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**HOUSE BILL 2082**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Walsh, Chandler, and Shewmake

AN ACT Relating to enhancing ecosystem services through riparian-oriented agroforestry; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 76.09 RCW; creating a new section; and providing expiration dates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature recognizes that the societal and ecological benefits of riparian-oriented agroforestry are many, and include both the protection of clean, cold water for the state's salmon runs and the natural carbon storage potential of growing trees. At the same time, there may be many current or former agricultural lands that, for a variety of reasons, are lying fallow or underutilized. The legislature recognizes that this confluence of factors provides a unique opportunity to harness the power of riparian-oriented agroforestry to simultaneously improve salmon populations and help to meet the state's climate goals through carbon sequestration. Accordingly, it is the intent of the legislature to establish a pilot initiative in which the University of Washington and Washington State University, in collaboration with the department of commerce, work with private landowners to identify and select appropriate riparian-proximate lands on which to carry out a program of planting trees for the dual purposes of sequestering carbon and providing shade to salmon-bearing water bodies.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.20 RCW to read as follows:

(1) The University of Washington, through its school of aquatic and fishery science, its school of environmental and forest sciences, and its climate impacts group, and Washington State University, through its cooperative extension, together with the department of commerce, shall launch a pilot initiative aimed at promoting the planting of trees in western Washington for the dual purposes of sequestering carbon and increasing the shade canopy in order to provide cooler water temperatures for salmonids. The initiative must focus on fallow and otherwise underutilized current and former agricultural lands that are proximate to current and former salmon-bearing water bodies.

(2) The initiative required by this section must be developed in an attempt to achieve the following goals:

(a) Demonstrate the capacity for increased tree plantings outside of current forestlands in and around the riparian and anadromous zones to reduce stream temperatures and increase salmonid survival;

(b) Establish the carbon sequestration benefits of agroforestry in otherwise fallow or underutilized lands; and

(c) Establish a model for a revenue stream to landowners.

(3) The initiative required by this section may include any of the following efforts:

(a) Formal surveys of available, unused, or underused agricultural land located in western Washington that could be brought into riparian-oriented agroforestry production;

(b) Identification of and outreach to private landowners who wish to participate in the pilot initiative; and

(c) Selecting, planting, tending, and monitoring a variety of tree species in a variety of site locations in order to yield useful data concerning impacts to stream health, salmonid survival, and carbon sequestration.

(4) As part of the pilot initiative, the University of Washington, Washington State University, and the department of commerce must produce a periodically updated study that addresses, at a minimum, the following:

(a) Changes in stream health as a result of the pilot initiative, including temperature, suspended sediments and turbidity, water quality, habitat, and nutrient availability;

(b) The impact of differing site characteristics on tree growth and carbon sequestration rates, including soil types, elevation, aspect, and precipitation; and

(c) The amount of carbon sequestered under the pilot initiative, including per site, per acre, per year, across different soil types and tree species, and across different growth stages.

(5) In order to advance the significant social and ecological values that accrue to the state as a result of carbon sequestration and cooler water temperatures for salmon, the department of commerce shall compensate participating landowners with a carbon sequestration fee of ten dollars per verified ton of carbon sequestered.

(6) The department of commerce must, consistent with RCW 43.01.036, report to the legislature by October 31, 2020, and every two years thereafter, on the efforts undertaken to implement the initiative required by this section and any results available regarding progress towards accomplishing the initiative's goals. The report must include the elements set forth in subsection (4) of this section.

(7) The legislature intends to continue the pilot initiative through June 30, 2039, and to appropriate such sums as may be necessary during that time to fund the initiative.

(8) This section expires June 30, 2039.

NEW SECTION. **Sec.**  A new section is added to chapter 76.09 RCW to read as follows:

(1) This chapter does not apply to the planting, tending, thinning, and harvesting of trees by participants in the riparian-oriented agroforestry pilot initiative established in section 2 of this act.

(2) This section expires June 30, 2039.

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