
SECOND SUBSTITUTE HOUSE BILL 1168

State of Washington

67th Legislature

2021 Regular Session

By House Appropriations (originally sponsored by Representatives Springer, Kretz, Fitzgibbon, Griffey, Riccelli, Lekanoff, Ramos, Callan, Harris-Talley, Dent, and Klicker)

READ FIRST TIME 02/19/21.

1 AN ACT Relating to long-term forest health and the reduction of
2 wildfire dangers; amending RCW 76.06.200 and 76.06.150; adding new
3 sections to chapter 76.04 RCW; adding a new section to chapter 76.13
4 RCW; and creating new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** FINDINGS AND DETERMINATIONS. (1) Over the
7 last decade, forestland and rangeland wildfires have grown larger and
8 increased in intensity and destructiveness throughout Washington
9 state. The annual acres burned in our state illustrates this alarming
10 trend. In the 1990s, an average of 86,000 acres burned annually. In
11 the 2000s, the average annual acres burned increased to 189,000. In
12 the last five years, the annual average grew to more than 488,000
13 acres burned. This trajectory of escalation continued last year, with
14 wildfires burning more than 812,000 acres.

15 (2) Recent wildfires have devastated state, federal, tribal, and
16 private lands, destroyed homes and property, and taken lives. These
17 fires have also released greenhouse gases, destroyed critical fish
18 and wildlife habitat, filled our skies with harmful smoke, polluted
19 our waters, damaged our economy, increased the risk of flooding and
20 landslides, created a critical need for reforestation, and threatened

1 the natural resources needed for essential industries and rural
2 economies.

3 (3) Catastrophic wildfires have significant negative impacts on
4 fish and wildlife habitat, including the loss and degradation of
5 places to shelter and feed, water quality and quantity, and soil
6 nutrients. Washington's fish and wildlife are part of a fire-adapted
7 landscape, but catastrophic wildfires threaten their health and
8 recovery.

9 (4) The increase in these uncharacteristic wildfires are the
10 result of a combination of climate change-driven drought, hotter
11 temperature, and windstorms; human development patterns and land use
12 planning and activities; and where uncharacteristic fires occur in
13 forests, by past fire suppression and departures from native
14 ecosystem structure and function. Uncharacteristic wildfire risk is
15 addressed through scientifically informed landscape-level treatments
16 designed to restore forest ecosystem and watershed resilience.

17 (5) Wildfires result in significant greenhouse gas emissions.
18 Wildfires have become one of the largest sources of black carbon in
19 the last five years. From 2014-2018, wildfires in Washington state
20 generated 39.2 million metric tons of carbon, the equivalent of more
21 than 8.5 million cars on the road a year. In 2015, when 1.13 million
22 acres burned in Washington, wildfires were the second largest source
23 of greenhouse gas emissions, second only to transportation.

24 (6) The legislature has recognized our forests, as well as the
25 manufacturing and utilization of wood products, as a natural carbon
26 solution and critical component of our state's carbon reduction
27 strategy pursuant to chapter 120, Laws of 2020. Uncharacteristic
28 wildfires threaten the ability of our forests to sequester carbon,
29 and they threaten the stability and long-term viability of our forest
30 products industry.

31 (7) The Washington state department of natural resources' 20-year
32 forest health strategic plan and climate risk assessment finds that
33 carbon emissions from wildfires are anticipated to increase if there
34 is no change in forest management practices. Unless the state
35 significantly increases active forest management across land
36 ownerships to reduce the risk and intensity of wildfires, wildfire
37 emissions will erode efforts to achieve our state's greenhouse gas
38 emissions reduction goals. In addition to reducing fuel loads, many
39 effective forest health treatments retain and restore older, large
40 fire-resilient trees across the landscape that play an important role

1 in carbon sequestration, enhancing climate resilience and ecosystem
2 services, and mitigating climate change.

3 (8) Wildfires inflict huge costs to the state budget, the budgets
4 of partner agencies, and our economy. From 2014-2019, agencies in
5 Washington annually spent nearly \$150 million fighting wildfires. In
6 2015, firefighting costs were more than \$342 million. In 2019,
7 firefighting costs were more than \$172 million. And suppression costs
8 are only a small portion of the full economic impact. According to a
9 2018 report by the nonprofit headwater's economics, suppression costs
10 account for only nine percent of the total cost of wildfires when
11 factoring in disaster recovery, lost business, lost infrastructure,
12 and timber damage, and public health impacts.

