

SENATE BILL REPORT

SB 5701

As of February 13, 2019

Title: An act relating to the reconveyance of state forestlands to counties for the purpose of creating county-owned community forests.

Brief Description: Authorizing the reconveyance of state forestlands to counties for the purpose of creating county-owned community forests.

Sponsors: Senators King and Honeyford.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/07/19.

Brief Summary of Bill

- Authorizes counties to transfer certain state forestlands managed by the Department of Natural Resource to a county-owned community forest.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Department of Natural Resources (DNR) is authorized to create and manage the Community Forest Trust (CFT). The CFT is a discrete category of non-fiduciary trust lands held by DNR and actively managed to generate financial support for the CFT and to sustain working forest conservation objectives.

The CFT program must satisfy statutory principles including:

- protecting in perpetuity working forest lands that are at a significant risk of conversion to another land use;
- maintaining the land in a working status;
- generating revenue at levels that are, at a minimum, capable of reimbursing DNR for management costs; and
- providing for ongoing, sustainable public recreational access.

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.

DNR may acquire lands for the CFT through purchase, donation, transfer, or a variety of means other than eminent domain. Once acquired, a CFT must be managed consistent with a management plan developed in cooperation with a local advisory committee.

A board of county commissioners of any county may request that state forestlands acquired by DNR and are needed by the county for public park use in accordance with a recreation plan may be reconveyed to the county for public park purposes. DNR may elect to reconvey the lands, and may have conditions to coordinate the management of adjacent public lands. If the land ceases to be used for a public park, it must be conveyed back to DNR upon request.

Summary of Bill: A county may transfer state forestlands previously acquired from such county for a county-owned community forest. The timber resources on state forestland transferred to a county for community forest purposes must be managed by the county. The county-owned community forest must have a management plan certified by the board of county commissioners. The community forest management plan must include principles that protect the working forestlands in perpetuity, secure financial and social viability through sound management plans, maintains the lands in working status, generates sufficient revenues, and provides recreational access, local timber jobs, and habitat.

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: PRO: The goal of the program is to maintain working forests. Counties are struggling and need additional revenue. This bill creates another tool to make the concept of a community forest work. Counties play a key role in expanding community forests. These lands are already public lands, so no new money is necessary to acquire the land for a community forest.

CON: DNR is already managing these lands as working forests. The lands were mainly acquired through tax foreclosures, have been reforested, and the revenues from these lands go back to the counties. It is not clear how the revenues from these lands will be allocated. The state has Endangered Species Act obligations, and it is not clear what happens if these lands are transferred to counties.

OTHER: The reduction in timber purchases impacts timber producers and local jobs. There could be changes to the Habitat Conservation Plan land base that may have impacts to Endangered Species Act commitments. It is important to empower local communities in the management of community forests.

Persons Testifying: PRO: Senator Curtis King, Prime Sponsor; Jacob Anderson, Klickitat County; Paul Jewell, Washington State Association of Counties.

CON: Bruce Wishart, Sierra Club; Angus Brodie, DNR.

OTHER: Darcy Nonemacher, Washington Environmental Council; Matthew Comisky, American Forest Resource Council.

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