

# SENATE BILL REPORT

## SB 6481

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As Amended by House, February 28, 2010

**Title:** An act relating to clarifying which local governments have jurisdiction over conversion-related forest practices.

**Brief Description:** Clarifying which local governments have jurisdiction over conversion-related forest practices.

**Sponsors:** Senators Morton, Schoesler, Holmquist, Hewitt, King, Delvin and Swecker.

**Brief History:**

**Committee Activity:** Natural Resources, Ocean & Recreation: 1/25/10, 1/28/10 [DP].

Passed Senate: 2/15/10, 46-0.

Passed House: 2/28/10, 93-1.

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Majority Report:** Do pass.

Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton, Ranking Minority Member; Hargrove, Hatfield, Stevens and Swecker.

**Staff:** Sherry McNamara (786-7402)

**Background:** The requirement to provide notice or submit an application prior to conducting forest practices varies depending on the specific type of activity to be conducted. Forest practices are divided into Classes I through IV, based on a particular activity's potential impact on public resources.

Class IV forest practices generally consist of activities where conversion to non-forestry use is at issue or that have the potential for substantial impact on the environment. This includes harvesting within an urban growth area. Class IV forest practices must be preapproved by either the Department of Natural Resources or an authorized local government.

Counties planning under the Growth Management Act (GMA), and the cities within those counties, must adopt regulations governing certain forest practices if more than 25 conversion-related Class IV forest practices were filed between January 1, 2003, and December 31, 2005. These jurisdictions must adopt regulations covering certain forest practices.

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*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.*

Counties planning under the GMA, and the cities within those counties, may choose to adopt regulations governing certain forest practices if 25 or fewer conversion-related Class IV forest practices were filed between January 1, 2003, and December 31, 2005.

Counties not planning under the GMA, and the cities within them, have the discretionary authority to adopt regulations and assume the jurisdiction over Class IV forest practices.

**Summary of Bill:** Counties planning under the GMA are replaced with counties with a population of 100,000 or more and the cities within those counties for the purposes of adopting regulations covering certain forest practices.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Local review for forest conversion related activities is a mandate that is difficult for smaller counties and cities to implement. Smaller jurisdictions in many cases lack the staffing to adopt the required ordinances and expertise to enforce the requirements listed in the current law. This bill will allow jurisdictions the time to plan for implementation as they reach the population threshold.

**Persons Testifying:** PRO: Senator Morton, prime sponsor; Jim Potts, Rural Counties.

**House Amendment(s):** The House amendment retains the reference to counties planning under the Growth Management Act (RCW 36.70A.040) to make it consistent with references in the rest of the RCW section.