

SENATE BILL REPORT

HB 1582

As Reported by Senate Committee On:
Natural Resources & Marine Waters, March 17, 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, 3/17/11 [DPA].

SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

Majority Report: Do pass as amended.

Signed by Senators Ranker, Chair; Regala, Vice Chair; Fraser, Hargrove and Swecker.

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.

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.

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 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 (Recommended Amendments): 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.

States Class IV forest practices include activities where forest lands are being converted to another use.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & MARINE WATERS COMMITTEE (Recommended Amendments):

- Removes the description of forested lots that are 2.5 acres or less in size to be included in the Class IV categorization.
- States Class IV forest practices include activities where forest lands are being converted to another use.

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 on Original Bill: 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.