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SENATE BILL 6387

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State of Washington

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By Senators Regala, Brown, Fairley, Spanel, Jacobsen, Prentice, Kohl-Welles, Poulsen, Thibaudeau, Kline, Fraser, B. Sheldon and Franklin

Read first time 01/19/2004. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to the enhancement and stabilization in perpetuity  
2 of state forest land revenue through the strategic marketing of wood  
3 products; amending RCW 79.10.320; adding a new section to chapter 79.10  
4 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that all of the  
7 public lands granted to the state are held in trust and should be  
8 managed in a manner that enhances benefits in perpetuity.

9 (2) The legislature further finds that globalization of the wood  
10 products industry is changing the context for forest product marketing.  
11 New forest technologies in the world marketplace are creating a new  
12 model for production of the wood fiber needed to provide for wood  
13 products. Worldwide industrial forestry is migrating to an agronomic  
14 model of wood fiber production and away from traditional forestry  
15 models. In order for state timber to compete in the forest marketplace  
16 of the twenty-first century, strategic niche marketing must be  
17 employed.

18 (3) The legislature further finds that state timber revenues can be  
19 enhanced over time and given long-term stability by distinguishing

1 state forest products from the competition in the market, thus  
2 providing sustainable revenue for trust beneficiaries into the future.  
3 This sustainable revenue can be realized by providing leadership in  
4 sustainable forestry and still providing ecological and social benefits  
5 to the public and local communities.

6 (4) Therefore, the legislature finds that certification of the  
7 state forest lands will ensure access to economically valuable markets  
8 for state forest products, increasing the benefits to the trust  
9 beneficiaries in both the short and long term.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.10 RCW  
11 to read as follows:

12 (1) Consistent with this section, the department shall seek to  
13 strategically position state forest products to enhance benefits and  
14 revenues to the trusts by obtaining third-party certification of the  
15 forest practices and silviculture conducted on all state-owned lands  
16 under its jurisdiction which are primarily managed for the purpose of  
17 growing forest crops.

18 (2) In order to satisfy the requirements of this section, the  
19 department must obtain third-party certification from an organization  
20 that develops standards and objectives independent from any forest  
21 products or timber trade associations. The organization chosen to  
22 grant certification must, at a minimum, satisfy the following  
23 requirements:

24 (a) The organization must measure on-the-ground performance of the  
25 department against predefined standards related to:

26 (i) Long-term economic viability, including sustained forest yields  
27 of products, ecological services, and species diversity that provide  
28 for a stable future for the forest industry;

29 (ii) Ecologically sound forest practices, including considerations  
30 for water quality, soil erosion, wildlife habitat, and biodiversity;  
31 and

32 (iii) The maximization of social benefits, including public access  
33 and treaty rights.

34 (b) The organization must require independent peer review of  
35 certification reports and decisions.

36 (c) The organization must require the tracking of products removed

1 from the certified forest from the place of production to the point of  
2 sale.

3 (d) The organization must apply a certification system that is  
4 applicable worldwide, except that the organization may allow for  
5 regional differences in their standards.

6 (e) The organization must require the people inspecting the forest  
7 to be accredited by the organization as having expertise in  
8 silviculture, ecology, social sciences, and other relevant disciplines,  
9 and must require the inspectors to consult with the scientific  
10 community and interested stakeholders during the certification process.

11 (f) The organization must require certified landowners to reinvest  
12 in local communities and diversify local economies by managing for a  
13 diverse range of timber and nontimber forest products.

14 (g) The organization must require certified landowners to protect  
15 old growth stands.

16 (h) The organization must require certified landowners to protect  
17 their working forests from conversion to development and other  
18 nonforest uses.

19 (i) The organization must require certified landowners to address  
20 the rights of indigenous peoples.

21 (j) The organization must require certified landowners to reduce or  
22 eliminate the use of the most toxic chemicals.

23 (3) The department and the board must satisfy the certification  
24 requirements of this section, including making any needed changes to  
25 silviculture practices, on the following timetable:

26 (a) All state-owned lands under the jurisdiction of the department  
27 located west of the crest of the Cascade mountains, which are primarily  
28 valuable for the purpose of growing forest crops, must be certified by  
29 an organization that satisfies the requirements of this section by  
30 December 31, 2005.

31 (b) All state-owned lands under the jurisdiction of the department  
32 located east of the crest of the Cascade mountains, which are primarily  
33 valuable for the purpose of growing forest crops, must be audited for  
34 certification by an organization that satisfies the requirements of  
35 this section by December 31, 2005, and must be certified within one  
36 year of the completion of the certification audit.

1       **Sec. 3.** RCW 79.10.320 and 2003 c 334 s 538 are each amended to  
2 read as follows:

3       (1) The department shall manage the state-owned lands under its  
4 jurisdiction which are primarily valuable for the purpose of growing  
5 forest crops on a sustained yield basis ((insofar as compatible with  
6 other statutory directives)). ((To this end, the))

7       (2) In order to satisfy the requirements of this section, the  
8 department shall periodically adjust the acreages designated for  
9 inclusion in the sustained yield management program and calculate a  
10 sustainable harvest level.

11       (3) Any sustainable yield management conducted by the department  
12 under this section must be compatible with other statutory directives,  
13 including section 2 of this act.

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