
HOUSE BILL 2446

State of Washington

68th Legislature

2024 Regular Session

By Representatives Paul, Dent, and Ramel

Read first time 01/22/24. Referred to Committee on Capital Budget.

1 AN ACT Relating to investing in reforestation efforts following
2 landscape-scale forest disturbances; amending RCW 70A.65.270; adding
3 a new section to chapter 76.14 RCW; creating a new section; and
4 making appropriations.

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

6 NEW SECTION. **Sec. 1.** (1) Due to the changing climate,
7 catastrophic wildfires are on the increase in the state's forests
8 causing the release of carbon stored in the trees, soils, and other
9 biomass.

10 (2) Congress responded to the national need to address the
11 impacts of catastrophic wildfires when it passed the repairing
12 existing public land by adding necessary trees (REPLANT) act as part
13 of the infrastructure and jobs act of 2021. The REPLANT act seeks to
14 scale up reforestation across national forests over the next five
15 years and begin an historically significant restoration effort on
16 national forestlands.

17 (3) A similar state-based effort is needed to replant burned
18 forestlands and to restore the ability of these lands to sequester
19 carbon. The need is easily defined by the thousands of acres of
20 forestlands that have been lost to wildfire during the past decade.
21 Reforestation of the state's burned forestlands is in the best

1 interest of the state and consistent with Washington's efforts to
2 combat climate change.

3 (4) The legislature recognizes the importance of providing
4 additional funding for the postreforestation of public and private
5 forestland owners to expedite the replanting of burned forestlands
6 and to restore the ability of these lands to sequester carbon.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.14
8 RCW to read as follows:

9 (1) Subject to the availability of amounts appropriated for this
10 specific purpose, the department shall administer a reforestation
11 grant program designed to incentivize and invest in reforestation
12 after large forest stand replacement events such as wildfire,
13 landslides, volcanic eruptions, tsunamis, earthquakes, and other
14 natural catastrophic events that damage the ecoservices of natural or
15 managed forests.

16 (2) The department must establish criteria for the grant program,
17 which must include:

18 (a) A cost-share percentage with the grant recipient not to
19 exceed 25 percent of the grant award, including any in-kind
20 contributions;

21 (b) Minimum and maximum potential grant awards;

22 (c) Applicant eligibility criteria that must include tribal
23 ownerships, nonprofit landowners and managers, industrial and
24 nonindustrial private forestland owners, local governments, and other
25 state agencies and must exclude public lands owned by the federal
26 government or, to avoid a conflict of interest, lands managed
27 directly by the department;

28 (d) Priority scoring for reforestation investments on private
29 forestland whose owners or managers are not required, by regulation
30 or other mechanism, to replant after a catastrophic event;

31 (e) Specific considerations for grant applicants proposing to
32 include, as part of the project, the reforestation of riparian
33 buffers, potentially unstable slopes, or other areas where harvest is
34 restricted due to state regulations that were affected by the
35 underlying catastrophic event; and

36 (f) Consideration of any relevant environmental justice
37 assessments under RCW 70A.02.060.

1 (3) The department must limit the overall size of the program
2 required under this section to the level of appropriations provided
3 specifically for this purpose.

4 **Sec. 3.** RCW 70A.65.270 and 2021 c 316 s 30 are each amended to
5 read as follows:

6 (1) The natural climate solutions account is created in the state
7 treasury. All moneys directed to the account from the climate
8 investment account created in RCW 70A.65.250 must be deposited in the
9 account. Moneys in the account may be spent only after appropriation.
10 Moneys in the account are intended to increase the resilience of the
11 state's waters, forests, and other vital ecosystems to the impacts of
12 climate change, conserve working forestlands at risk of conversion,
13 and increase their carbon pollution reduction capacity through
14 sequestration, storage, and overall system integrity. Moneys in the
15 account must be spent in a manner that is consistent with existing
16 and future assessments of climate risks and resilience from the
17 scientific community and expressed concerns of and impacts to
18 overburdened communities.

