

HOUSE BILL REPORT

HB 1600

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to ancestral trees.

Brief Description: Protecting ancestral trees.

Sponsors: Representatives Hunt, B. Sullivan, McCoy, Williams, Appleton, Chase, Hasegawa, Dickerson, Wood, Simpson and Pedersen.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/13/07, 2/26/07 [DPS].

Brief Summary of Substitute Bill

- Prohibits the Department of Natural Resources from offering for sale any ancestral trees located on public lands west of the crest of the Cascade Mountains unless the harvest operation is specifically authorized by the Board of Natural Resources.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives B. Sullivan, Chair; Dickerson, Eickmeyer, Grant, Kagi, Lantz, McCoy, Strow and VanDeWege.

Minority Report: Do not pass. Signed by 6 members: Representatives Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Hailey, Newhouse and Orcutt.

Staff: Jason Callahan (786-7117).

Background:

The state is the trustee of nearly three million acres of upland properties. Roughly two-thirds of these properties are forested, with the majority of the other parcels managed for agriculture or commercial development. The Legislature has vested specific authority for the Department

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of Natural Resources (Department) to sell timber and other valuable resources from these state lands. The Department sells a variety of resources from state lands, including timber, stone, gravel, and geoducks. The Department sells timber from state forest lands by putting tracts of timber up for bid. The Department establishes an appraised value for the timber, and this value becomes the minimum bid for the timber sale. The successful bidder who is awarded the contract generally has three years to harvest the timber from the sale.

Summary of Substitute Bill:

The Department is prohibited from offering for sale any ancestral trees located on public lands west of the crest of the Cascade Mountains unless the harvest operation is specifically authorized by the Board of Natural Resources (Board). The term "ancestral trees" is defined to mean a contiguous stand of trees of similar characteristics that is five acres in size or larger, is in the most structurally complex stage of stand development, and has a natural origin date prior to the year 1850.

The Board may only authorize the harvest of ancestral trees after making a formal finding that the harvest is necessary for the preservation of the health and safety of other ancestral trees, public safety, or overall forest health. The Board may also authorize the harvest of ancestral trees to meet the demands of other special circumstances.

Ancestral trees may also be harvested within the borders of the Olympic Experimental State Forest if the harvest is consistent with the habitat conservation plan for the Olympic Experimental State Forest.

The Commissioner of Public Lands is required to suspend the prohibition on the harvest of ancestral trees if it is determined that the prohibition would result in the reservation of more than 1,000 acres from harvest than is currently deferred under the application of regulation or a conservation agreement.

The Board is directed to prioritize lands with ancestral trees out of trust status or into another ownership that protects the trees while ensuring that the appropriate trust will receive full market value for the trees.

Substitute Bill Compared to Original Bill:

The substitute bill clarifies that harvest of ancestral trees within the Olympic Experimental State Forest may only be done consistent with the habitat conservation plan for the forest, and directs the Commissioner of Public Lands to suspend the prohibition on the harvest of ancestral trees if it is determined that the prohibition would result in the reservation of more than 1,000 acres from harvest than is currently protected.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except section 6, which, because of prior double amendments, takes effect December 31, 2007.

Staff Summary of Public Testimony:

(In support) The Board adopted an old growth policy that recognizes the cultural and scientific significance of ancestral stands while satisfying the duty to protect trust assets, and this bill reinforces that policy. The bill is carefully crafted to ensure no drastic changes from current management, and only applies to between 8,000 and 10,000 acres of state-owned land. Codifying the existing policy provides more permanent protection of ancestral trees. This approach benefits trusts in the long run and satisfies the obligation to pass along the state's treasures to future generations.

Conserving old growth habitat is important. Many soil types, microorganisms, fungi, lichens, and other plants and animals are found nowhere else but in old growth forests. The economic and human health benefits of old growth forests extend beyond mere cultural values.

(Opposed) None.

Persons Testifying: (In support) Representative Hunt, prime sponsor; Bruce Mackey, Department of Natural Resources; Brenda Hood, Office of the Superintendent of Public Instruction; Yoshe Revelle, Global Citizen; Bill Robinson, The Nature Conservancy; and Miguel Perez-Gibson; Audubon Washington.

Persons Signed In To Testify But Not Testifying: None.