13 (9) Over one-half of Washington is forested, providing
14 significant environmental and economic value. Over \$4,900,000,000 in
15 wages and \$200,000,000 in taxes are paid by the forest products'
16 sector each year. Opportunities exist to boost our rural economies
17 through wildfire preparation and preparedness that maintain and
18 attract private sector investments and employment in rural
19 communities.

20 (10) Wildfires are significant threats to life and property. Over
21 the last five years, wildfires in Washington have taken five lives,
22 including four firefighters and the life of a one-year old boy. In
23 2020 alone, 298 homes were destroyed by wildfires in our state. More
24 than 1,100 homes have been destroyed this decade. Communities in
25 every corner of Washington have felt the impact and devastation of
26 flames and smoke. In 2020, the town of Malden, Washington was forever
27 scarred by rangeland wildfire. Approximately 80 percent of the town's
28 structures burned down in the Babb Road fire, including the city
29 hall, post office, and fire station.

30 (11) Wildfire smoke has significant negative impacts on public
31 health. For the second time in the last three years, Washington state
32 had the worst air quality in the world due to wildfires. Communities
33 in every corner of the state felt the impact. Exposure to particulate
34 matter in wildfire smoke has been associated with a wide range of
35 damaging health effects. The particulates in this smoke make those
36 breathing the air wheeze, cough, shorten their breath, and experience
37 sore eyes and throats, diminishing health and quality of life. Other
38 adverse health outcomes are more severe, including increases in
39 asthma-related hospitalizations, chronic and acute respiratory and
40 cardiovascular health problems, and premature death.

1 (12) Historical forest management, legacy wildfire suppression
2 responses, and a rapidly changing climate have increased the risk of
3 catastrophic wildfires throughout the state. It is the policy of the
4 state to encourage prudent and responsible forest resource management
5 to maintain the health of forests and ecosystems in Washington state.
6 Increasing the pace and scale of forest restoration through fuel
7 reduction, thinning, and the use of prescribed fire on federal,
8 state, tribal, and private lands pursuant to the 20-year forest
9 health strategic plan, the wildland fire protection 10-year strategic
10 plan, and RCW 79.10.520 will reduce the risk of catastrophic
11 wildfires.

12 (13) In 2020, more than 1,300,000 acres of national forest system
13 land in eastern Washington were considered in need of treatments to
14 restore forest health and reduce the risk of wildfire hazard
15 potential. Many of these lands are adjacent to populated communities,
16 private lands, and state trust lands.

17 (14) In 2020, 166,000 acres of department of natural resources'
18 land and 74,000 acres of other state-owned lands in eastern
19 Washington were in need of forest health treatment. These forestlands
20 provide critical fish and wildlife habitat, natural and cultural
21 resources, recreation, raw materials for the forest industry, and
22 funding for counties and schools. From 2011-2020, 102,700 forested
23 acres of department of natural resources' managed trust lands have
24 burned.

25 (15) Tribal lands and communities have been significantly
26 impacted by wildfires and unhealthy forests. Approximately 494,000
27 acres of tribal lands in eastern Washington need forest health
28 treatments. These forestlands provide critical fish and wildlife
29 habitat, natural and cultural resources, and economic opportunities.

30 (16) Washington state has nearly eight million acres of private
31 forestlands. Forested acres are declining statewide with a loss of
32 394,000 acres between 2007 and 2019. Small forestland owners account
33 for 15 percent of total forest acres. Small forestland owner forested
34 acres declined 3.7 percent from 2,990,000 acres in 2007 to 2,880,000
35 million acres in 2019. The number of small forestland owners
36 increased 8.5 percent from 201,000 in 2007 to 218,000 in 2019. The
37 number of small forestland owner parcels increased 2.1 percent from
38 256,500 to 261,800. This rapid land use change creates significant
39 challenges for implementing forest health and wildfire response
40 actions in the wildland urban interface. In eastern Washington alone,

1 approximately 288,000 acres owned by small forestland owners are in
2 need of immediate forest health treatment. These forestlands provide
3 critical raw materials for the forest industry, rural economic
4 opportunities, fish and wildlife habitat, cultural resources, and
5 recreation. A coordinated interagency response is needed to address
6 the multifaceted challenge posed by increasing parcelization, forest
7 fragmentation, loss of economic viability, and changes in landowner
8 assistance needs.

