

FINAL BILL REPORT

SSB 5401

C 246 L 09
Synopsis as Enacted

Brief Description: Expanding the riparian open space program to include lands that contain critical habitat of threatened or endangered species.

Sponsors: Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Morton, Jacobsen, Stevens, Ranker, Hatfield, Roach and Kline).

Senate Committee on Natural Resources, Ocean & Recreation
House Committee on Agriculture & Natural Resources
House Committee on Capital Budget

Background: The Legislature added the Riparian Open Space (ROS) Program to the Forest Practices Act in 1999. The ROS program provides landowners compensation for lands within unconfined avulsing channel migration zones that cannot be harvested due to the Forest Practices rules. The Department of Natural Resources (DNR) is directed to purchase qualifying land in order to manage that land for ecological protection or fisheries enhancement. Lands may be purchased either as fee land or as a perpetual conservation easement. The DNR may retain and manage these lands or transfer the land or easement to another state agency, a local governmental agency, or a private non-profit nature conservancy program.

Since 2001 the DNR has purchased 583 acres of qualifying channel migration zone (CMZ) lands for a total value of \$1,470,000. An unconfined avulsing CMZ is the area within which the active channel of an unconfined avulsing stream is prone to move and where the movement would result in a potential near-term loss of riparian forest adjacent to the stream.

Summary: The Forest Practices Board (Board) must establish by rule a program for the acquisition of riparian open space and critical habitat for threatened or endangered species. Acquisition must be by conservation easement.

Lands eligible for acquisition are forest lands within unconfined CMZ or forest lands containing critical habitat for threatened or endangered species as designated by the Board.

Compensation methods are specified for landowners who convey an interest in trees and/or land.

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.

Votes on Final Passage:

Senate	45	0	
House	97	0	(House amended)
Senate	45	0	(Senate concurred)

Effective: July 26, 2009