
**Agriculture & Natural Resources
Committee**

HB 1531

Brief Description: Concerning the forest riparian easement program.

Sponsors: Representatives Chapman, DeBolt, Blake, Koster, Orcutt, Tharinger, Kraft, Pettigrew, Smith, Dolan and Fitzgibbon.

Brief Summary of Bill

- Expands the definition of qualifying timber under the Forest Riparian Easement Program to include timber that the owner is required to leave unharvested by the forest practices rules.
- Directs the Department of Natural Resources to share information regarding the carbon storage benefits of the Forest Riparian Easement Program with other state programs, and to promote the expansion of the Forest Riparian Easement Program as part of the state's climate strategy.

Hearing Date: 1/31/17

Staff: Robert Hatfield (786-7117).

Background:

The Forest Riparian Easement Program (FREP) is a program managed by the Small Forest Landowner Office (SFLO) in the Department of Natural Resources (DNR) to acquire 50-year easements along riparian and other sensitive aquatic areas from small forest landowners who are willing to sell or donate easements to the state. The DNR can purchase easements from small forest landowners and hold the easements in the name of the state. Small forest landowners are defined, generally, as landowners who harvest less than an average of two million board feet per year. The easements are restrictive only, and allow landowners to engage in activities except as necessary to protect the riparian functions of the habitat for the term of the easement.

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.

The easements are intended to represent 50 percent of the value of the unharvested trees, plus participation compliance costs. Once a contract under the FREP is executed, the DNR is required to reimburse the landowner for the actual costs to establish streamside buffers and timber marking.

The value of the easement is determined by the DNR based on the fair market value of the timber volume covered by the easement. This calculation is made by the DNR after it conducts a timber cruise of the entire proposed easement. The data gathered in the timber cruise is then applied to a stumpage value table to calculate the fair market value. Value is calculated only on qualifying timber.

Qualifying timber must meet all of the following criteria:

- the trees are ones that the owner is required to leave unharvested under fish protection rules or that are made uneconomic to harvest by the forest practices rules;
- the trees are located within or bordering a commercially reasonable harvest unit, or for which an approved forest practices application cannot be obtained because of forest practices rules restrictions; and
- the trees are in certain sensitive areas, including sensitive aquatic areas, channel migration zones, and areas of potentially unstable slopes or landforms.

Summary of Bill:

The definition of qualifying timber is modified to include trees that the owner is required to leave unharvested under the forest practices rules, in addition to the fish protection rules.

The Department of Natural Resources is directed to share information regarding the carbon storage benefits of the forest riparian easement program with other state programs attempting to quantify carbon storage or account for carbon emissions, and to promote the expansion of funding for the forest riparian easement program as one part of the state's overall climate strategy.

Appropriation: None.

Fiscal Note: Requested on January 24, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.