

# SENATE BILL REPORT

## SB 5376

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As of February 9, 2005

**Title:** An act relating to forest practices.

**Brief Description:** Requiring certain local governments to regulate forest practices.

**Sponsors:** Senators Jacobsen, Morton, Oke, Fraser and Rockefeller.

**Brief History:**

**Committee Activity:** Natural Resources, Ocean & Recreation: 2/16/05.

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Staff:** Vic Moon (786-7469)

**Background:** In 1997, the Forest Practices Act was amended to require that all counties and cities adopt regulations in order to take over regulatory authority for certain Class 4 forest practices related to the conversion of forest land to other uses. In 2002, the legislation was amended again to extend to 2005 the deadline for local governments to meet the requirements for forest conversion. At the present time, only four counties and no cities have met the requirements for conversion.

Although the Forest Practices Act requires all counties and cities to adopt the rules, there are some areas of the state where forest practices applications are seldom or never filed. The purpose of all of the amendatory language and changes to the Forest Practices Act was to recognize that Class 4 general forest practices are directly related to land use changes and that those changes are ultimately regulated by local government.

**Summary of Bill:** Counties and cities assuming regulation of forest practices must adopt development regulations that protect public resources from material damage or the potential for material damage. Local governments provide for approvals for all phases of the conversion of forest land, including clearing and grading. Counties and cities are guided by the goals of the Growth Management Act and by the purposes and policies of the Forest Practices Act. If counties and cities assume regulation under the Forest Practices Act, they must amend their comprehensive plans to ensure consistency between the comprehensive plan and development regulations and the Forest Practices regulations.

Only those counties and cities within those counties with 25 or more forest practices conversion applications within three consecutive years, 2000 to 2002, must assume regulatory authority over the conversion of forest land to non-forest uses. The current completion deadline of 2005 is amended to December 31, 2007, which is the same timeline that counties must update their sensitive area ordinances and comprehensive plans.

The change in jurisdiction from the Department of Natural Resources to local governments is triggered by a letter from the local government to the Department of Natural Resources and

the Department of Ecology stating that the requirements have been met and informing the two agencies of the effective date of the county regulations. The environmental protection standard for a conversion activity is based on the Growth Management Act provisions rather than the provisions of the Forest Practices Act.

**Appropriation:** None.

**Fiscal Note:** Requested January 26, 2005.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.