

FINAL BILL REPORT

SSB 5497

C 102 L 01
Synopsis as Enacted

Brief Description: Excluding farm and agricultural land from forest land under the forest practices act.

Sponsors: Senate Committee on Agriculture & International Trade (originally sponsored by Senators Rasmussen, Swecker and Haugen).

Senate Committee on Agriculture & International Trade
House Committee on Agriculture & Ecology

Background: Under the Forest Practices Act, forest lands are defined as all lands capable of supporting a merchantable stand of timber and not being actively used for a use that is incompatible with growing timber. Conducting a forest practice on forest lands requires compliance with applicable provisions of the Forest Practices Act and associated rules.

The Conservation Reserve Enhancement Program (CREP) is a joint federal and state program whereby agricultural lands adjacent to streams containing salmonids listed under the federal Endangered Species Act are planted to native trees and shrubs. Lands are enrolled in the CREP program through a contract that is entered into for a period of between 10 and 15 years. Under the contract, the landowner agrees to establish trees and shrubs on an area generally equivalent to 75 percent of the site potential tree height.

The CREP contract provides for reimbursement to the landowner for costs associated with planting and maintaining the trees and shrubs. Additionally, the landowner receives a rental payment each year that land is enrolled in the program.

There is a memorandum of agreement between the state of Washington and the United States Department of Agriculture that establishes a cap of 10,000 stream miles and 100,000 acres to be enrolled in the program. The National Marine Fisheries Service and the United States Fish and Wildlife Service has issued a biologic opinion on this program.

There are other regulations that cover land adjacent to water courses such as locally adopted critical area ordinances and regulations adopted under the federal Endangered Species Act.

Summary: Agricultural land enrolled by contract in the Conservation Reserve Enhancement Program is not included in the definition of forest land and thus is not subject to the Forest Practices Act and associated rules.

Votes on Final Passage:

Senate	38 8
House	97 0

Effective: July 22, 2001