

SENATE BILL REPORT

ESHB 1531

As Passed Senate, March 30, 2017

Title: An act relating to the forestry riparian easement program.

Brief Description: Concerning the forest riparian easement program.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Chapman, DeBolt, Blake, Koster, Orcutt, Tharinger, Kraft, Pettigrew, Smith, Dolan and Fitzgibbon).

Brief History: Passed House: 3/02/17, 98-0.

Committee Activity: Natural Resources & Parks: 3/14/17, 3/21/17 [DP].

Floor Activity:

Passed Senate: 3/30/17, 49-0.

Brief Summary of Bill

- Requires the Department of Natural Resources (DNR) to share information regarding the carbon sequestration benefits of the Forestry Riparian Easement Program (FREP) with other state programs, if the state adopts a climate strategy.
- Requires DNR to promote the expansion of funding for FREP.
- Prohibits DNR from reimbursing a landowner more than once for the same FREP application.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Staff: Kelsey Morfitt (786-7407)

Background: FREP is a voluntary program that reimburses landowners for the value of the trees landowners are required to leave to protect fish habitat. FREP provides compensation for a minimum of 50 percent of the timber value, and the program applies to trees adjacent to

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streams, wetlands, or unstable slopes. Forestry riparian easements are generally effective for 50 years.

DNR is authorized to accept and hold forestry riparian easements granted by qualifying small forest landowners covering qualifying timber. DNR is also directed to pay compensation to such landowners. DNR may only transfer these easements to another state agency.

Legislative findings state that FREP was established because the state should acquire easements primarily along riparian and other sensitive aquatic areas from qualifying small forest landowners willing to sell or donate such easements.

Summary of Bill: DNR must share information regarding the carbon sequestration benefits of FREP with other state programs attempting to quantify carbon storage or account for carbon emissions. The statutory legislative intent is expanded to include that working forests and FREP are an important part of the state's overall carbon reduction strategy.

DNR must also promote the expansion of funding for FREP as one part of the state's overall climate strategy. The state may not reimburse landowners more than once for the same forest riparian easement application.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill helps even out the disproportionate effect on landowners who are required to leave trees on their property for fish habitat. FREP invests in ecosystems and landowners. The House amendments clarify the intent of the bill.

Persons Testifying: PRO: Representative Mike Chapman, Prime Sponsor; Jason Callahan, WA Forest Protection Association; Heather Hansen; WA Farm Forestry Association; Stephen Bernath, DNR.

Persons Signed In To Testify But Not Testifying: No one.