

SENATE BILL REPORT

HB 1582

As of March 28, 2011

Title: An act relating to forest practices applications leading to conversion of land for development purposes.

Brief Description: Concerning forest practices applications leading to conversion of land for development purposes.

Sponsors: Representatives Lytton, Morris, Chandler, Blake, Wilcox, Orcutt, Tharinger, Hinkle, McCune, Pearson and Van De Wege.

Brief History: Passed House: 2/28/11, 97-0.

Committee Activity: Natural Resources & Marine Waters: 3/09/11.

SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

Staff: Sherry McNamara (786-7402)

Background: The Forest Practices Act establishes four classes of forest practices based on the potential for the proposed operation to adversely affect public resources. The Forest Practices Board (Board) establishes standards that determine which forest practices are included in each class. The different classes determine the level of Department of Natural Resources (DNR) involvement in the permitting process, as follows:

1. Class I forest practices are those determined by the Board to have no direct potential for damaging a public resource.
2. Class II forest practices have a less than ordinary potential for damaging a public resource.
3. Class III forest practices are more substantial than Class II, but less substantial than Class IV.
4. Class IV forest practice activities have the potential for substantial environmental impacts and are separated into two sub-classes:
 - a. Class IV-Special, which require compliance with the State Environmental Protection Act (SEPA) rules; and
 - b. Class IV-General.

Class IV-General forest practices are those activities to be related to land uses other than forestry. These proposals may require a license or permit from a local government agency

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associated with a county or city. The local government agency assumes lead agency status for purposes of ensuring compliance with SEPA.

Class IV-General forest practices include:

- activities where forestland is to be converted to another use;
- activities on lands likely to be converted to urban development; and
- activities on lands platted after January 1, 1960.

Summary of Bill: References in the Forest Practice Act to lands that were platted after January 1, 1960, are removed. These lands will not fall under the Class IV classification and are no longer automatically assumed to be lands that will be converted to a non-forestry land use.

However, forested lots that are 2.5 acres or less in size are considered to be included in the Class IV categorization. These lots can be removed from this class if the landowner:

- shows that he or she owns adjacent lots totaling more than five acres with a common boundary that is at least 10 percent of the overall perimeter of the smaller lot; or
- provides to DNR and the local government a written statement of intent not to convert the land to a non-forestry use for ten years.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: We support this bill and the amended version that this committee passed. We see this bill as helping our counties and the agency. It will assist small forest landowners to know where to go when filing forest practice applications.

Persons Testifying: PRO: Josh Weiss, Washington State Association of Counties; Darin Cramer, DNR.