9 (17) The legislature finds that increasing the pace and scale of
10 science-based forest health activities to reduce hazardous fuels and
11 restore fire resilient forests, including through mechanical thinning
12 and prescribed burning, on federal, state, tribal, and private lands,
13 will reduce the risk and severity of wildfires, protect cultural and
14 archaeological resources, improve fish and wildlife habitat, expand
15 recreational opportunities, protect air and water quality, create
16 rural economic opportunities, provide critical wood products, and
17 increase long-term carbon sequestration on our natural resource
18 lands.

19 (18) Increased development in the wildland urban interface has
20 also increased the number of people living in areas that are at risk
21 of wildfire. In Washington, over 2,000,000 homes are currently at
22 risk of wildfire. Communities and homeowners can take actions that
23 reduce the risk of loss in the event of wildfire including, but not
24 limited to, home hardening, creating defensible space, and building
25 potential control lines or strategic fuel breaks.

26 (19) Long-term, sustainable investment in wildfire response,
27 forest restoration, and community resilience is of utmost importance
28 to the health and safety of our environment, our economy, our
29 communities, and the well-being of every resident.

30 (20) It is the intent of the legislature to take immediate action
31 to fully fund the wildland fire protection 10-year strategic plan.
32 Strategies to accomplish these goals include, but are not limited to:

33 (a) Upgrading our capability to attack wildfires with critical
34 air and ground resources;

35 (b) Providing needed wildfire resources to state wildfire
36 response and local fire service districts;

37 (c) Working with each state utility, local publicly owned
38 electric utility, and electrical cooperative to reduce wildfire risk
39 and develop consistent approaches and shared data related to fire

1 prevention, safety, vegetation management, and energy distribution
2 systems; and

3 (d) Improving wildfire detection in areas at risk of wildfire
4 through new technologies and equipment.

5 (21) Furthermore, it is the intent of the legislature to take
6 immediate action to increase the pace and scale of forest management
7 across different land ownerships and fully fund the 20-year forest
8 health strategic plan and activities developed to facilitate
9 implementation of the Washington state forest action plan. Strategies
10 to accomplish these goals include, but are not limited to:

11 (a) Restoring to health a minimum of 1,250,000 acres of
12 forestland in need of immediate action to become more resilient and
13 improve watershed health;

14 (b) Increasing prescribed fire and other fuel reduction projects
15 through proven forestry practices and the operation of prescribed
16 fire crews;

17 (c) Establishing potential control lines and strategic fuel
18 breaks around communities with high wildfire risk;

19 (d) Funding an integrated small forestland owner forest health
20 program in support of extending management and control of wildfire
21 from homes through the wildland urban interface to small forestland
22 owner holdings; and

23 (e) Monitoring forest health conditions and effectiveness of
24 treatments throughout the state, including ecological function and
25 reducing catastrophic wildfires.

26 (22) Furthermore, it is the intent of the legislature to take
27 immediate action to help communities become more resilient to
28 wildfire. Strategies to accomplish these goals include, but are not
29 limited to:

30 (a) Increasing funding for cost share programs for home
31 hardening, fuels reduction, and community resilience programs in
32 communities at risk of wildfire;

33 (b) Reducing wildfire risk to wildland urban interfaces; and

34 (c) Ensuring our state's most vulnerable populations are not
35 disproportionately burdened by the impact and consequences of
36 wildfire.

37 (23) The legislature intends that these investments protect the
38 state's people, environment, and economy.

1 NEW SECTION. **Sec. 2.** WILDFIRE RESPONSE, FOREST RESTORATION, AND
2 COMMUNITY RESILIENCE ACCOUNT. (1) The wildfire response, forest
3 restoration, and community resilience account is created in the state
4 treasury. All receipts from moneys directed to the account must be
5 deposited in the account. Moneys in the account may be spent only
6 after appropriation. Expenditures from the account may be used only
7 for carrying out the purposes of this act and for no other purposes.

8 (2) Expenditures from the account may be made to state agencies,
9 federally recognized tribes, local governments, fire and conservation
10 districts, nonprofit organizations, forest collaboratives, and small
11 forestland owners, consistent with the 20-year forest health
12 strategic plan, the wildland fire protection 10-year strategic plan,
13 and the Washington state forest action plan.

