

**SENATE BILL REPORT**

**SB 5981**

**AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 14, 1993**

**Brief Description:** Regulating forest lands to maintain a viable forest products industry.

**SPONSORS:** Senators Owen, Spanel and Rinehart; by request of Office of Financial Management

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** That Substitute Senate Bill No. 5981 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Bauer, Gaspard, Jesernig, Niemi, Owen, Pelz, Quigley, Snyder, Sutherland, Talmadge, and Wojahn.

**Staff:** Michael Groesch (786-7715)

**Hearing Dates:** April 13, 1993; April 14, 1993

**BACKGROUND:**

The Forest Practices Board is made up of the Commissioner of Public Lands, directors of the Departments of Trade and Economic Development, Agriculture, Ecology, a county commissioner, and six members of the general public. The Forest Practices Board is responsible for establishing administrative rules relating to forest practices.

Forest practices permits are required for most activities conducted on forest land that involve growing and harvesting timber, road building and aerial herbicide application.

Forest practices are separated into four classes. Class I forest practices have no direct potential for damaging a public resource and may be conducted without an application or notification to the Department of Natural Resources. Class II forest practices have a less than ordinary potential for damaging a public resource. Class II forest practices may be conducted with written notification to the Department of Natural Resources. Class IV forest practices have a potential for substantial impact on the environment and hence require an environmental impact statement or are practices on lands to be converted to a use other than forestry. Class III forest practices are those that are not Class I, II or IV. Class III and IV forest practices cannot be conducted until approved by the Department of Natural Resources.

The forest practice review and approval program is financed by the general fund. The current level cost for the 1993-95 biennium is about \$14 million. No fees are collected for forest practices permits.

**SUMMARY:**

Fees are established for Class II, III and IV forest practice permits. Class II, III and IV forest practices may not begin until the appropriate fee is paid.

The Forest Practices Board shall establish fees in an amount sufficient to generate \$2 million annually. After January 1, 1996, the board shall adjust fees to meet inflationary cost increases. Initial fees shall not exceed \$50 for class II applications, \$250 for class III and \$900 for class IV applications. The revenue collected from the fees goes to the general fund.

**EFFECT OF PROPOSED SUBSTITUTE:**

Fees for class II, class III and class IV forest practices are established and set at \$50 per application. Application fees for class IV general forest practices dealing with conversion of forest land to other uses are set at \$500.

Fees may be refunded if the application is denied or withdrawn.

Fees for the forest practice appeals are established and set at \$50.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR:**

The fees are necessary for watershed analysis which provides the best alternative for resource protection. Compliance monitoring will remain unfunded and permit processing will suffer unless additional resources are provided.

**TESTIMONY AGAINST:**

The industry already contributes significantly for the protection of environmental resources and should not be expected to provide funding for the benefit of others. A small fee for processing and handling may be acceptable.

**TESTIFIED:** Jerry Harper, Weyerhaeuser Company (con); Kelly Niemi, Niemi Tree Farm (con); Richard Niemi, Niemi Forestry (con); Jeff Parsons, National Audubon Society (pro); George Kirkmire, Washington Contract Loggers Association (con); Marcy Golde (pro); Tim Boyd, Washington Forest Protection Association (con); Nels Hanson, Washington Farm Forestry Association (con); Bruce Wishart, Sierra Club (pro); Jim Cahill, Office of

Financial Management (pro); Judy Turpin, WEC (pro); Kaleen Cottingham, Department of Natural Resources (pro)