

ESB 6776 - H COMM AMD

By Committee on Agriculture & Natural Resources

ADOPTED 02/28/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that providing
4 for long-term stewardship of nonindustrial forests and woodlands is an
5 important factor in maintaining Washington's special character and
6 quality of life.

7 (2) The legislature further finds that in order to encourage and
8 maintain nonindustrial forests and woodlands for their present and
9 future benefit to all citizens, Washington's nonindustrial forest and
10 woodland owners' long-term commitments to stewardship of forest
11 resources must be recognized and supported by the citizens of the
12 state.

13 (3) The legislature further finds that the adoption of forest
14 practices rules consistent with the forests and fish report, as defined
15 in RCW 76.09.020, has imposed substantial financial burdens on small
16 forest landowners.

17 (4) The legislature further finds that in order to maintain the
18 economic viability of eighty-nine thousand family forest owners,
19 managing five million acres of forest land across the state, small
20 forest landowners must be provided with incentives to keep their land
21 in long-term forestry.

22 NEW SECTION. **Sec. 2.** (1) The joint work group on small forest
23 landowner sustainability is established. Utilizing research conducted
24 by the school of forest resources at the University of Washington and
25 the information and perspectives provided by the department of natural
26 resources, the department of fish and wildlife, and the department of
27 ecology, the joint work group shall report to the legislature
28 consistent with RCW 43.01.036, the commissioner of public lands, and

1 the governor on ways to remove regulatory barriers and disincentives in
2 order to encourage small forest landownership for generations to come
3 without reducing protection to public resources.

4 (2) The joint work group on small forest landowner sustainability
5 shall consist of two members of the house of representatives
6 agriculture and natural resources committee appointed by the speaker of
7 the house of representatives and two members of the senate natural
8 resources, ocean, and recreation committee appointed by the president
9 of the senate. The speaker of the house of representatives and the
10 president of the senate shall ensure that there is equal participation
11 between the two largest caucuses in their respective chambers.

12 (3) The joint work group shall consult with relevant state
13 agencies, stakeholders, and experts in the fields of forestry, tax
14 policy, transfer of development rights, forested fish habitat, and
15 ecosystem service payments. The joint work group may also request
16 assistance from the department of natural resources, the department of
17 ecology, the department of fish and wildlife, federal experts on the
18 state habitat conservation plan, representatives of native American
19 tribes, and the environmental community.

20 (4) The joint work group will utilize the house of representatives
21 office of program research and senate committee services and existing
22 legislative resources. The work group will also utilize
23 teleconferencing and other communications methods, when feasible, to
24 minimize travel and per diem expenditures for legislators and staff.

25 (5) In developing recommendations, the joint work group shall
26 review and build upon reports related to small forest landowner
27 economic viability, including reports completed for or by the rural
28 technology initiative, the Northwest environmental forum, and the small
29 landowner office at the department of natural resources. The work
30 group shall also rely on the department of natural resources' and other
31 entities' work to develop proposals for landowner conservation
32 incentives that support forest landowners maintaining their lands in
33 forestry.

34 (6) In developing recommendations, the joint work group shall
35 consider:

36 (a) The long-term sustainability of the forestry riparian easement
37 program defined in RCW 76.13.120 and ways to reform that program.

1 (b) Recommendations on how to address issues unique to small forest
2 lands east of the Cascade mountains, including periodic insect and
3 disease attacks, catastrophic wildfire, and replacement of historic
4 species by shade tolerant species.

5 (c) Whether, how, and to what extent the department of natural
6 resources has evaluated the cumulative impact of small forest landowner
7 alternate management plans or alternate harvest restrictions on
8 essential riparian functions as required by RCW 76.13.110.

9 (d) Whether, how, and to what extent the department of natural
10 resources and the forest practices board have developed alternate plans
11 or alternate harvest restrictions that meet riparian functions while
12 requiring less costly regulatory prescriptions for small forest
13 landowners, including recognition of or credit for improving the
14 condition of public resources.

15 (e) The complexity of administrative rules for small harvests and
16 relatively short stream reaches.

17 (f) Recommendations on ways the forest practices board and the
18 legislature could provide more effective incentives to encourage
19 continued management of nonindustrial forests and woodlands for
20 forestry.

21 (g) Ways to address conversion pressures, global competition, and
22 the gap between appraised values of forest land and the value for the
23 same land for development.

24 (h) The possibility of a pilot program for ecosystem service
25 payments and technical funding assistance for small forest landowners.

26 (i) Whether, how, and to what extent the recommendations are
27 consistent with the state's obligations under the forest practices
28 habitat conservation plan and clean water act assurances.

29 (7) The joint work group on small forest landowner sustainability
30 shall deliver its report in the form of proposed legislation to the
31 legislature, the commissioner of public lands, and the governor by
32 September 15, 2010.

33 (8) This section expires June 31, 2011."

34 Correct the title.

EFFECT: Limits the membership of the work group to four members

from each legislative chamber, removes a legislative finding relating to that failure of the forest practices board to provide alternative plans or alternative harvest restrictions to small forest landowners, requires the work group to have closer interactions with relevant state agencies, and requires the consideration of how any recommendations impact the state's obligations under the forest and fish habitat conservation plan.

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