14 (3) The wildfire response, forest restoration, and community
15 resilience account may only be used to monitor, track, and implement
16 the following purposes:

17 (a) Fire preparedness activities consistent with the goals
18 contained in the state's wildland fire protection 10-year strategic
19 plan including, but not limited to, funding for firefighting capacity
20 and investments in ground and aerial firefighting resources,
21 equipment, and technology, and the development and implementation of
22 a wildland fire aviation support plan in order to expand and improve
23 the effectiveness and cost-efficiency of the department's wildland
24 fire aviation program;

25 (b) Fire prevention activities to restore and improve forest
26 health and reduce vulnerability to drought, insect infestation,
27 disease, and other threats to healthy forests including, but not
28 limited to, silvicultural treatments, seedling development, thinning
29 and prescribed fire, and postfire recovery activities to stabilize
30 and prevent unacceptable degradation to natural and cultural
31 resources and minimize threats to life and property resulting from
32 the effects of a wildfire. Funding priority under this subsection
33 must be given to programs, activities, or projects aligned with the
34 20-year forest health strategic plan, the wildland fire protection
35 10-year strategic plan, and the Washington state forest action plan
36 across any combination of local, state, federal, tribal, and private
37 ownerships;

38 (c) Fire protection activities for homes, properties,
39 communities, and values at risk including, but not limited to:
40 Potential control lines or strategic fuel breaks in forests and

1 rangelands near communities; improved warning and communications
2 systems to prepare for wildfires; increased engagement with non-
3 English speaking communities in their home language for community
4 preparedness; and the national fire protection association's fire
5 wise USA and the fire-adapted communities network programs to help
6 communities take action before wildfires.

7 (4) Appropriations for forest health activities funded by the
8 wildfire response, forest restoration, and community resilience
9 account shall not be less than 25 percent of the biennial
10 appropriated funding.

11 (5) Appropriations for community resilience activities funded by
12 the wildfire response, forest restoration, and community resilience
13 account shall not be less than 15 percent of the biennial
14 appropriated funding.

15 (6) Funding may not be used for emergency fire costs or
16 suppression costs as defined in RCW 76.04.005.

17 (7) To the maximum extent possible, workforce development
18 investments from the wildfire response, forest restoration, and
19 community resilience account should prioritize historically
20 marginalized, underrepresented, rural, and low-income communities.

21 (8) Any expenditures from the wildfire response, forest
22 restoration, and community resilience account for forest health
23 treatments on federal lands must be additive to the baseline
24 accomplishments and outputs already funded through the federal
25 government and outlined in the annual work plans of the United States
26 forest service, bureau of land management, the national park service,
27 and/or the United States fish and wildlife service.

28 (9) The department may solicit the forest health advisory
29 committee established in RCW 76.06.200 and wildland fire advisory
30 committee established in RCW 76.04.179 to provide recommendations for
31 investments under this section. In assessing investments and
32 developing recommendations for communities that will be impacted
33 based on ecological, public infrastructure, and life safety needs as
34 set forth in the 20-year forest health strategic plan and the
35 wildland fire protection 10-year strategic plan, the forest health
36 advisory committee and wildland fire advisory committee must use
37 environmental justice or equity focused tools, such as the Washington
38 tracking network's environmental health disparities tool to identify
39 highly impacted communities. This identification must be used as a
40 factor in determining recommendations for investments under this

1 section. "Highly impacted communities" has the same meaning as
2 defined in RCW 19.405.020.

3 NEW SECTION. **Sec. 3.** TRANSPARENCY AND ACCOUNTABILITY. (1) By
4 December 1st of each even-numbered year, and in compliance with RCW
5 43.01.036, the department must report to the governor and legislature
6 on the following:

7 (a) The type and amount of the expenditures made, by fiscal year,
8 and for what purpose, from the wildfire response, forest restoration,
9 and community resilience account created in section 2 of this act;

10 (b) The amount of unexpended and unobligated funds in the
11 wildfire response, forest restoration, and community resilience
12 account and recommendations for the disbursement to local districts;

13 (c) Progress on implementation of the wildland fire protection
14 10-year strategic plan including, but not limited to, how investments
15 are reducing human-caused wildfire starts, lowering the size and
16 scale and geography of catastrophic wildfires, reducing the
17 communities, landscapes, and population at risk, and creating
18 resilient landscapes and communities;

19 (d) Progress on implementation of the 20-year forest health
20 strategic plan as established through the forest health assessment
21 and treatment framework pursuant to RCW 76.06.200 including, but not
22 limited to: Assessment of fire prone lands and communities that are
23 in need of forest health treatments; forest health treatments
24 prioritized and conducted by landowner type, geography, and risk
25 level; estimated value of any merchantable materials from forest
26 health treatments; and number of acres treated by treatment type,
27 including the use of prescribed fire.