19 (2) Moneys in the account may be allocated for the following
20 purposes:

21 (a) Clean water investments that improve resilience from climate
22 impacts. Funding under this subsection (2)(a) must be used to:

23 (i) Restore and protect estuaries, fisheries, and marine
24 shoreline habitats and prepare for sea level rise including, but not
25 limited to, making fish passage correction investments such as those
26 identified in the cost-share barrier removal program for small
27 forestland owners created in RCW 76.13.150 and those that are
28 considered by the fish passage barrier removal board created in RCW
29 77.95.160;

30 (ii) Increase carbon storage in the ocean or aquatic and coastal
31 ecosystems;

32 (iii) Increase the ability to remediate and adapt to the impacts
33 of ocean acidification;

34 (iv) Reduce flood risk and restore natural floodplain ecological
35 function;

36 (v) Increase the sustainable supply of water and improve aquatic
37 habitat, including groundwater mapping and modeling;

38 (vi) Improve infrastructure treating stormwater from previously
39 developed areas within an urban growth boundary designated under

1 chapter 36.70A RCW, with a preference given to projects that use
2 green stormwater infrastructure;

3 (vii) Either preserve or increase, or both, carbon sequestration
4 and storage benefits in forests, forested wetlands, agricultural
5 soils, tidally influenced agricultural or grazing lands, or
6 freshwater, saltwater, or brackish aquatic lands; or

7 (viii) Either preserve or establish, or both, carbon
8 sequestration by protecting or planting trees in marine shorelines
9 and freshwater riparian areas sufficient to promote climate
10 resilience, protect cold water fisheries, and achieve water quality
11 standards;

12 (b) Healthy forest investments to improve resilience from climate
13 impacts. Funding under this subsection (2)(b) must be used for
14 projects and activities that will:

15 (i) Increase forest and community resilience to wildfire in the
16 face of increased seasonal temperatures and drought;

17 (ii) Improve forest health and reduce vulnerability to changes in
18 hydrology, insect infestation, and other impacts of climate change;
19 ((~~iii~~))

20 (iii) Incentivize and invest in reforestation of lands affected
21 by catastrophic natural disturbances such as funding the
22 reforestation grant program created in section 2 of this act and
23 funding reforestation efforts by the department of natural resources
24 following wildfires; or

25 (iv) Prevent emissions by preserving natural and working lands
26 from the threat of conversion to development or loss of critical
27 habitat, through actions that include, but are not limited to, the
28 creation of new conservation lands, community forests, or increased
29 support to small forestland owners through assistance programs
30 including, but not limited to, the forest riparian easement program
31 and the family forest fish passage program. It is the intent of the
32 legislature that not less than \$10,000,000 be expended each biennium
33 for the forestry riparian easement program created in chapter 76.13
34 RCW or for riparian easement projects funded under the agricultural
35 conservation easements program established under RCW 89.08.530, or
36 similar riparian enhancement programs.

37 (3) Moneys in the account may not be used for projects that would
38 violate tribal treaty rights or result in significant long-term
39 damage to critical habitat or ecological functions. Investments from

1 this account must result in long-term environmental benefits and
2 increased resilience to the impacts of climate change.

3 NEW SECTION. **Sec. 4.** The sum of \$10,000,000, or as much thereof
4 as may be necessary, is appropriated for the fiscal year ending June
5 30, 2024, from the natural climate solutions account created in RCW
6 70A.65.270 to the department of natural resources for the purposes of
7 the reforestation grant program created in section 2 of this act.

8 NEW SECTION. **Sec. 5.** (1) The legislature recognizes the ongoing
9 need for the department of natural resources to respond to the
10 impacts of wildfire on forestlands managed by the department.

11 (2) The sum of \$10,000,000, or as much thereof as may be
12 necessary, is appropriated for the fiscal year ending June 30, 2025,
13 from the natural climate solutions account created in RCW 70A.65.270
14 to the department of natural resources for postfire reforestation of
15 the forestlands managed by the department. The department of natural
16 resources must prioritize expenditures for the benefit of state trust
17 lands.

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