
**Agriculture & Natural Resources
Committee**

HB 2315

Brief Description: Regarding forest fire protection assessment refunds.

Sponsors: Representatives Takko and Darneille.

Brief Summary of Bill

- Repeals forest fire protection assessments for landowners owning multiple small forested parcels in one county.
- Removes the ability for landowners owning multiple small forested parcels in one county to have all forest fire protection assessments for all parcels billed to just one parcel.
- Directs the Department of Natural Resources to develop a revised rate structure proposal for forest fire protection assessments.

Hearing Date: 3/26/09

Staff: Jason Callahan (786-7117)

Background:

Forest Fire Protection Assessments.

The costs of forest fire protection are intended to be equitably shared between forest landowners and the state [RCW 76.04.167]. Owners of forest land are under an obligation to provide forest fire protection on their land at a level that provides adequate protection against the spread of fire from or across their land [RCW 76.04.600]. However, if a landowner's property is located on forest land not included within the boundaries of certain rural or municipal fire districts, and the landowner fails to provide adequate protection against the spread of forest fire, then the landowner must pay to the Department of Natural Resources (DNR) a forest fire protection assessment (assessment) [RCW 76.04.165 & 610].

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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 \$17.50 per parcel. 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 27 cents per acre over the initial 50 acres [RCW 76.04.610].

Forest Fire Protection Assessments Refunds.

Refunds for assessments may be claimed by certain qualifying landowners that pay assessments on multiple parcels [RCW 76.04.610]. To qualify for a refund, a landowner has to have paid assessments on more than one parcel less than 50 acres in size. The multiple parcels must be located in the same county.

The amount of the refund is determined by the cumulative size of the multiple parcels. If the cumulative size of all parcels owned by one landowner is less than 50 acres, then the landowner is entitled to be refunded the \$17.50 assessment paid on all but one of the properties, less 50 cents per parcel retained for county administration. Or in other words, the refund equals the total amount paid for all properties less \$17.

If the cumulative size of all parcels owned by one landowner is greater than 50 acres, then the landowner is entitled to be refunded the base \$17.50 assessment paid on all but one of the properties, less 50 cents per parcel retained for county administration. In this scenario, the landowner is not refunded the additional 27 cents per acre assessment paid for holdings over 50 acres.

Centralized Billing For Forest Fire Protection Assessments.

Landowners who qualify for a refund may also participate in a program that allows all assessments for all parcels owned in one county to be billed to a single parcel [RCW 76.04.610]. This option is only available for landowners who own six or more small parcels in a single county. The burden is on the landowner to initiate the centralized billing option. Once initiated, the DNR will submit a single bill covering all parcels.

Summary of Bill:

Changes to Law Effective August 1, 2009.

As of August 1, landowners owning multiple small parcels within a single county will no longer be eligible for a refund of paid assessments or be eligible to have assessments for all parcels billed to just one parcel.

Directed Agency Report.

The DNR is directed to develop a revised assessment rate structure proposal to more closely align assessments with actual wildfire protection costs. The DNR, in developing the recommended assessment formula, must consider reducing the rate paid by owners of

unimproved parcels and adding surcharges or higher assessment rates to parcels with homes and other improvements. The report must include a definition of "improvement" for these purposes.

The report is due to the Legislature by October 31, 2009.

Appropriation: None.

Fiscal Note: Available.

Effective Date: August 1, 2009.