

2SHB 1578 - S COMM AMD

By Committee on Ways & Means

ADOPTED AND ENGROSSED 04/11/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that, just
4 as the forests on the east side of the state are being impacted by
5 climate change, western Washington forests, too, are seeing
6 increasing vulnerabilities to forest health and resilience. The
7 frequency and severity of wildfires, resulting smoke incursions, and
8 postfire flash floods and debris flow in areas of increasing
9 population density are expected to intensify in the years to come,
10 fueled by drought, pests, and disease, and increasing temperatures.

11 (2) The legislature recognizes that communities within the
12 wildland urban interface and in areas of high or growing population
13 density are increasingly experiencing more frequent and severe
14 wildfires, resulting smoke exposure, flash floods, and debris flow,
15 and that this intensifies health and safety hazards for residents,
16 infrastructure, and ecosystems.

17 (3) The legislature finds that lives, health, and infrastructure
18 are endangered by unplanned wildland fires, associated smoke
19 exposure, and postwildfire debris flow hazards in Washington state.
20 Wildland fires come with cascading and multihazard impacts on air
21 quality and the health of our residents. Therefore, investing in
22 wildland fire community preparedness, recovery, and resilience
23 provides important cobenefits that will improve the health and safety
24 of residents, infrastructure, and ecosystems in forested and
25 nonforested areas and will reduce the economic burden on local
26 governments, organizations, communities, and the state.

27 (4) The legislature acknowledges that public health and emergency
28 management preparedness aligns with the state's environmental justice
29 goals, where programming and interventions support vulnerable
30 populations and those living in regions experiencing
31 disproportionately high levels of wildfire, air pollutants, and smoke
32 exposure.

1 (5) The legislature recognizes that there is a need for a
2 comprehensive approach to public safety and health related to
3 evacuation planning, emergency response and stabilization, creating
4 resilience to wildfire smoke, and postfire landslide hazard
5 identification and mitigation. A key priority during a wildfire
6 response is engaging relevant evacuation and emergency response
7 plans. A key priority in wildfire recovery is emergency stabilization
8 to prevent increased damage to life, infrastructure, or natural
9 resources, and longer-term stabilization and rehabilitation efforts
10 may need to be continued for several years following a wildfire to
11 prevent unacceptable and dangerous land and water degradation.

12 (6) The legislature recognizes that while smoke from wildland
13 fires can affect individuals differently based on a multitude of
14 different factors, the negative health effects of poor air quality
15 are well established. A study led by the office of financial
16 management and the department of ecology found that when air quality
17 is categorized as "unhealthy," as compared to "good," due to wildfire
18 smoke, there is a 24 percent increase in medical service claims
19 related to asthma and a 12 percent increase in emergency department
20 visits.

21 (7) The legislature finds that cross-agency emergency management
22 planning and response that addresses wildland fires and related smoke
23 is important to the health and safety of the residents of Washington.
24 It is critical to provide timely smoke impact and forecast
25 information and messaging to the public that is accessible and based
26 on the best available science.

27 (8) The legislature recognizes that having clean and properly
28 ventilated indoor air is important to protect the health of all
29 residents. Those who experience acute or chronic health challenges
30 are at greater risk of the effects of hazardous or polluted air.
31 During wildfire events that lead to increased smoke in the ambient
32 air, public health officials often recommend staying indoors and
33 closing doors and windows. However, particularly on the western side
34 of the state, many homes do not have air conditioning systems.
35 Compared to nearly all other states, Washington homes have some of
36 the fewest air conditioning systems. Accordingly, during the warmest
37 days of summer, when wildfire events are most common, doors and
38 windows are opened for ventilation purposes, which inadvertently
39 allows smoke to enter the home and degrade indoor air quality.

1 (9) The legislature recognizes the work that the department of
2 natural resources has done to implement RCW 76.04.505, and that,
3 based on a robust prioritization process, the department of natural
4 resources has focused a majority of its efforts to date on wildfire
5 prevention and preparedness on the east side of the state.

6 (10) The legislature acknowledges that the department of natural
7 resources' community resilience programming for community-level and
8 property-level wildfire readiness has been successfully implemented
9 in numerous counties throughout eastern Washington and that
10 broadening the program statewide and incorporating smoke readiness
11 programming will benefit communities, residents, and local
12 governments facing growing wildfire-related risks.

13 (11) Therefore, the legislature finds that, given the increasing
14 impacts on the rapidly growing wildland urban interface and in areas
15 of increasing population density, the department of natural resources
16 must now also accelerate efforts to address the threats facing them.
17 This includes, but is not limited to, improving community
18 preparedness, response, recovery, and resilience related to wildland
19 fire, smoke, and postfire flash floods and debris flow.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.04
21 RCW to read as follows:

22 (1)(a) The department must assess areas at significant risk for
23 wildfire, by decade, for a period encompassing not less than 30
24 years. The assessment must include an analysis of the predicted
25 climate influence on wildfire risk in the state and provide enough
26 detail for landowners, the public, local governments, and federally
27 recognized Indian tribes to develop strategies to address wildfire
28 risk. The department must provide the first risk assessment to the
29 appropriate committees of the legislature by July 1, 2027, covering a
30 risk assessment period of July 1, 2027, through June 30, 2037. A
31 subsequent decadal assessment is due to the appropriate committees of
32 the legislature every 10 years thereafter. The department must also
33 provide a mid-decade interim report to the appropriate committees of
34 the legislature by July 1, 2032, and every 10 years thereafter.

35 (b) The department must coordinate with counties on an update to
36 wildland urban interface maps consistent with RCW 43.30.580.

