
HOUSE BILL 1784

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kretz, Blake, and Shea

Read first time 01/30/19. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to wildfire prevention; and amending RCW
2 43.30.020, 43.30.700, 76.06.200, and 79.10.520.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.30.020 and 2010 c 126 s 7 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Administrator" means the administrator of the department of
9 natural resources.

10 (2) "Agency" and "state agency" means any branch, department, or
11 unit of the state government, however designated or constituted.

12 (3) "Board" means the board of natural resources.

13 (4) "Commissioner" means the commissioner of public lands.

14 (5) "Department" means the department of natural resources.

15 (6) "Supervisor" means the supervisor of natural resources.

16 (7) "Wildfire fuel break" means a natural or constructed barrier
17 used to stop or check wildfires that may occur or to provide a
18 control line from which to work.

19 **Sec. 2.** RCW 43.30.700 and 2004 c 199 s 101 are each amended to
20 read as follows:

- 1 (1) The department may:
- 2 (a) Inquire into the production, quality, and quantity of second
3 growth timber to ascertain conditions for reforestation; and
- 4 (b) Publish information pertaining to forestry and forest
5 products which it considers of benefit to the people of the state.
- 6 (2) The department shall:
- 7 (a) Collect information through investigation by its employees,
8 on forestlands owned by the state, including:
- 9 (i) Condition of the lands;
- 10 (ii) Forest fire damage;
- 11 (iii) Illegal cutting, trespassing, or thefts; and
- 12 (iv) The number of acres and the value of the timber that is cut
13 and removed each year, to determine which state lands are valuable
14 chiefly for growing timber;
- 15 (b) Prepare maps of each timbered county showing state land
16 therein; (~~and~~)
- 17 (c) Protect forested public land, as defined in RCW 79.02.010, as
18 much as is practical and feasible from fire, trespass, theft, and the
19 illegal cutting of timber; and
- 20 (d) Annually establish wildfire fuel breaks across public lands
21 and in coordination with abutting landowners where practicable. These
22 wildfire fuel breaks should optimize the use of natural features,
23 provide large areas of coverage, and be positioned to minimize the
24 spread of wildfire across various landholdings.
- 25 (3) When the department considers it to be in the best interest
26 of the state, it may cooperate with any agency of another state, the
27 United States or any agency thereof, the Dominion of Canada or any
28 agency or province thereof, and any county, town, corporation,
29 individual, or Indian tribe within the state of Washington in:
- 30 (a) Forest surveys;
- 31 (b) Forest studies;
- 32 (c) Forest products studies; and
- 33 (d) Preparation of plans for the protection, management, and
34 replacement of trees, wood lots, and timber tracts.

35 **Sec. 3.** RCW 76.06.200 and 2017 c 95 s 1 are each amended to read
36 as follows:

- 37 (1) The department must establish a forest health assessment and
38 treatment framework designed to proactively and systematically
39 address the forest health issues facing the state. Specifically, the

1 framework must endeavor to achieve an initial goal of assessing and
2 treating one million acres of land by 2033.

3 (2) The department must utilize the framework to assess and treat
4 acreage in an incremental fashion each biennium. The framework
5 consists of three elements: Assessment; treatment; and progress
6 review and reporting.

7 (a) Assessment. Each biennium, the department must identify and
8 assess two hundred thousand acres of fire prone lands and communities
9 that are in need of forest health treatment, including the use of
10 prescribed fire or mechanical treatment, such as thinning.

11 (i) The scope of the assessment must include lands protected by
12 the department as well as lands outside of the department's fire
13 protection responsibilities that could pose a high risk to department
14 protected lands during a fire.

15 (ii) The assessment must identify areas in need of treatment, the
16 type or types of treatment recommended, data and planning needs to
17 carry out recommended treatment, and the estimated cost of
18 recommended treatment.

19 (b) Treatment. Each biennium, the department must review
20 previously completed assessments and prioritize and conduct as many
21 identified treatments as possible using appropriations provided for
22 that specific purpose; and establish wildfire fuel breaks in
23 compliance with RCW 43.30.700(2)(d).

