

SSB 6657 - S AMD 774

By Senator Parlette

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART 1

4 STATEWIDE FIRE MANAGEMENT

5 NEW SECTION. **Sec. 101.** A new section is added to chapter 76.04  
6 RCW to read as follows:

7 FOREST HEALTH AND WILDFIRE MANAGEMENT STRATEGIC PLAN. (1) Subject  
8 to the availability of amounts appropriated for this specific  
9 purpose, the department must initiate development of a twenty-year  
10 strategic plan to treat areas of Washington forest land identified by  
11 the department as being in poor forest health condition and to manage  
12 resources for wildfire prevention and suppression in a more efficient  
13 and effective manner. The department must develop the forest health  
14 and wildfire management strategic plan in consultation with relevant  
15 local, state, and federal agencies, tribes, forest landowners,  
16 representatives from milling and log transportation industries,  
17 regional conservation organizations, and other interested parties  
18 from the nonprofit and commercial sectors.

19 (2) The strategic plan must include timelines and, at a minimum,  
20 strategies to:

21 (a) Implement an actionable plan to restore and maintain forest  
22 health and resilience within twenty years;

23 (b) Increase cooperation with federal land management agencies;

24 (c) Prioritize forest health or resiliency treatments on land  
25 surrounding communities that are particularly vulnerable during the  
26 wildfire season with forest health conditions that would benefit from  
27 forest health or resiliency treatment;

28 (d) Expand forest health technical assistance and public  
29 education and outreach, and wildfire prevention and suppression  
30 activities;

1 (e) Improve communication and coordination between local,  
2 regional, state, federal, and tribal fire personnel;

3 (f) Deploy efficient and effective initial attack response to  
4 prevent wildland fire spread; and

5 (g) Integrate statewide usage of upgraded fire modeling and  
6 geographic informational systems technologies and remote wildfire  
7 detection technology, such as ground-based smoke sensors or manned  
8 aircraft for reconnaissance, to ensure deployment of appropriate fire  
9 resources.

10 (3)(a) The department must report to the legislature on its  
11 progress in developing the forest health and wildfire management  
12 strategic plan by December 31st of each calendar year until  
13 completed. The report must include relevant fiscal information and  
14 recommendations for any legislative action needed to execute the  
15 strategic plan.

16 (b) In the report due by December 31, 2016, the department must  
17 consider:

18 (i) A list of vulnerable communities identified under subsection  
19 (2)(c) of this section; and

20 (ii) The method by which the department will prioritize forest  
21 health or resiliency treatments on land surrounding those  
22 communities.

23 (c) In addition, the department must report to the legislature  
24 every two years in conjunction with its budget request process under  
25 chapter 43.88 RCW on the following:

26 (i) Descriptions of specific forest health or resiliency and  
27 wildfire management projects planned or underway at the time of  
28 reporting, including partners, timelines, resources required, and  
29 fiscal information associated with each project;

30 (ii) A summary of projects identified in the previous report that  
31 have since been completed;

32 (iii) A summary of updates made to the strategic plan, if any;  
33 and

34 (iv) Significant barriers, including fiscal resources, to  
35 attaining specific goals in the strategic plan and recommendations to  
36 address those barriers.

37 **Sec. 102.** RCW 70.94.6536 and 1995 c 143 s 1 are each amended to  
38 read as follows:

1 SMOKE MANAGEMENT PLAN UPDATE. (1)(a) The department of natural  
2 resources shall administer a program to reduce statewide emissions  
3 from silvicultural forest burning so as to achieve the following  
4 minimum objectives:

5 ~~((a))~~ (i) Twenty percent reduction by December 31, 1994  
6 providing a ceiling for emissions until December 31, 2000; and

7 ~~((b))~~ (ii) Fifty percent reduction by December 31, 2000  
8 providing a ceiling for emissions thereafter.

9 (b) Reductions shall be calculated from the average annual  
10 emissions level from calendar years 1985 to 1989, using the same  
11 methodology for both reduction and base year calculations.

12 (2)(a) The department of natural resources, within twelve months  
13 after May 15, 1991, shall develop a plan, based upon the existing  
14 smoke management agreement to carry out the programs as described in  
15 this section in the most efficient, cost-effective manner possible.  
16 The plan shall be developed in consultation with the department of  
17 ecology, public and private landowners engaged in silvicultural  
18 forest burning, and representatives of the public.

19 (b) The plan shall recognize the variations in silvicultural  
20 forest burning including, but not limited to, a landowner's  
21 responsibility to abate an extreme fire hazard under chapter 76.04  
22 RCW and other objectives of burning, including abating and preventing  
23 a fire hazard, geographic region, climate, elevation and slope,  
24 proximity to populated areas, and diversity of land ownership. The  
25 plan shall establish priorities that the department of natural  
26 resources shall use to allocate allowable emissions, including but  
27 not limited to, silvicultural burning used to improve or maintain  
28 fire dependent ecosystems for rare plants or animals within state,  
29 federal, and private natural area preserves, natural resource  
30 conservation areas, parks, and other wildlife areas. The plan shall  
31 also recognize the real costs of the emissions program and recommend  
32 equitable fees to cover the costs of the program.

33 (c) The emission reductions in this section are to apply to all  
34 forest lands including those owned and managed by the United States.  
35 If the United States does not participate in implementing the plan,  
36 the departments of natural resources and ecology shall use all  
37 appropriate and available methods or enforcement powers to ensure  
38 participation.