37 (2) The department, in consultation with the Washington military
38 department emergency management division and the Washington state
39 patrol, must cooperate with law enforcement, federally recognized

1 Indian tribes, emergency managers at the city and county level, and
2 local fire protection districts to develop public safety evacuation
3 strategies for areas identified in the respective decadal assessments
4 as facing significant risk of wildfire. The department must provide
5 support to help incorporate wildfire evacuation strategies within
6 existing regional and local emergency response plans. Implementation
7 of evacuation strategies remains under the authority of local law
8 enforcement.

9 (3) The department must lead a project to provide emergency
10 disaster and evacuation plan messaging and information to the public
11 at department-managed recreation and outdoor access sites.
12 Information must be displayed in an accessible manner, including in
13 signage at trailheads, and be relevant to the area's particular
14 natural disaster risk profile. The department must place particular
15 emphasis on ensuring accessibility and accommodation needs of public
16 visitors are reflected in planning, design, and information
17 dissemination.

18 (4) Further, the department shall:

19 (a) Expand its community resilience and preparedness programming,
20 for community-level and property-level wildfire readiness, and the
21 associated supporting programs such as community resilience grants
22 and service forestry, within the wildland urban interface in counties
23 or regions of western Washington where risk of wildfires and smoke
24 exposure exist as determined by the department;

25 (b) Participate in cross-agency emergency management planning and
26 response efforts related to wildfire smoke plans developed under
27 chapter 38.52 RCW. The department shall incorporate smoke readiness
28 into community resilience programming and coordinate with state,
29 county, federal agencies, and federally recognized Indian tribes to
30 collaboratively share information and guidance for Washington
31 communities affected by wildfire smoke. This includes providing
32 updated wildfire information to air quality and health agencies and
33 to the public through online information sources.

34 (i) The department shall coordinate cross-agency and shall
35 provide information to assess wildland fire smoke risks and impacts.
36 Activities may include:

37 (A) Coordinating with the department of ecology, local clean air
38 agencies, and the United States forest service to deploy temporary
39 air monitors to assess smoke conditions during wildfires;

1 (B) Providing information to the department of ecology to
2 continue to improve smoke modeling and forecasting tools and support
3 regulatory compliance;

4 (C) Advancing science and conducting research on wildfire smoke
5 event recurrence geographically, based on different forest types and
6 incorporating this research into planning efforts; and

7 (D) Information dissemination to the public through online
8 information sources.

9 (ii) The provisions of this section may not impact or prevent the
10 implementation of prescribed burns to improve forest health and
11 resiliency and reduce wildfire risks.

12 (iii) The department shall work cross-agency to address smoke
13 risk to transportation safety and firefighter exposure to smoke.

14 (iv) The department, in collaboration with the departments of
15 health and ecology, shall conduct community engagement and outreach
16 related to wildfire smoke risks and impacts, particularly in regions
17 of the state that experience disproportionately high levels of air
18 contaminants and pollutants. Particular emphasis in outreach will be
19 focused on overburdened populations, and vulnerable people, including
20 outdoor workers, those older in age, those experiencing persistent
21 health challenges, and those experiencing unstable housing
22 arrangements;

23 (c) Leverage community resilience programming to ensure residents
24 and community organizations are provided information about services
25 and programs to improve indoor air quality in the home. This may
26 include connecting residents with their local contracted
27 weatherization agency, which may provide home weatherization services
28 to eligible applicants and residents. Weatherization upgrades may
29 save energy, reduce utility costs, and improve indoor air quality;

30 (d) By July 1, 2028, implement a postwildfire debris flow
31 program. The department shall identify areas prone to hazards from
32 postwildfire debris flows, assess burned areas to determine potential
33 for increases in postwildfire debris flow hazards, improve modeling
34 to determine triggers for postwildfire debris flow early warning for
35 at-risk communities and infrastructure, and communicate to emergency
36 managers, local governments, stakeholders, state agencies, and the
37 public both for preparedness and response; and

38 (e) By December 30, 2027, have established a structure for a
39 state sponsored burned area emergency stabilization and response team
40 and make recommendations regarding the appropriate number of teams

1 needed, the funding necessary to support team deployments, and the
2 implementation of hazard mitigation. The department shall provide
3 capacity-building to local communities to establish local teams. The
4 purpose of the burned area emergency stabilization and response team
5 is to determine the need for emergency postfire treatments for public
6 safety and resource protection. The department must consult with
7 emergency managers, the military department, and the Washington
8 conservation commission when developing the organizational structure
9 of the teams established in this section.

10 (5) The department, when acting in good faith in its
11 implementation of this section, is carrying out duties owed to the
12 public in general and not to any individual person or class of
13 persons separate and apart from the public. Nothing contained in this
14 section may be construed to evidence a legislative intent that the
15 work of preparing for, responding to, or recovering from wildfire,
16 smoke incursions, or postfire landslides is owed to any individual
17 person or class of persons separate and apart from the public in
18 general. This section does not alter the department's duties and
19 responsibilities as a landowner.

20 (6) Until July 1, 2025, the assessments and reports required by
21 this section are only intended to assist with improving community
22 preparedness, response, recovery, and resilience to wildland fires
23 and are not intended and may not be used in the development of, or as
24 the basis of, any regulations by a state agency or a local
25 governmental entity.

26 NEW SECTION. **Sec. 3.** This act may be known and cited as the
27 cascading impacts of wildfires act."

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ADOPTED 04/11/2023

28 On page 1, line 4 of the title, after "interface;" strike the
29 remainder of the title and insert "adding a new section to chapter
30 76.04 RCW; and creating new sections."

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