

# SENATE BILL REPORT

## SB 5546

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As Reported by Senate Committee On:  
Natural Resources & Parks, February 14, 2017  
Ways & Means, February 23, 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].  
Ways & Means: 2/21/17, 2/23/17 [DP2S].

**Brief Summary of Second Substitute Bill**

- Directs the Department of Natural Resources (DNR) to establish a forest health assessment and treatment framework that consists of biennial forest health assessments, treatments, and progress review and reporting.
- Provides directives for framework implementation.

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### 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)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 5546 be substituted therefor, and the second substitute bill do pass.

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*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.*

Signed by Senators Braun, Chair; Brown, Vice Chair; Rossi, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Padden, Pedersen, Rivers, Schoesler, Warnick and Zeiger.

**Staff:** Jed Herman (786-7346)

**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.

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:** The bill as referred to committee not considered.

**Summary of Bill (Second Substitute):** Establishes a Forest Health Assessment and Treatment Framework. DNR must develop a forest health assessment and treatment framework designed to address the forest health issues facing the state. A specific goal of the framework is to assess and 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;
- the prioritization of areas assessed in the previous biennium and treatment of as many of those acres as possible with the available funding; and
- a biennial progress review and reporting process that includes providing funding requests, planned treatments, and reporting completed treatments and barriers to framework implementation to the Legislature and Office of Financial Management.

Provides Directives for Framework Implementation. In developing and implementing the framework, DNR must:

- build on forest health strategic planning efforts initiated through funding in 2016;
- establish a forest health advisory committee to assist the agency; and
- operate the framework within appropriations specifically provided for that purpose.

As it initiates framework implementation in the 2017-2019 biennium, DNR may prioritize and treat lands included in its biennial budget request. During that same period, DNR must also assess areas for prioritization and treatment in the 2019-2021 biennium.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):**

- Makes organizational and technical changes.

**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 (Natural Resources & Parks):** *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 (Natural Resources & Parks):** 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 (Natural Resources & Parks):** No one.

**Staff Summary of Public Testimony on Second Substitute (Ways & Means):** PRO: This is a good bill; it adds to the transparency and accountability that is needed for a quality forest health program. Prevention is cheaper than suppression. We are in favor to support healthy resilient forests.

**Persons Testifying (Ways & Means):** PRO: Tom Bugert, The Nature Conservancy; Jason Callahan, Washington Forest Protection Association; Dave Warren, Dept. of Natural Resources.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.