

SENATE BILL REPORT

SB 5546

As Reported by Senate Committee On:
Natural Resources & Parks, February 14, 2017

Title: An act relating to proactively addressing wildfire risk by creating a forest health treatment assessment.

Brief Description: Concerning proactively addressing wildfire risk by creating a forest health treatment assessment.

Sponsors: Senators Hawkins, McCoy, Fortunato, Pearson, Braun, Sheldon, Rivers and O'Ban.

Brief History:

Committee Activity: Natural Resources & Parks: 2/09/17, 2/14/17 [DPS-WM].

Brief Summary of Substitute Bill

- Directs the Department of Natural Resources (DNR) to establish a forest health assessment and treatment framework.
- Creates a biennial evaluation and reporting process on implementation of the framework.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5546 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Staff: Curt Gavigan (786-7437)

Background: Department of Natural Resources' Fire and Forest Health Authority. DNR has direct charge of and supervision over all matters pertaining to the forest fire service of the state, specifically including the work of suppressing forest fires. Additionally, in 2007 the Legislature designated the Department of Natural Resources as the state lead in developing a comprehensive forest health program for the state and created a tiered advisory and regulatory system to address forest health issues.

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.

Fire and Forest Health in Washington. A 2014 report from DNR identified approximately 2.7 million acres of eastern Washington forestland in need of forest health treatment or disturbance, such as thinning or prescribed fire. Washington has experienced record-setting fires seasons in recent years, with approximately 380,000 acres burned in 2014 and over 1 million acres burned in 2015. Most recently, the 2016 fires season saw 294,000 acres burned in the state.

Summary of Bill (First Substitute): Establishes a Forest Health Assessment and Treatment Framework. DNR must develop a forest health assessment and treatment framework designed to treat one million acres by 2033. For each biennium, the framework must include:

- a plan to identify and assess 200,000 acres of fire-prone lands and communities in need of treatment, such as through prescribed fire or mechanical treatment—the scope of the assessment includes state-protected lands as well as other lands that pose a high risk to lands protected by DNR; and
- the prioritization of areas assessed in the previous biennium, and treatment of as many of those acres as possible with the available funding.

In developing and implementing the framework, DNR must:

- develop and use resources such as prioritization criteria and a method for addressing data and inventory needs;
- build on existing forest health strategic planning efforts where possible; and
- request that the Commissioner of Public Lands appoint a forest health advisory committee to assist the agency.

Creates a Biennial Evaluation and Reporting Process. A biennial evaluation and reporting process is established, which requires DNR to provide by December 1st of each even-numbered year:

- a request for funds to carry out forest health treatments under DNR's framework;
- a prioritized list and brief summary of treatments DNR intends to carry out with the requested funds; and
- a list and brief summary of treatments carried out in the preceding biennium, including any recommendations to address barriers encountered.

DNR must operate the program within appropriations specifically provided.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (First Substitute):

- Staggers the timing of assessments and treatments so that 200,000 acres are assessed each biennium, with project prioritization and treatment of that acreage in the following biennium.
- Provides coordination among organizations through a forest health advisory committee.
- Makes implementation subject to appropriation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: There is a need to shift thinking around wildfire and move from being reactive to proactive. There are major problems in the forests as evidenced by high number of acres burned in recent years. DNR has taken steps towards the process outlined here, but embedding it in statute will ensure follow through. Agencies and stakeholders will continue discussions with continued work around funding and a number of process details. If setting priorities are necessary, the assessment could begin on public lands.

Persons Testifying: PRO: Senator Brad Hawkins, Prime Sponsor; Tom Bugert, The Nature Conservancy; Mitch Friedman, Conservation NW; Dave Warren, Department of Natural Resources; Loren Torgerson, Department of Natural Resources; Mary Verner, Department of Natural Resources; Dawn Vyvyan, Yakama Nation; Jason Callahan, Washington Forest Protection Association; Heith Heikkala, American Forest Resource Council.

Persons Signed In To Testify But Not Testifying: No one.