

SENATE BILL REPORT

SHB 1287

As Reported By Senate Committee On:
Ecology & Parks, March 30, 1995

Title: An act relating to forest health and calculating emissions for silvicultural burning.

Brief Description: Authorizing silvicultural burning to correct a forest health problem under certain circumstances.

Sponsors: House Committee on Agriculture & Ecology (originally sponsored by Representatives McMorris, Horn, Chandler, Regala, Mastin, Clements, Koster, Robertson, Johnson, Boldt, Chappell, Schoesler and Rust).

Brief History:

Committee Activity: Ecology & Parks: 3/28/95, 3/30/95 [DP].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe, McDonald, Spanel and Swecker.

Staff: Cathy Baker (786-7708)

Background: The Department of Natural Resources (DNR) administers the state's silvicultural burning permit program. The issuance and use of such permits must comply with air quality standards established by the Department of Ecology. State law directs the DNR to set smoke dispersal objectives for the silvicultural burning program that are consistent with the air quality standards. The permits are to be revoked for an area during a stage of impaired air quality as declared by the Department of Ecology or a local air pollution control authority.

The DNR also administers a program for reducing statewide emissions from silvicultural forest burning. The program was given emission reduction targets by statute. Using the average annual emissions level from 1985 to 1989 as the baseline, emissions were to be reduced by 20 percent by December 31, 1994, at which time this target became the emission ceiling until December 31, 2000. The target for December 31, 2000, is 50 percent of the baseline and this target becomes the emission ceiling thereafter.

The DNR indicates that particulate emissions in 1993 were below the December 2000 level when calculated on a statewide basis and emissions in eastern Washington in 1993 were well under the 1995 ceiling.

Summary of Bill: Under certain conditions, emissions from silvicultural burning in eastern Washington conducted to restore forest health or to prevent additional deterioration of forest

health are exempt from the targets and calculations made under the DNR's emission reduction program for silvicultural forest burning. The emissions are exempt if:

- (1) The landowner submits a written request to the department including a brief description of alternatives to silvicultural burning and reasons why the landowner believes the alternatives are not appropriate.
- (2) The department determines that the proposed burning operation: is being conducted to restore forest health or to prevent additional deterioration to forest health; meets the requirements of the state smoke management plan to protect public health, visibility, and the environment; and will not be conducted during an air pollution episode or during periods of impaired air quality in the vicinity of the proposed burn.
- (3) The landowner is encouraged to notify the public in the vicinity of the burn the general location and approximate time of ignition.

The Department of Ecology is authorized to conduct a limited, seasonal ambient air quality monitoring program to measure the effects of such burnings.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: There is a serious forest health crisis in eastern Washington. The bill will provide flexibility in current air quality regulations which will help landowners address these forest health problems. The bill will encourage the use of planned, low intensity fires to reduce disease and fuel buildup, and it will reduce the opportunities for uncontrolled wild fires.

Testimony Against: The bill may not be necessary because it appears that there is enough room under the current emission ceiling to allow for a significant increase in silvicultural burning.

Testified: Representative McMorris, original prime sponsor; Tim Boyd, Washington Forest Protection Association (pro); Stu Clark, Department of Ecology (pro); Bruce Wishart, Sierra Club.