28 (2) The department must include recommendations on any
29 adjustments that may be necessary or advisable to the mechanism of
30 funding dispensation as created under this act.

31 (3) The report required in this section should support existing
32 department assessments pursuant to RCW 79.10.530 and 76.06.200.

33 **Sec. 4.** RCW 76.06.200 and 2019 c 305 s 1 are each amended to
34 read as follows:

35 (1) The department must establish a forest health assessment and
36 treatment framework designed to proactively and systematically
37 address the forest health issues facing the state. Specifically, the

1 framework must endeavor to achieve an initial goal of assessing and
2 treating one million acres of land by 2033.

3 (2) The department must utilize the framework to assess and treat
4 acreage in an incremental fashion each biennium. The framework
5 consists of three elements: Assessment; treatment; and progress
6 review and reporting.

7 (a) Assessment. Each biennium, the department must identify and
8 assess two hundred thousand acres of fire prone lands and communities
9 that are in need of forest health treatment, including the use of
10 prescribed fire or mechanical treatment (~~(, such as thinning)~~).

11 (i) The scope of the assessment must include lands protected by
12 the department as well as lands outside of the department's fire
13 protection responsibilities that could pose a high risk to department
14 protected lands during a fire.

15 (ii) The assessment must identify areas in need of treatment, the
16 type or types of treatment recommended, spatial optimization of
17 forest treatments across landscapes, data and planning needs to carry
18 out recommended treatment, and the estimated cost of recommended
19 treatment.

20 (iii) The department shall develop a mapping tool to identify
21 small forestland owners within wildfire risk areas and use this tool
22 to evaluate and optimize forest health work at a landscape scale to
23 move high risk wildfire areas to lower risk and to leverage funding
24 and the small forestland owner forest health program and landowner
25 assistance program in section 7 of this act with the greatest impact
26 for wildfire prevention, preparedness, and response.

27 (b) Treatment. Each biennium, the department must review
28 previously completed assessments and prioritize and conduct as many
29 identified treatments as possible using appropriations provided for
30 that specific purpose.

31 (c) Progress review and reporting. By December 1st of each even-
32 numbered year, the department must provide the appropriate committees
33 of the legislature and the office of financial management with:

34 (i) A request for appropriations designed to implement the
35 framework in the following biennium, including assessment work and
36 conducting treatments identified in previously completed assessments;

37 (ii) A prioritized list and brief summary of treatments planned
38 to be conducted under the framework with the requested
39 appropriations, including relevant information from the assessment;
40 and

1 (iii) A list and brief summary of treatments carried out under
2 the framework in the preceding biennium, including total funding
3 available, costs for completed treatment, and treatment outcomes. The
4 summary must include any barriers to framework implementation and
5 legislative or administrative recommendations to address those
6 barriers.

7 (3) In developing and implementing the framework, the department
8 must:

9 (a) Utilize and build on the forest health strategic planning
10 initiated under section 308(11), chapter 36, Laws of 2016 sp. sess.,
11 to the maximum extent practicable, to promote the efficient use of
12 resources;

13 (b) Prioritize, to the maximum extent practicable consistent with
14 this section, forest health treatments that are strategically planned
15 to serve the dual benefits of forest health maximization while
16 providing geographically planned tools for wildfire response; ~~((and))~~

17 (c) Where possible, partner with federally recognized tribes to
18 expand use of the tribal forest protection act on federal lands
19 managed by the United States forest service and the bureau of land
20 management;

21 (d) When entering into good neighbor agreements, as that term is
22 defined in RCW 79.02.010, prioritize, to the maximum extent
23 practicable consistent with this section, forest health treatments
24 adjacent to or nearby state lands so as to increase the speed,
25 efficiency, and impact on the landscape; and

26 (e) Establish a forest health advisory committee to assist in
27 developing and implementing the framework. The committee may: (i)
28 Include representation from large and small forestland owners,
29 wildland fire response organizations, milling and log transportation
30 industries, forest collaboratives that may exist in the affected
31 areas, highly affected communities and community preparedness
32 organizations, conservation groups, and other interested parties
33 deemed appropriate by the commissioner; and (ii) consult with
34 relevant local, state, and federal agencies, and tribes.

