

# SENATE BILL REPORT

## SB 5298

---

---

As Reported By Senate Committee On:  
Natural Resources, Energy & Water, March 5, 2003

**Title:** An act relating to assisting small forest landowners with the forest road maintenance and abandonment plan elements of the forest practices rules.

**Brief Description:** Limiting the impact on small forest landowners caused by forest road maintenance and abandonment requirements.

**Sponsors:** Senators Morton and Doumit; by request of Commissioner of Public Lands.

**Brief History:**

**Committee Activity:** Natural Resources, Energy & Water: 2/5/03, 3/5/03 [DPS].

---

### SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

---

**Majority Report:** That Substitute Senate Bill No. 5298 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Fraser, Hale, Hargrove, Honeyford, Oke and Regala.

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

**Background:** The Forest and Fish Report was presented to the Forest Practices Board and to the Governor's Salmon Recovery Office in February 1999. The report included recommendations for the development and implementation of a program designed to improve habitat on non-federal forest lands in Washington. These recommendations include requirements for forest landowners and one of the requirements, the filing of a road maintenance and abandonment plan (RMAP), is one of the requirements that has caused considerable concern on the part of some landowners. The 1999 Legislature recognized that the Forest and Fish Report would help to solve problems relating to riparian habitat. The Legislature adopted the Forest and Fish Report in legislation in 1999 (Chapter 4, Laws of 1999, First Special Session).

Landowners must submit a road maintenance and abandonment plan to the Department of Natural Resources by December 31, 2005, or concurrently with an application for a forest practice permit. Landowners that own more than 500 acres of forest land must submit an annual road maintenance plan which should include 20 percent of their holdings being worked on for the five years leading up to 2005. The RMAP system must recognize that work is to be done over a 15-year planning period and includes priorities for prevention of sediment delivery in streams, preventing road surface runoff, removing of fish blockages and minimizing the interruption of water flow from one basin to another. RMAPs are required on all forest roads. The cost of developing RMAPs has come into question, as well as the need for such a detailed planning and implementation process.

**Summary of Substitute Bill:** The Legislature recognizes that the road maintenance and abandonment requirements may be excessive for small forest landowners. Grazing is defined to clarify that grazing can occur in forest areas.

**Substitute Bill Compared to Original Bill:** The changes in small forest landowner compliance with the forest and fish law is not included and the map requirements are not part of the substitute.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

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

**Testimony For:** The Legislature needs to reduce the requirements for small forest landowners and fund culvert replacement to help with road improvements on private land. A more simple road maintenance and abandonment system is needed. The law can be changed and we can still get federal assurances under the federal Endangered Species Act.

**Testimony Against:** All of the forest and fish requirements are too great and constitute a "taking" of our property. The state should pay for forest road improvements if they require it. We are tired of state and federal regulation of our land and lives " especially when we have to pay for useless improvements. Central and eastern Washington don't need the same requirements as the western part of the state.

**Testified:** Kevin Zobrist, University of Washington; PRO: Doug Sutherland, Commissioner of Public Lands; Lenny Young, Dept. of Natural Resources; John Mankowski, Dept. of Fish and Wildlife; Richard Gilda, A-Total Service owner (concerns); Ken Miller, tree farmer; Sherry Fox, Farm Forestry Assn.; CON: Mary Lou Peterson, Okanogan County Commissioner; Pat Hamilton Pacific County Commissioner; Hertha Lund, WA Farm Bureau; Toni McKinley, WA Forest Protection Assn.; Nick Abellera, WA State Grange; Sid Viebrock, WA Cattlemen's Assn.; Jane Rose, Farm Bureau, Cattlemen's Assn.; Joel Kretz Okanogan County Farm Bureau; Bill Pickell, WA contract logger; Bob Playfair, forest landowner; Peter Revesz, Clark County farm forest owner; Jane Revesz; Les Schertenleib, citizen/rancher; Chad Henneman, citizen/rancher; Kathy Power, Okanogan Farm Bureau; Dave Power; Candice Gamache, citizen; Wes McCart, WSFB/farmer; Les Kinney, rancher/forest owner; Ken Sletten, Okanogan Farm Bureau; Mike Blankenship, citizen, Ferry County; Leonard Fowler, WA Farm Bureau; Carl Anderson Stevens, County Farm Bureau Board; Kathy Lookabill, citizen, Mason/Kitsap County; Darrell Bunch, PUD Commissioner; Brian Kirchner, Farm Bureau; Shirley Couse, City of Republic; Dennise Brothers, citizen; Bonnie Lawrence, Okanogan Resource Council; Jason Hartney, citizen; Nels Hanson, WA Farm Forestry Assn.; Jac Cates, Farm Bureau/former logger; Pat Eppler, citizen; Mike Kelly, Farm Bureau/Gold Hill property owner; George Penner, Molson Grange; Patrick Plumb, Tonasket School Board; Mike Kayser, citizen, Castlerock; Mickey Wooley, citizen, Republic; Richard Eich; Paul Cozza, WA Farm Bureau; Mike Angell, WA Farm Bureau; Rhoda Cargill, citizen; Marty Williams, WA Farm Bureau; Katherine Parker, citizen; Raol de Leon, South Sound Farm Bureau; Charles Kirchbaum, WFFA.