

# HOUSE BILL REPORT

## HB 1652

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to wildfire prevention and protection.

**Brief Description:** Establishing the wildfire prevention and protection work group.

**Sponsors:** Representatives Grant, Kretz, Hailey, Blake, Pearson, McCoy, B. Sullivan and Kristiansen.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/8/07, 2/14/07 [DPS].

**Brief Summary of Substitute Bill**

- Establishes the Wildfire Prevention and Protection Work Group.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse, Orcutt, Strow and VanDeWege.

**Staff:** Jason Callahan (786-7117).

**Background:**

The Department of Natural Resources (Department) is the lead state entity responsible for forest fire prevention and response on both state-owned and private forest land in Washington. The Department's role is to assume direct charge of and supervision of all matters pertaining to forest fires.

The costs of forest fire protection are intended to be equitably shared between forest landowners and the state. Owners of forest land are under an obligation to provide forest fire protection on their land to a level that provides adequate protection against the spread of fire from or across their land. However, if a landowner's property is located on forest land not

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included within the boundaries of a rural or municipal fire district, and the landowner fails to provide adequate protection against the spread of forest fire, then the landowner must pay to the Department a forest fire protection assessment (assessment).

Landowners paying the assessment are billed both at a flat rate and at an additional rate according to the size of the forest land they own. All landowners must pay a flat rate assessment fee of \$14.50. This flat rate fee is paid by all forest land owners regardless of ownership size. Landowners who own more than 50 acres of forest land must pay the flat rate fee plus an additional 25 cents on each acre over the initial acre.

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**Summary of Substitute Bill:**

The Wildfire Prevention and Protection Work Group (Work Group) is established to review existing fire studies and draw conclusions on a number of forest fire issues. Topics to be addressed by the Work Group include the utility of the existing assessment, fire suppression efforts used by other states, the proper scope of the Department's fire protection authority, the role of state and local building codes, and the interaction between fire danger and insurance rates.

The Work Group is composed of 24 individuals with diverse backgrounds. The Work Group's membership includes representatives from state government, local government, fire districts, the environmental community, industrial and small forest landowners, the home building industry, the insurance industry, realtors, agriculture, contract loggers, foresters, fire chiefs, and land owners. Staff to the Work Group is provided by the Department.

The final report will take the form of draft legislation and is due to be reported to the Legislature by December 1, 2007.

**Substitute Bill Compared to Original Bill:**

The substitute bill specifies that the building industry representative on the Work Group is to be from the home building industry, adds representatives from the fire chiefs to the Work Group, further specifies local land use programs to be studied by the Work Group, changes the staffing of the bill from legislative staff to the Department, and replaces the appropriation with a null and void clause.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

**Staff Summary of Public Testimony:**

(In support) Recent forest fires have shown problems in the current system for protecting against and fighting forest fires. There are important public policy issues that should be reviewed and there needs to be clarification as to who has what firefighting responsibility and when they have it. People should have the authority to protect their own property. It has been over 10 years since a review of this caliber has been conducted.

A study of this sort was included in the Governor's budget, and will complement the Department's strategic plan for forest fire prevention. The current firefighting policies can be dangerous for firefighters.

(Opposed) None.

**Persons Testifying:** Representative Grant, prime sponsor; Vicki Christiansen, Department of Natural Resources; Bill Pickell, Washington Contract Loggers; Carolyn Kelly; Andrew Cook, Building Industry Association of Washington; Rick Nelson, Washington Cattlemen's Association; Gordon Walgren, Fire Chiefs; and Kenton Brine, Property Casualty Insurers Association.

**Persons Signed In To Testify But Not Testifying:** (In support) Mike Brown, Washington Fire Chiefs.