35 (4) In implementing subsection (3)(b) of this section, the
36 department shall attempt to locate and design forest health
37 treatments in such a way as to provide wildfire response personnel
38 with strategically located treated areas to assist with managing fire
39 response. These areas must attempt to maximize the firefighting
40 benefits of natural and artificial geographic features and be located

1 in areas that prioritize the protection of commercially managed lands
2 from fires originating on public land.

3 (5) The department must establish and implement the forest health
4 assessment and treatment framework within the appropriations
5 specifically provided for this purpose.

6 NEW SECTION. **Sec. 5.** WORKFORCE DEVELOPMENT. (1) The legislature
7 finds that satisfying the goals identified in section 1 of this act
8 to increase the pace and scale of forest health treatments and
9 improve wildfire prevention and response requires increasing the
10 workforce that is needed to perform this critical work. This need
11 creates an opportunity to develop employment and career pathways
12 across the state, including in rural communities throughout
13 Washington. Investments to support and further develop the forest
14 sector workforce are recommended in both the department's 2019 "plan
15 for climate resilience" and the department of commerce's 2020 report
16 "Washington's green economy."

17 (2) The department and the department of commerce shall jointly
18 develop and implement, as appropriate and in consultation with
19 centers of excellence, higher education, secondary education, and
20 workforce development centers, initiatives to develop a forest health
21 workforce necessary to implement the goals of this section.
22 Initiatives may include, but are not limited to:

23 (a) Creating a new or making an existing grant program available
24 to nonprofits, labor organizations, state agencies, community and
25 technical colleges, institutions of higher education, private sector
26 employers, skills centers, or other training and education
27 institutions that have qualifications and experience in the
28 development of training programs, such as secondary and postsecondary
29 courses, relevant to the workforce needs of the forest sector. Grants
30 must be awarded on a competitive basis with priority funding for
31 programs that meet urgent forest health and wildfire suppression
32 skills gaps and demonstrate a lack of available workforce in
33 underserved communities. Grants awarded may be used for activities
34 such as internships, Washington state registered apprenticeship
35 programs, recognized preapprenticeships, career launch, and other
36 relevant career connect Washington activities, and postsecondary
37 bridge programs for forest sector or skill relevant trades that
38 provide:

39 (i) On the job training;

1 (ii) Hard and soft skills development;
2 (iii) Test preparation for trade apprenticeship;
3 (iv) Advanced training in the forest sector relating to jobs such
4 as: Hand crews; wildland firefighters; fire safety; equipment
5 operators; timber operators; mill workers; mill or forestry
6 technicians; mechanics; loggers; timber fallers; commercial truck
7 drivers; foresters; ecologists; biologists; or other workforce needs
8 in support of forest restoration and wildfire response;

9 (b) Developing education programs for elementary, secondary, and
10 higher education students that: (i) Inform people about the role of
11 forestry, fire, vegetation management, and ecological restoration;
12 (ii) increase the awareness of opportunities for careers in the
13 forest sector and exposure of students to those careers through
14 various work-based learning opportunities inside and outside the
15 classroom; (iii) connect students in pathways to careers in the
16 forest sector; and (iv) incorporate opportunities for secondary
17 students to earn industry recognized credentials and dual credit in
18 career and technical education courses;

19 (c) Developing regional education, industry, and workforce
20 development collaborations, including recruiting and building
21 industry awareness and coordinating candidate development
22 particularly in areas that are traditionally underrepresented in
23 natural resource industries and specifically in forestry;

24 (d) Building additional statewide response. The department shall
25 develop a recruiting and outreach program across the state to
26 encourage people to volunteer with their local fire departments. The
27 department shall expand existing training programs to meet increased
28 interest and need in wildfire response and forest health work; and

29 (e) Developing a program to train local building and construction
30 trade members and contractors to be deployed during periods requiring
31 surge capacity for wildland fire suppression including:

32 (i) As wildland firefighters who meet the requirements of being
33 utilized by the department; and

34 (ii) As heavy equipment operators who meet the requirements to be
35 utilized by the department as required by RCW 76.04.181.

