
SENATE BILL 5611

State of Washington

68th Legislature

2023 Regular Session

By Senators Wagoner, Shewmake, Hunt, Lovelett, Valdez, and Van De Wege; by request of Department of Natural Resources

Read first time 01/27/23. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to improving community preparedness, response,
2 recovery, and resilience to wildland fire health and safety impacts
3 in areas of increasing population density, including in the wildland
4 urban interface; adding a new section to chapter 76.04 RCW; and
5 creating new sections.

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

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

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

1 (3) The legislature finds that lives, health, and infrastructure
2 are endangered by unplanned wildland fires, associated smoke
3 exposure, and postwildfire debris flow hazards in Washington state.
4 Wildland fires come with cascading and multihazard impacts on air
5 quality and the health of our residents. Therefore, investing in
6 wildland fire community preparedness, recovery, and resilience
7 provides important cobenefits that will improve the health and safety
8 of residents, infrastructure, and ecosystems in forested and
9 nonforested areas and will reduce the economic burden on local
10 governments, organizations, communities, and the state.

11 (4) The legislature acknowledges that public health and emergency
12 management preparedness aligns with the state's environmental justice
13 goals, where programming and interventions support vulnerable
14 populations and those living in regions experiencing
15 disproportionately high levels of wildfire, air pollutants, and smoke
16 exposure.

17 (5) The legislature recognizes that there is a need for a
18 comprehensive approach to public safety and health related to
19 evacuation planning, emergency response and stabilization, creating
20 resilience to wildfire smoke, and postfire landslide hazard
21 identification and mitigation. A key priority during a wildfire event
22 is engaging relevant evacuation and emergency response plans. A key
23 priority after a wildfire is emergency stabilization to prevent
24 increased damage to life, infrastructure, or natural resources, and
25 longer-term stabilization and rehabilitation efforts may need to be
26 continued for several years following a wildfire to prevent
27 unacceptable and dangerous land and water degradation.

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

37 (7) The legislature finds that cross-agency emergency management
38 planning and response that addresses wildland fires and related smoke
39 is important to the health and safety of the residents of Washington.
40 It is critical to provide timely smoke impact and forecast

1 information and messaging to the public that is accessible and based
2 on the best available science.

3 (8) The legislature recognizes that having clean and properly
4 ventilated indoor air is important to protect the health of all
5 residents. Those who experience acute or chronic health challenges
6 are at greater risk of the effects of hazardous or polluted air.
7 During wildfire events that lead to increased smoke in the ambient
8 air, public health officials often recommend staying indoors and
9 closing doors and windows. However, particularly on the western side
10 of the state, many homes do not have air conditioning systems.
11 Compared to nearly all other states, Washington homes have some of
12 the fewest air conditioning systems. Accordingly, during the warmest
13 days of summer, when wildfire events are most common, doors and
14 windows are opened for ventilation purposes, which inadvertently
15 allows smoke to enter the home and degrade indoor air quality.

16 (9) The legislature recognizes the work that the department of
17 natural resources has done to implement RCW 76.04.505, and that,
18 based on a robust prioritization process, the department of natural
19 resources has focused a majority of its efforts to date on wildfire
20 prevention and preparedness on the east side of the state.

21 (10) The legislature acknowledges that the department of natural
22 resources' community resilience programming for community-level and
23 property-level wildfire readiness has been successfully implemented
24 in numerous counties throughout eastern Washington and that
25 broadening the program statewide and incorporating smoke readiness
26 programming will benefit communities, residents, and local
27 governments facing growing wildfire-related risks.

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

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

37 (1) The department must assess areas at significant risk for
38 wildfire, by decade, for a period encompassing not less than 30
39 years. The assessment must include an analysis of the predicted

1 climate influence on wildfire risk in the state and provide enough
2 detail for landowners, the public, local governments, and tribal
3 nations to develop strategies to address wildfire risk. The
4 department must provide the first risk assessment to the appropriate
5 committees of the legislature by July 1, 2025, covering a risk
6 assessment period of July 1, 2025, through June 30, 2035. A
7 subsequent decadal assessment is due to the appropriate committees of
8 the legislature every 10 years thereafter. The department must also
9 provide a mid-decade interim report to the appropriate committees of
10 the legislature by July 1, 2030, and every 10 years thereafter.

