

FINAL BILL REPORT

E2SHB 1216

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Synopsis as Enacted

Brief Description: Concerning urban and community forestry.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ramos, Callan, Lekanoff, Fitzgibbon, Kloba, Ortiz-Self, Ormsby, Hackney and Ramel; by request of Department of Natural Resources).

House Committee on Rural Development, Agriculture & Natural Resources
House Committee on Appropriations
Senate Committee on Agriculture, Water, Natural Resources & Parks
Senate Committee on Ways & Means

Background:

Community and Urban Forestry.

The Department of Natural Resources (DNR) has authority to establish a Community and Urban Forestry Program (Program). Community and urban forests are identified as land within human settlements that does, or could, support trees. The Program may include assistance to local governments to encourage proper tree maintenance, policy and program coordination assistance, and the provision of surplus equipment to local governments to aid urban forestry programs.

As a part of the Program, the DNR may enter into agreements with nonprofit tree planting organizations and other entities with interests related to urban forestry. Funding can be received by the DNR from the federal government or by gifts and grants, and the DNR may charge fees for workshops and material distribution. Once received, the DNR utilizes the funding for the purposes of promoting urban and community forestry in the state.

Statewide Inventory of Community and Urban Forests.

Legislation enacted in 2008 directed the DNR to conduct a statewide inventory of

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community and urban forests, to conduct an urban forest assessment, and to develop an implementation plan for the inventory and assessment of community and urban forests. The DNR completed the initial assessment and inventory by June 2010, as required.

Evergreen Communities Recognition Program.

Every city and county may pursue recognition as an Evergreen Community. Criteria for becoming an Evergreen Community include developing a community forestry program, recognizing Arbor Day, and completing a forest inventory. The application process for becoming an Evergreen Community is managed through the DNR Tree City, U.S.A. Recognition Program.

Summary:

Urban and Community Forestry Program.

The name of the program administered by the Department of Natural Resources (DNR) is changed from the "Community and Urban Forestry Program" to the "Urban and Community Forestry Program." The DNR may assist federally recognized tribes, cities, and counties, in establishing and maintaining programs in urban and community forestry. The purposes of the Urban and Community Forestry Program are expanded to include improved human health and the recovery of salmon and orcas. Lands that are designated as natural area preserves or natural resources conservation areas, or are subject to the Forest Practices Act, timber and forestland taxes, or open space, agricultural, and timberlands taxes, are not included as urban or community forest lands. An owner of private property may opt out of a voluntary program in urban and community forestry by providing written or electronic notice to the city, county, or federally recognized tribe that established the program.

Urban Forestry.

Prioritization.

The DNR must identify priority regions for the implementation of urban forestry programs. Priority must be determined through the use and review of certain analyses and tools. These tools include:

- health disparity mapping tools that identify highly impacted communities such as the Department of Health's Washington tracking network; and
- salmon and orca recovery data, for example the Puget Sound Partnership action agenda and other regional and statewide salmon and orca recovery plans and efforts, to target program delivery in areas where there are significant opportunities related to salmon and orca habitat and health.

Analysis of Needs and Opportunities.

The DNR must conduct analyses of the needs and opportunities related to urban forestry in Washington by assessing tree canopy cover and urban forestry inventory data. The DNR must also conduct a statewide inventory of urban and community forests using urban forest inventory and assessment protocols established by the United States Forest Service to produce statistically relevant estimates of the quantity, health, composition, and benefits of urban trees and forests. Inventory data must be maintained and periodically updated.

Technical Assistance.

The DNR must provide technical assistance and capacity building resources and opportunities upon request to cities, counties, federally recognized tribes, and other public and private entities in the development and coordination of policies, programs, and activities for the promotion of urban and community forestry. The DNR must strive to enable urban forest managers to access carbon markets by working to ensure tools developed are compatible with existing and developing urban forest carbon market reporting protocols.

Management Plans.

The DNR may use existing tools to assist communities to develop urban forestry management plans. Management plans may include, among other elements:

- maximizing vegetated stormwater management with trees and other vegetation that reduces runoff, increases soil infiltration, and reduces stormwater pollution;
- environmental health goals specific to air quality, habitat for wildlife, and energy conservation;
- integrating disease and pest management; and
- maximizing building heating and cooling energy efficiency through appropriate siting of trees for summer shading, passive solar heating in winter, and for wind breaks.

Ordinances.

The DNR may use existing tools to assist communities to develop urban forestry ordinances. Examples of elements that the ordinances may address are:

- tree canopy cover, density, and spacing;
- appropriate tree siting and maintenance for vegetation management practices and programs to prevent vegetation from interfering with or damaging utilities and public facilities;
- tree and vegetation buffers for riparian areas, critical areas, transportation and utility corridors, and commercial and residential areas; and
- variances to avoid conflicts with renewable solar energy infrastructure, passive solar building design, and locally grown produce.

The DNR must encourage communities to include participation and input by vulnerable populations through community organizations and members of the public for urban and

community forestry plans in the regions where they are based.

Evergreen Communities.

The Evergreen Communities Program is incorporated into the urban and community forestry program under the purview of the DNR rather than the Department of Commerce.

Votes on Final Passage:

House	72	25	
Senate	45	3	(Senate amended)
House	61	37	(House concurred)

Effective: July 25, 2021