36 (3) The commissioner and the director of the department of
37 commerce must direct their staff to develop a plan for tracking,
38 maintaining, and publicly reporting on the following:

39 (a) A working definition of the forest sector workforce,
40 including the job skills, certifications, and experience required;

1 (b) Recommendations for the training, recruitment, and retention
2 of the current and anticipated forest sector workforce necessary to
3 implement the goals of this act;

4 (c) The identification of gaps and barriers to a full forest
5 sector workforce pool, including:

6 (i) Estimates of forest sector workforce jobs created and
7 retained as well as any reductions in the forest sector workforce;

8 (ii) An estimate of the number of needed private contractors to
9 implement the goals of this act, an inventory of local and regional
10 private contractors trained to carry out wildfire response and forest
11 health work, and a list of local private contractors utilized
12 annually for wildfire response and forest health work; and

13 (iii) An inventory of existing training facilities and programs
14 that support ongoing and anticipated forest sector, or related
15 sectors, as identified in subsection (2)(a)(iv) of this section;

16 (d) Recommendations for addressing identified barriers or other
17 needs to otherwise continue the development of a forest workforce
18 necessary to implement the goals of this act.

19 (4) The department and the department of corrections shall
20 jointly develop opportunities to expand existing programs to provide
21 the additional wildfire, forest health, and silvicultural capacity
22 necessary to implement the goals of this act, including a postrelease
23 program that helps formerly incarcerated individuals who served on
24 state fire response crews obtain employment in wildfire suppression
25 and forest management.

26 (5) The department shall utilize existing programs such as the
27 Washington conservation corps, Washington veterans corps, Washington
28 service corps, customized and on-the-job training, or similar
29 programs to expand opportunities and promote family wage careers in
30 the forest sector workforce.

31 (6) To the maximum extent possible, workforce development
32 programs and policies should prioritize historically marginalized,
33 underrepresented, rural, and low-income communities.

34 **Sec. 6.** RCW 76.06.150 and 2009 c 163 s 5 are each amended to
35 read as follows:

36 (1) The commissioner (~~(of public lands)~~) is designated as the
37 state of Washington's lead for all forest health issues.

38 (2) The commissioner (~~(of public lands)~~) shall strive to promote
39 communications between the state, tribes, and the federal government

1 regarding forestland management decisions that potentially affect the
2 health of forests in Washington and will allow the state to have an
3 influence on the management of federally owned land in Washington.
4 Such government-to-government cooperation is vital if the condition
5 of the state's public and private forestlands are to be protected.
6 These activities may include, when deemed by the commissioner to be
7 in the best interest of the state:

8 (a) Representing the state's interest before all appropriate
9 local, state, and federal agencies and tribes;

10 (b) Assuming the lead state role for developing formal comments
11 on federal forest management plans that may have an impact on the
12 health of forests in Washington;

13 (c) Pursuing in an expedited manner any available and appropriate
14 cooperative agreements, including cooperating agency status
15 designation, with the United States forest service and the United
16 States bureau of land management that allow for meaningful
17 participation in any federal land management plans that could affect
18 the department's strategic plan for healthy forests and effective
19 fire prevention and suppression, including the pursuit of any options
20 available for giving effect to the cooperative philosophy contained
21 within the national environmental policy act of 1969 (42 U.S.C. Sec.
22 4331) (~~and~~

23 ~~(d) Pursuing~~)).

24 (3) The commissioner shall regularly meet and coordinate with the
25 regional leadership of the United States forest service, in order to:

26 (a) Identify strategies to improve the delivery and increase the
27 pace and scale of forest health and resiliency, and fuels mitigation
28 treatments, on federal lands;

29 (b) Document the resources needed to increase the capacity
30 available to the United States forest service, on national forests in
31 Washington;

32 (c) Identify supplemental planning and implementation support to
33 the United States forest service, through the use of cooperative
34 agreements and good neighbor agreements, as that term is defined in
35 RCW 79.02.010;

36 (d) Maximize the utilization of available efficiencies for
37 compliance with the national environmental policy act, as it applies
38 to actions of the United States forest service in Washington, such as
39 tools to increase the pace and scale of forest health treatments
40 including, but not limited to, categorical exclusions, shared

1 stewardship, and tribal forest protection act for forest health,
2 fuels mitigation, and restoration activities;

3 (e) Accelerate national environmental policy act completion for
4 forest health and resiliency projects, including through increased
5 staffing and the use of partners, contractors, and department
6 expertise to complete national environmental policy act requirements
7 analysis; and

8 (f) Pursue agreements with federal agencies in the service of
9 forest biomass energy partnerships and cooperatives authorized under
10 RCW 43.30.835 through 43.30.840.

