
SENATE BILL 5690

State of Washington

61st Legislature

2009 Regular Session

By Senators Swecker and Jacobsen

Read first time 01/29/09. Referred to Committee on Natural Resources,
Ocean & Recreation.

1 AN ACT Relating to alternate harvest restrictions for forest
2 practices; amending RCW 76.09.368; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that the total
5 acreage of forest land owned and managed by small forest landowners is
6 diminishing at an alarming rate. Approximately one hundred thousand
7 acres of private working forest land is lost annually to conversion of
8 the land to a nonforestry land use. The loss of forest land has a
9 direct negative impact on fish, wildlife, water quality, water
10 resources, and the ecology of the state's watersheds and near shore
11 marine environments. Conversion of working lands out of forestry also
12 directly effects the livability of the state's rural and urban
13 communities and limits the state's ability to restore the ecology of
14 Puget Sound and address the environmental effects of climate change.

15 (2) The legislature further finds that the current forest practices
16 regulations have resulted in an unanticipated disproportionate economic
17 impact on small forest landowners. The current regulations, coupled
18 with the continued population growth of the state, have resulted in an

1 increasing number of small forest landowners being forced to convert
2 their land to nonforestry uses.

3 (3) The legislature further finds that the forest and fish law,
4 adopted in 1999, envisioned a path by which small forest landowners
5 could satisfy environmental protections by implementing forest
6 practices that differ from the default forest practices rules. Lewis
7 county, together with a nonprofit partner, has developed an alternate
8 approach for the small forest landowners living within its jurisdiction
9 to satisfy the environmental safeguards of the current forest practices
10 rules in a document entitled the "Family Forest Habitat Conservation
11 Plan." This plan details alternate harvest restrictions that are
12 specifically tailored to the unique local geography of Lewis county and
13 are designed to be the equivalent of the environmental protections of
14 the default forest practices rules while providing a lower
15 administrative burden to small forest landowners.

16 (4) It is the intent of this act to reaffirm the legislature's
17 commitment to assisting small forest landowners to keep their land in
18 active working forestry and to recognize that the alternate harvest
19 restrictions developed by Lewis county in the family forest habitat
20 conservation plan represents the commitment to science and to the
21 protection of aquatic life originally envisioned in alternate harvest
22 restrictions.

23 **Sec. 2.** RCW 76.09.368 and 2002 c 120 s 4 are each amended to read
24 as follows:

25 (1) The legislature intends that small forest landowners have
26 access to alternate plan processes or alternate harvest restrictions,
27 or both if necessary, that meet the public resource protection standard
28 set forth in RCW 76.09.370(3), but which also lowers the overall cost
29 of regulation to small forest landowners including, but not limited to,
30 timber value forgone, layout costs, and operating costs.

31 (2) The forest practices board shall consult with the small forest
32 landowner office advisory committee in developing these alternate
33 approaches. ~~((By July 1, 2003, the forest practices board shall
34 provide the legislature with a written report that describes the
35 board's progress in developing alternate plan processes or alternate
36 harvest restrictions, or both if necessary, that meet legislative
37 intent.))~~

1 (3) As used in this section((7)) the following terms have the
2 following meanings:

3 (a) "Small forest landowner" has the same meaning as defined in RCW
4 76.13.120(2).

5 (b) "Alternate harvest restrictions" means geographically
6 appropriate restrictions on forest practices that differ from the
7 default forest practices rules. Examples of acceptable alternate
8 harvest restrictions include restrictions found in:

9 (i) Federally approved habitat conservation plans;

10 (ii) State-approved alternative plans; and

11 (iii) The family forest habitat conservation plan submitted by
12 Lewis county and a nonprofit partner on January 12, 2009, to the United
13 States fish and wildlife service and the national oceanic and
14 atmospheric administration.

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