

SENATE BILL REPORT

SB 6276

As of January 31, 2006

Title: An act relating to scenic protection.

Brief Description: Protecting areas of scenic beauty.

Sponsors: Senator Jacobsen.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/30/06.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Staff: Curt Gavigan (786-7437)

Background: The Legislature has declared that forest land resources are among the most valuable of all resources in the state, that a viable forest products industry is of prime importance to the state's economy, and that it is in the public interest for commercial forest lands to be managed consistent with policies of natural resource protection, including such qualities as scenic beauty. The stated purposes of the forest practice rules include: affording protection to and encouraging timber growth; affording protection to forest soils, water, fish, and other public resources; recognizing the public and private interest in the profitable growing and harvesting of timber; and providing an efficient regulatory scheme for forest practices.

According to documents produced by the Department of Fish and Wildlife (DFW), the state's geography, climates, and ecosystems have created habitats giving rise to over 640 vertebrate species, including 365 species of birds. The total economic output from wildlife watching in Washington is approximately \$1.78 billion dollars, the eighth highest in the nation.

The state and federal governments have designated certain Washington roadways as scenic byways because they pass through areas reflecting the scenic, cultural, and historical landscapes of the state.

Summary of Bill: One of the purposes and policies behind the forest practice rules is to identify forested areas that are important for the state's tourism economy where industrial forest practices may impair scenic resources, and develop forest practice rules that adequately protect these resources.

By June 30, 2007, the Forest Practices Board must identify and map areas that merit increased scenic protection based on their importance to Washington's tourist and recreational economy, including visible areas within a five mile distance of state and federally designated scenic highways and byways, scenic waterways, and major recreation trails.

By December 31, 2007, the Board shall adopt forest practice rules for all forest practice permits proposed to be conducted in visible mapped scenic areas. These rules must require

landowners owning more than 2,000 acres to conduct a landscape assessment of their lands within mapped scenic areas. Such landowners must also prepare a visual impact mitigation plan, subject to approval by the Department of Natural Resources (DNR), prior to receiving further harvest permits. Additionally, rules must prescribe: a procedure for DNR to evaluate, approve, or reject visual mitigation plans; and certain aesthetic forestry techniques, including minimizing the visual impact of roads and keeping harvest unit size within a scale appropriate to local conditions.

Forest practices approved under, and in compliance with, forest practice rules for scenic areas are not subject to an evaluation by DNR to determine whether a detailed statement under the State Environmental Policy Act (SEPA) is required.

A findings section is included that discusses the economic importance of landscaped based tourism to the state and the adverse impacts that certain forest practices have on the aesthetic quality of tourist routes and destinations.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: The interests of forestry and eco-tourism can be reconciled, but there must be compromise in terms of how forest practices are undertaken. Aesthetic forestry techniques exist that can be done without creating a great economic hardship on commercial forestry. If the state wants to promote its vital nature-based tourism industry, it needs to address forestry practices that impact that industry.

Testimony Against: The Forest Practices Board plans to address the issue of aesthetic forestry in the near future. This bill would impose huge costs on DNR and forest landowners and create more administrative processes. Additionally, what constitutes "aesthetic" is subjective.

Who Testified: PRO: Pat Kennedy, Nisqually Headwaters; Janet Liddle, citizen; Peter Goldman, Forest Law Center; Norm Winn, Mountaineers; Catharine Gallagher, citizen; Phil Freeman, Great Getaways.

CON: Peter Heide, WFPA; Kevin Godbout, Weyerhaeser; Court Stanley, Port Blakely; Rick Dunning, WFFA; Bill Pickell, WCLA; Pat McElroy, Forest Practices Board; Toby Murray, Forest Practices Board; Gary Johnson, ALSD Land Use.