11 ~~((3) The))~~ (4) Every two years, the commissioner ~~((of public~~
12 ~~lands))~~ shall report to the ~~((chairs of the appropriate standing~~
13 ~~committees of the))~~ legislature ~~((every year))~~ on progress under this
14 section, including ~~((the))~~:

15 (a) The identification, if deemed appropriate by the
16 commissioner, of any needed state or federal statutory changes,
17 policy issues, or funding needs; and

18 (b) An estimate of the acres of at-risk forests on each national
19 forest and the number of acres treated.

20 NEW SECTION. Sec. 7. A new section is added to chapter 76.13
21 RCW to read as follows:

22 SMALL FORESTLAND OWNER FOREST HEALTH PROGRAM. (1) There is
23 established an integrated small forestland owner forest health
24 program that promotes the coordination and delivery of services with
25 federal, state, and local agencies, including local fire districts,
26 conservation districts, and community wildfire resilience coalitions,
27 forest landowner associations, colleges and universities, landowner
28 assistance organizations, consultants, forest resource-related
29 industries, and environmental organizations to nonindustrial forests
30 and woodland owners, hereafter referred to as small forestland
31 owners.

32 (2) Under the state forester's direction, the program must:

33 (a) Integrate existing landowner assistance forest health
34 programs consistent with the recommendations of "Washington's Small
35 Forest Landowners in 2020, Status, Trends and Recommendations after
36 20 years of Forests & Fish, January 2021" (the report required by
37 chapter 457, Laws of 2019), to more efficiently and effectively reach
38 the diversity of small forestland owner audiences to take forest
39 health action;

1 (b) Identify and remove barriers to technical assistance,
2 funding, and forest health management planning;

3 (c) Increase education and outreach to small forestland owners;
4 and

5 (d) Distribute funding effectively to move high wildfire risk
6 areas to lower risk.

7 (3) Priority areas for forest health treatment under the
8 Washington state forest action plan, the 10-year forest health
9 strategic plan, and the wildland fire protection 10-year strategic
10 plan may not prohibit technical support or stewardship plan support
11 for small forestland owner lands outside the designated emphasis
12 areas.

13 NEW SECTION. **Sec. 8.** WILDFIRE AVIATION RESPONSE. The department
14 must develop and implement a wildland fire aviation support plan, as
15 recommended by the wildland fire protection 10-year strategic plan,
16 in order to expand and improve the effectiveness and cost-efficiency
17 of the department's wildland fire aviation program. The wildland fire
18 aviation support plan must include:

19 (1) Recommendations for the addition of air assets in order for
20 the department to increase its initial attack capability and maintain
21 and improve on the department's ability to manage fires to meet 10-
22 year wildland fire protection and 20-year forest health strategic
23 plan goals;

24 (2) Development of a next-generation rotor wing platform strategy
25 to ensure the availability and use of the latest firefighting
26 aviation technology and provide a path for either the upgrade or
27 replacement, or both, of the department's legacy aircraft;

28 (3) Evaluation of opportunities to increase the use of contract
29 air assets;

30 (4) Evaluation of costs and benefits to increase dedicated air
31 resources during peak fire season when there may be limited available
32 supply due to wildfire activity in other states; and

33 (5) Strategies to upgrade retardant loading and processing
34 infrastructure to improve tanker turnaround time, including support
35 for development of infrastructure to accommodate very large air
36 tankers, at a port with an international airport within a county east
37 of the crest of the Cascade mountains that does not share a border
38 with another state.

1 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
2 this act, referencing this act by bill or chapter number, is not
3 provided by June 30, 2021, in the omnibus appropriations act, this
4 act is null and void.

5 NEW SECTION. **Sec. 10.** SHORT TITLE. This act may be known and
6 cited as the wildfire response, forest restoration, and community
7 resilience act.

8 NEW SECTION. **Sec. 11.** Sections 1 through 3, 5, and 8 of this
9 act are each added to chapter 76.04 RCW and codified with the
10 subchapter heading of "wildfire response, forest restoration, and
11 community resilience."

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