

HOUSE BILL REPORT

2SSB 5546

As Passed House:
April 10, 2017

Title: An act relating to proactively addressing wildfire risk by creating a forest health treatment assessment.

Brief Description: Concerning proactively addressing wildfire risk by creating a forest health treatment assessment.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Hawkins, McCoy, Fortunato, Pearson, Braun, Sheldon, Rivers and O'Ban).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 3/16/17, 3/23/17 [DP];
Appropriations: 4/3/17, 4/4/17 [DP].

Floor Activity:

Passed House: 4/10/17, 98-0.

Brief Summary of Second Substitute Bill

- Directs the Department of Natural Resources (DNR) to establish a forest health assessment and treatment framework that proactively and systematically addresses the forest health issues facing the state.
- Directs the DNR to utilize the framework to assess and treat fire prone lands in an incremental fashion each biennium.
- Directs the DNR, by December 1 of each even-numbered year, to submit to the Legislature and to the Office of Financial Management a request for funding to accomplish assessment and treatment work for the upcoming biennium, a list of treatments planned to be conducted, and a list of treatments carried out in the preceding biennium.
- Directs the DNR to establish a Forest Health Advisory Committee to assist the DNR in developing the forest health assessment and treatment framework.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

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.

Majority Report: Do pass. Signed by 15 members: Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Fitzgibbon, Kretz, Lytton, Orcutt, Pettigrew, Robinson, Schmick, Springer, Stanford and J. Walsh.

Staff: Robert Hatfield (786-7117).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 31 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Pollet, Sawyer, Schmick, Senn, Springer, Stanford, Sullivan, Tharinger, Vick, Volz and Wilcox.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Dan Jones (786-7118).

Background:

Department of Natural Resources' Fire and Forest Health Authority.

The Department of Natural Resources (DNR) has the direct charge and responsibility over all matters pertaining to forest fire services in the state. The forest fire-related duties of the DNR include enforcing all forest fire-related laws, investigating the cause of forest fires, and directing fire suppression efforts.

Additionally, in 2007 the Legislature designated the DNR as the state lead in developing a comprehensive forest health program for the state. As part of that designation, the DNR was directed to gather and disseminate forest health information, to coordinate forest health monitoring activities, and to coordinate with universities and other agencies to provide landowners with technical assistance regarding forest health.

Fire and Forest Health in Washington.

A 2014 report from the DNR identified approximately 2.7 million acres of eastern Washington forestland in need of forest health treatment or disturbance, such as thinning or prescribed fire. Washington has experienced record-setting fire seasons in recent years, with approximately 380,000 acres burned in 2014 and over 1 million acres burned in 2015. Most recently, 294,000 acres burned during the 2016 fire season.

Summary of Bill:

Forest Health and Treatment Framework.

The Department of Natural Resources (DNR) must establish a forest health assessment and treatment framework. The framework has three components: assessment, treatment, and progress review and reporting. The purpose of the framework is to proactively and systematically address forest health issues facing the state. The DNR must utilize the framework to assess and treat fire prone lands each biennium, with a goal of assessing and treating 1 million acres of land by 2033. In developing and implementing the forest health assessment and treatment framework, the DNR must utilize and build on the forest health strategic planning initiated at the direction of the Legislature in 2016.

Assessment – Each biennium, the DNR must identify and assess 200,000 acres of fire prone lands and communities that are in need of forest health treatment, including both lands protected by the DNR and lands outside the DNR's fire protection responsibilities.

Treatment – Each biennium, the DNR must review previously completed assessments, and conduct as many identified forest health treatments as possible using appropriations provided for that purpose.

Progress Review and Reporting – By December 1 of each even-numbered year, the DNR must submit to the Legislature and to the Office of Financial Management a request for funding to accomplish assessment and treatment work for the upcoming biennium, a prioritized list and brief summary of treatments planned to be conducted, and a list and brief summary of treatments carried out in the preceding biennium. The summary of treatments carried out in the preceding biennium must also include recommendations to address any barriers to implementing the forest health assessment and treatment framework.

Forest Health Advisory Committee – The DNR must establish a Forest Health Advisory Committee (Committee) to assist in developing and implementing the forest health assessment and treatment framework. The Committee may include representation from a variety of forest health stakeholder groups, including forest landowners, wildland fire response organizations, conservation groups, and local communities. The Committee may consult with federal agencies and with local, state, and tribal governments.

The DNR must implement the forest health assessment and treatment framework within appropriations specifically provided for that purpose.

As the DNR initiates implementation of the forest health assessment and treatment framework in the 2017-2019 biennium, the DNR may prioritize and treat lands included in its biennial budget request. During that same period, the DNR must also assess areas for prioritization and treatment in the 2019-2021 biennium.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Agriculture & Natural Resources):

(In support) One positive thing about recent forest fires is that they have spawned valuable community conversations about how to reduce the risk from catastrophic forest fire. There needs to be a shift from being reactive to being proactive when it comes to wildfire. This bill will help shift the Department of Natural Resources to a more proactive approach. Over time, there should be measurable progress toward addressing forest health needs as a result of this bill.

Calling for regular reporting is a good approach. Setting out a vision for assessing 1 million acres over the next 20 years is a good way to go. Senate Bill 5546 will fit nicely with House Bill 1711 and the revolving account on state lands. The two bills will do good things for forest health, but they will only work if they are funded.

The bill calls for an assessment of lands outside of state ownership, including federal and small private forest landowners. The bill excludes industrial forest lands and tribal lands. This bill complements House Bill 1711. House Bill 1711 does a more detailed economic analysis and focuses more on state lands. Senate Bill 5546 brings a more technology-based approach to forest health assessments. The state has spent approximately \$400-\$500 million over the past few years in fighting forest fires, and about \$20 million in forest health treatments.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) This bill is an effort to make the state more proactive about wildfires. Community conversations after the devastating 2014 and 2015 wildfires suggested that the best way to be proactive about wildfires is through forest health activities. The bill would have the Department of Natural Resources take a more systematic approach to forest health and reducing wildfire risk.

In addition to reducing wildfire risk, the benefits of forest health treatments include preventing economic dislocation and retaining the value of timber for the school trust. This bill would complement Engrossed Second Substitute House Bill 1711 (Forest health treatments). This bill is focused more on technology and the landscape, whereas the House bill is focused more on state lands and the surrounding federal and private lands.

(Opposed) None.

Persons Testifying (Agriculture & Natural Resources): Senator Hawkins, prime sponsor; Tom Bugert, The Nature Conservancy; Neil Beaver, The Lands Council; Dave Warren, Department of Natural Resources; and Jason Callahan, Washington Forest Protection Association.

Persons Testifying (Appropriations): Senator Hawkins, prime sponsor; and Dave Warren, Department of Natural Resources.

Persons Signed In To Testify But Not Testifying (Agriculture & Natural Resources): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.