.120(7)]. The DNR's offer may be accepted or rejected by the landowner, or the landowner may request that a supervisor from the DNR review the offer and consider any identified issues. The request for a review must occur within 30 days of the offer being presented to the landowner [WAC 222-21-090].

Summary of Bill:

The Small Forest Landowner Office is required to provide the agreed-to compensation to a participant in the FRE program within 30 days of the landowner completing his or her requirements. If the DNR fails to make payment within 30 days, the landowner will be entitled to the interest that accrues on the payment between the 30th day and when final payment is delivered.

Appropriation: None.

Fiscal Note: Requested on 1/26/04.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.