

SENATE BILL REPORT

2SHB 2311

As Reported By Senate Committee On:
Natural Resources, Parks & Shorelines, February 27, 2002

Title: An act relating to small forest landowners.

Brief Description: Changing provisions relating to small forest landowners.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Doumit, Sump, Jackley, Rockefeller, Kessler, Eickmeyer, Hatfield, Delvin, Buck, Linville, Upthegrove, Ericksen and Cairnes).

Brief History:

Committee Activity: Natural Resources, Parks & Shorelines: 2/25/02, 2/27/02 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Poulsen, Vice Chair; McDonald, Morton, Oke, Snyder, Spanel and Stevens.

Staff: Vic Moon (786-7469)

Background: The Small Forest Landowner Office was established within the Department of Natural Resources by the Legislature in 1999 as part of the Forests and Fish legislation. The office is required to work with small forest landowners on the development of alternate management plans or alternate harvest restrictions for riparian buffers, and is required to develop criteria for adoption by the Forest Practices Board in a manual for these alternate management plans and harvest restrictions.

The Forests and Fish legislation established an advisory committee to assist the office in developing policy and recommending rules to the board. This advisory committee is composed of representatives of state agencies, tribes, and small forest landowners.

A forest landowner must obtain an approved forest practices application for timber harvest on his or her property as a prerequisite for participating in the forest riparian easement program. The office determines the amount of compensation to be offered to the small forest landowner for the easement.

The amount of compensation offered by the office for a riparian easement is an amount equal to 50 percent of the value of the timber that was covered in a forest practices application that is required to be left unharvested. Compensation for small forest landowners who are unable to obtain approval of a forest practices application because of forest practice rules restrictions is determined by the office. If any timber is removed prior to the expiration of the 50-year easement, the office is required to apply a reduced compensation factor to determine the value of those trees based on the proportional economic value lost to the landowner, considering

income and growth. The compensation also includes the landowner's compliance costs. These costs account for the preparing and recording of the easement and any business and occupation or real estate taxes.

The office is authorized to contract with private consultants to conduct timber cruises of forestry riparian easements, for laying out streamside buffers, or for other regulatory requirements associated with the forest riparian easement program.

Summary of Bill: The Small Forest Landowner Office is authorized to contract with private consultants to perform timber cruises, lay out streamside buffers, and comply with other regulatory requirements related to the small forest landowner riparian easement program. Once a contract has been executed, the department must reimburse the landowners for the actual cost incurred by complying with the program's requirements.

The initial representatives of small forest landowners appointed to the advisory committee to the office are given staggered terms. Two of the four members serve five-year terms, and the other two serve four-year terms. After these terms are completed, all members serve four-year terms.

Removal of qualifying timber prior to the expiration of the easement must be done in accordance with the forest practice rules and the terms of the easement. Removing the timber does not result in reduced compensation to the landowner.

Legislative intent is stated to give small forest landowners access to alternative plan processes and harvest restrictions that meet public resource protection standards and lowers the overall cost of regulation to small landowners. The Board of Natural Resources must report to the Legislature by July 1, 2003, and describe the progress made towards developing alternate plans and harvest restrictions.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The authority of the Small Forest Landowner Office needs to be expanded to cover contracting with private consultants to assist small landowners. Alternative management plans should be developed to assist small forest landowners.

Testimony Against: None.

Testified: Rep. Mark Doumit, prime sponsor; Sherry Fox, Martin Flynn, Washington Farm Forestry Association; Leonard Young, Dept. of Natural Resources.