24 (c) Progress review and reporting. By December 1st of each even-
25 numbered year, the department must provide the appropriate committees
26 of the legislature and the office of financial management with:

27 (i) A request for appropriations designed to implement the
28 framework in the following biennium, including assessment work and
29 conducting treatments identified in previously completed assessments;

30 (ii) A prioritized list and brief summary of treatments planned
31 to be conducted under the framework with the requested
32 appropriations, including relevant information from the assessment;
33 and

34 (iii) A list and brief summary of treatments carried out under
35 the framework in the preceding biennium, including total funding
36 available, costs for completed treatment, and treatment outcomes. The
37 summary must include any barriers to framework implementation and
38 legislative or administrative recommendations to address those
39 barriers.

1 (3) In developing and implementing the framework, the department
2 must:

3 (a) Utilize and build on the forest health strategic planning
4 initiated under section 308(11), chapter 36, Laws of 2016 sp. sess.,
5 to the maximum extent practicable, to promote the efficient use of
6 resources; and

7 (b) Establish a forest health advisory committee to assist in
8 developing and implementing the framework. The committee may: (i)
9 Include representation from large and small forest landowners,
10 wildland fire response organizations, milling and log transportation
11 industries, forest collaboratives that may exist in the affected
12 areas, highly affected communities and community preparedness
13 organizations, conservation groups, and other interested parties
14 deemed appropriate by the commissioner; and (ii) consult with
15 relevant local, state, and federal agencies, and tribes.

16 (4) The department must establish and implement the forest health
17 assessment and treatment framework within the appropriations
18 specifically provided for this purpose.

19 **Sec. 4.** RCW 79.10.520 and 2017 c 248 s 1 are each amended to
20 read as follows:

21 (1) (a) ~~(i)~~ Subject to the availability of amounts appropriated for
22 this specific purpose, the department shall, to the extent feasible
23 given all applicable trust responsibilities, develop and implement a
24 policy for prioritizing investments on forest health treatments to
25 protect state lands and state forestlands, as those terms are defined
26 in RCW 79.02.010, to: ~~((+i))~~ (A) Reduce wildfire hazards and losses
27 from wildfire; ~~((+ii))~~ (B) reduce insect infestation and disease;
28 and ~~((+iii))~~ (C) achieve cumulative impact of improved forest health
29 and resilience at a landscape scale.

30 (ii) (A) The reduction of wildfire hazards in this section
31 includes identifying, configuring, and establishing wildfire fuel
32 breaks across the landscape. These wildfire fuel breaks should
33 optimize use of natural features, provide large areas of coverage,
34 and be positioned to minimize the spread of wildfire across various
35 landholdings.

36 (B) For the purposes of this subsection, "wildfire fuel break"
37 has the same meaning as defined in RCW 43.30.020.

38 (b) The prioritization policy in (a) of this subsection must
39 consider whether state lands and state forestlands are within an area

1 that is subject to a forest health hazard warning or order pursuant
2 to RCW 76.06.180.

3 (2) (a) The department's prioritization of state lands and state
4 forestlands must be based on an evaluation of the economic and
5 noneconomic value of:

6 (i) Timber or other commercial forest products removed during any
7 mechanical treatments;

8 (ii) Timber or other commercial forest products likely to be
9 spared from damage by wildfire;

10 (iii) Homes, structures, agricultural products, and public
11 infrastructure likely to be spared from damage by wildfire;

12 (iv) Impacts to recreation and tourism; and

13 (v) Ecosystem services such as water quality, air quality, or
14 carbon sequestration.

15 (b) The department's evaluation of economic values may rely on
16 heuristic techniques.

17 (3) The definitions in this subsection apply throughout this
18 section and RCW 79.10.530 and 79.64.130 unless the context clearly
19 requires otherwise.

20 (a) "Forest health" has the same meaning as defined in RCW
21 76.06.020.

22 (b) "Forest health treatment" or "treatment" means actions taken
23 by the department to restore forest health including, but not limited
24 to, sublandscape assessment and project planning, site preparation,
25 reforestation, mechanical treatments including timber harvest, road
26 realignment for fire protection and aquatic improvements, and
27 prescribed burning.

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