11 (2) The department must cooperate with local law enforcement,
12 Indian tribes, county emergency managers, and local fire protection
13 districts to develop public safety evacuation strategies for areas
14 identified in the respective decadal assessments as facing
15 significant risk of wildfire. The department must provide support to
16 help incorporate wildfire evacuation strategies within existing
17 regional and local emergency response plans. Implementation of
18 evacuation strategies remains under the authority of local law
19 enforcement.

20 (3) The department must lead a project to provide emergency
21 disaster and evacuation plan messaging and information to the public
22 at department-managed recreation and outdoor access sites.
23 Information must be displayed in an accessible manner, including in
24 signage at trailheads, and be relevant to the area's particular
25 natural disaster risk profile. The department must place particular
26 emphasis on ensuring accessibility and accommodation needs of public
27 visitors are reflected in planning, design, and information
28 dissemination.

29 (4) Further, the department shall:

30 (a) Expand its community resilience programming, for community-
31 level and property-level wildfire readiness, and the associated
32 supporting programs such as community resilience grants and service
33 forestry, within the wildland urban interface in counties or regions
34 of western Washington where risk of wildfires and smoke exposure
35 exist as determined by the department;

36 (b) Participate in cross-agency emergency management planning and
37 response efforts related to wildfire smoke. The department shall
38 incorporate smoke readiness into community resilience programming and
39 coordinate with state, county, federal agencies, and Indian tribes to
40 collaboratively share information and guidance for Washington

1 communities affected by wildfire smoke. This includes providing
2 updated wildfire information to forecasting and health agencies and
3 to the public through the Washington smoke blog or through another
4 online information source.

5 (i) The department shall establish a smoke monitoring and
6 predictive services team to assess wildland fire smoke risks and
7 impacts. Activities may include deploying air quality monitoring
8 equipment, conducting computer simulation modeling and
9 interpretation, data analysis, regulatory compliance, and information
10 dissemination to the public through the Washington smoke blog or
11 through another online information source.

12 (ii) The department shall work cross-agency to address public
13 health concerns, smoke risk to transportation safety, and firefighter
14 exposure to smoke.

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

23 (c) Coordinate with state agencies, local fire protection
24 districts, local governments, and Indian tribes to assist with the
25 identification of smoke respite areas in high-risk communities where
26 people can take refuge and to promote the additional utilization of
27 community buildings that can serve as clean air and cooling centers
28 for specific periods of time, with specific information dissemination
29 strategies targeted to vulnerable communities and persons who may not
30 receive electronic communication;

31 (d) Leverage community resilience programming to ensure residents
32 and community organizations are provided information about services
33 and programs to improve indoor air quality in the home. This may
34 include connecting residents with their local contracted
35 weatherization agency, which may provide home weatherization services
36 to eligible applicants and residents. Weatherization upgrades may
37 save energy, reduce utility costs, and improve indoor air quality;

38 (e) By July 1, 2024, implement a postwildfire debris flow
39 program. The department shall identify areas prone to hazards from
40 postwildfire debris flows, assess burned areas to determine potential

1 for increases in postwildfire debris flow hazards, improve modeling
2 to determine triggers for postwildfire debris flow early warning for
3 at-risk communities and infrastructure, and communicate to emergency
4 managers, local governments, stakeholders, and the public both for
5 preparedness and response; and

6 (f) By December 30, 2024, have established a structure for a
7 state sponsored burned area emergency stabilization and response team
8 and make recommendations regarding the appropriate number of teams
9 needed, the funding necessary to support team deployments, the
10 implementation of hazard mitigation, and provide capacity-building to
11 local communities to establish local teams. The purpose of the burned
12 area emergency stabilization and response team is to determine the
13 need for emergency postfire treatments for public safety and resource
14 protection. The department must consult with county emergency
15 managers, the military department, and the Washington conservation
16 commission when developing the structure.

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

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

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