

HOUSE BILL REPORT

HB 1711

As Reported by House Committee On:
Agriculture & Natural Resources
Appropriations

Title: An act relating to prioritizing lands to receive forest health treatments.

Brief Description: Prioritizing lands to receive forest health treatments.

Sponsors: Representatives Kretz, Springer, Pettigrew, Schmick, Short and Condotta.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/9/17, 2/16/17 [DPS];

Appropriations: 2/22/17, 2/23/17 [DP2S(w/o sub AGNR)].

Brief Summary of Second Substitute Bill

- Directs the Department of Natural Resources (DNR) to develop and implement a policy for prioritizing forest health treatments to protect public lands against wildfire.
- Directs the DNR to develop a prioritized list of parcels of state land that would benefit most from forest health treatments.
- Creates the Forest Health Revolving Account in the State Treasury, which shall receive funds obtained from forest health treatments and which shall be used to fund treatments conducted to improve forest health.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Fitzgibbon, Kretz, Lytton, Orcutt, Pettigrew, Robinson, Schmick, Springer, Stanford and J. Walsh.

Staff: Robert Hatfield (786-7117).

Background:

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.

Department of Natural Resources.

The Department of Natural Resources (DNR) manages a number of different categories of land, each for a specific purpose and under different management requirements. These include approximately 3 million acres of federally granted lands and state forest lands, which the DNR manages to support common schools, counties, and other public institutions.

The DNR has the direct charge and responsibility over all matters pertaining to forest fire services in the state. The forest fire-related duties of the DNR include enforcing all forest fire-related laws, investigating the cause of forest fires, and accepting the empowerment to direct all fire suppression efforts.

Resource Management Cost Account.

The Resource Management Cost Account within the State Treasury is used for the purpose of defraying costs incurred by the DNR in managing and administering state lands and state aquatic lands.

Summary of Substitute Bill:

The Department of Natural Resources (DNR) is directed to develop and implement a policy for prioritizing forest health treatments to protect public lands against wildfire. Forest health treatments are defined as actions taken by the DNR, including prescribed burning or mechanical treatments, to restore the condition of a forest to one that can meet landowner objectives, is sound in ecological function, is capable of sustainable management, and is resilient to disturbance.

The DNR's prioritization of parcels to be treated must be based on an evaluation of the economic and noneconomic value of:

- timber or other commercial products removed during any mechanical treatments;
- timber or other commercial products likely to be spared from damage from wildfire;
- homes, structures, agricultural products, and public infrastructure likely to be spared from damage by wildfire;
- impacts to recreation and tourism; and
- ecosystem services such as water quality, air quality, or carbon sequestration.

The DNR must identify areas of public land that would benefit most from forest health treatments at the landscape level for the next 20 years, must identify areas that would benefit the most during the next six years, and then must prioritize specific lands for treatment during the subsequent biennium. In developing its prioritized list, the DNR must consider land management plans activities of nearby landowners. The DNR may place nonstate owned lands on the prioritized list, provided that the treatment of such lands along with the treatment of state lands will produce superior landscape-scale benefits to state lands. The DNR must submit its prioritized list to the Legislature no later than December 1 of each even-numbered year, along with a report on the DNR's progress toward treating the lands on the preceding biennium's prioritization list.

The Forest Health Revolving Account (Account) is created in the State Treasury. The Account shall receive funds obtained from forest health treatments and shall be used to fund treatments conducted to improve forest health. Net proceeds from the Account must be distributed in accordance with RCW 43.30.325(1)(b). The Account balance may not exceed \$10 million at the end of each calendar year. Monies in excess of \$20 million must be disbursed according to RCW 79.22.040, RCW 79.22.050, and RCW 79.64.040. With certain exceptions, expenditures from the account must be consistent with the DNR's forest health prioritization policy.

Substitute Bill Compared to Original Bill:

The definition of "forest health treatment" is expanded to include sub-landscape assessment and project planning, site preparation, reforestation, mechanical treatments, road realignment for certain purposes, and prescribed burning for certain purposes. The list of parcels to be prioritized for treatment is expanded to include a 20 year list, as well as a six-year list and a two-year list. The Account is renamed the Forest Health Revolving Account in the State Treasury, which shall receive funds obtained from forest health treatments and which shall be used to fund treatments conducted to improve forest health.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Forest health is one of the Department of Natural Resources' (DNR) highest priorities. The current condition of the forests is a result of ill-advised forest management, lack of funding, and a lack of sufficient authority to manage the forests. British Columbia, Idaho, and Oregon are facing similar issues, and they are also trying to make a plan to deal with forest health over the long term. It makes sense to approach forest health on a grand scale rather than parcel by parcel. The bill acknowledges the multiple benefits that healthy forests generate, including water storage, safety, and economic benefits.

It makes sense to prioritize forest lands in eastern Washington. Monitoring the economics of forest health treatments makes sense when considering the forest health work to be done. This bill enhances the DNR's mandate to support local schools. Planning for forest health across multiple biennia is helpful for forest health. Private forestlands do not represent the most urgent need, and it would make more sense to see resources focused on state and federal lands. There is concern about a list of lands to be treated that includes private lands. This bill will improve the management of state timber resources, and fits with the DNR's fiduciary to the trusts. It will provide better protection for people who live close to state trust lands. It is logical to prioritize parcels for treatment.

(Opposed) None.

(Other) There is now good science regarding how to improve forest resilience and to get n front of wildfire behavior.

Persons Testifying: (In support) Representative Kretz, prime sponsor; Dave Warren and Loren Torgensen, Department of Natural Resources; Tom Bugert, Nature Conservancy; Matthew Comisky, American Forest Resource Council; Jason Callahan, Washington Forest Protection Association; and Tom Davis, Washington Farm Bureau.

(Other) Mitch Friedman, Conservation Northwest; and Dawn Vyvyan, Yakama Nation.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by 32 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Caldier, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Pollet, Sawyer, Schmick, Senn, Springer, Sullivan, Taylor, Tharinger, Vick, Volz and Wilcox.

Staff: Dan Jones (786-7118).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Agriculture & Natural Resources:

The bill is null and void if specific funding is not provided in the operating budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) This bill represents one of those instances where spending a little money offers the opportunity to save a lot of money. The state has spent almost \$400 million on fighting forest fires over the last three biennia, but only \$21 million on forest health treatments. Increasing the state's investment in forest health treatments will accelerate the rate at which the state is able to conduct forest health treatments, which in turn will increase the return to the trust by reducing hazards from wildfires, as well as reduce negative impacts to water

quality, fisheries, and wildlife. Revenue generated from the program will be available for additional forest health treatments.

(Opposed) None.

Persons Testifying: Representative Kretz, prime sponsor; and Loren Torgerson, Washington Department of Natural Resources.

Persons Signed In To Testify But Not Testifying: None.