39 (d) The plan shall include a tracking system designed to measure  
40 the degree of progress toward the emission reductions goals set in

1 this section. The department of natural resources shall report  
2 annually to the department of ecology and the legislature on the  
3 status of the plan, emission reductions and progress toward meeting  
4 the objectives specified in this section, and the goals of this  
5 chapter and chapter 76.04 RCW.

6 (3)(a) Subject to the availability of amounts appropriated for  
7 this specific purpose, the department of natural resources must, in  
8 consultation with the department of ecology, other relevant state and  
9 federal agencies, tribes, the Washington prescribed fire council, and  
10 public and private landowners engaged in silvicultural forest  
11 burning, initiate an update to the smoke management plan developed  
12 under subsection (2) of this section. The purpose of the smoke  
13 management plan update is to encourage the continuation of  
14 silvicultural or forest land burning as an important resource  
15 management tool.

16 (b) The department of natural resources must update the smoke  
17 management plan through a science-based stakeholder process that  
18 balances forest health and public health interests. The department of  
19 natural resources must, at minimum, update or address provisions in  
20 the smoke management plan that:

21 (i) Raise the minimum threshold to be considered a large fire;  
22 (ii) Provide longer range forecasts for permitted prescribed  
23 burns, including twenty-four hour and forty-eight hour forecasts;  
24 (iii) Authorize individual prescribed burns twenty-four hours  
25 prior to ignition of the fire. Any burn decision made twenty-four  
26 hours in advance is subject to change if meteorological conditions or  
27 conditions affecting smoke dispersion are different from those  
28 anticipated and are forecast to contribute significantly to either an  
29 exceedance of an air quality standard or to a threat to public health  
30 or safety;

31 (iv) Allow the department to authorize, by special burn permit,  
32 prescribed burning on days when the department would otherwise deny  
33 burning if the denial of such a permit would threaten imminent and  
34 substantial economic loss;

35 (v) Clarify the criteria the department considers when  
36 determining whether a burn "has the potential to affect communities"  
37 with respect to multiple day burns;

38 (vi) Increase utilization of multiple day burns and coordinate  
39 with prescribed burn managers with approved multiple day burn permits

1 to ensure predictability and to maximize opportunities to burn on  
2 each day of the approved multiple day burn permit; and

3 (vii) The department may not deny a prescribed burn solely on the  
4 potential for smoke intrusions into communities unless the smoke  
5 intrusion is forecast to contribute significantly to either an  
6 exceedance of an air quality standard or to a significant threat to  
7 public health or safety.

8 (c) The department of natural resources must adopt rules pursuant  
9 to chapter 34.05 RCW to implement the smoke management plan adopted  
10 under this section.

11 (d) Beginning 2017, the department of natural resources must  
12 report to the legislature on its progress in updating the smoke  
13 management plan, including expected timelines and actions needed for  
14 completion, summaries of meetings held, stakeholders included, public  
15 comments received, policies as they are updated, and relevant budget,  
16 expenditure, and fund source information by December 31st of each  
17 calendar year until the update is completed and implemented by rule.  
18 The department of natural resources must also report on how data  
19 collected during the forest resiliency burning pilot project  
20 conducted under chapter . . . , Laws of 2016 (Engrossed Substitute  
21 House Bill No. 2928) has informed the smoke management plan update.

22 (4) If the December 31, 1994, emission reductions targets in this  
23 section are not met, the department of natural resources, in  
24 consultation with the department of ecology, shall use its authority  
25 granted in this chapter and chapter 76.04 RCW to immediately limit  
26 emissions from such burning to the 1994 target levels and limit  
27 silvicultural forest burning in subsequent years to achieve equal  
28 annual incremental reductions so as to achieve the December 31, 2000,  
29 target level. If, as a result of the program established in this  
30 section, the emission reductions are met in 1994, but are not met by  
31 December 31, 2000, the department of natural resources in  
32 consultation with the department of ecology shall immediately limit  
33 silvicultural forest burning to reduce emissions from such burning to  
34 the December 31, 2000, target level in all subsequent years.

35 ~~((+4))~~ (5) Emissions from silvicultural burning in eastern  
36 Washington that is conducted for the purpose of restoring forest  
37 health or preventing the additional deterioration of forest health  
38 are exempt from the reduction targets and calculations in this  
39 section if the following conditions are met:

1 (a) The landowner submits a written request to the department  
2 identifying the location of the proposed burning and the nature of  
3 the forest health problem to be corrected. The request shall include  
4 a brief description of alternatives to silvicultural burning and  
5 reasons why the landowner believes the alternatives not to be  
6 appropriate.

7 (b) The department determines that the proposed silvicultural  
8 burning operation is being conducted to restore forest health or  
9 prevent additional deterioration to forest health; meets the  
10 requirements of the state smoke management plan to protect public  
11 health, visibility, and the environment; and will not be conducted  
12 during an air pollution episode or during periods of impaired air  
13 quality in the vicinity of the proposed burn.

14 (c) Upon approval of the request by the department and before  
15 burning, the landowner is encouraged to notify the public in the  
16 vicinity of the burn of the general location and approximate time of  
17 ignition.

18 ~~((+5))~~ (6) The department of ecology may conduct a limited,  
19 seasonal ambient air quality monitoring program to measure the  
20 effects of forest health burning conducted under subsection ~~((+4))~~  
21 (5) of this section. The monitoring program may be developed in  
22 consultation with the department of natural resources, private and  
23 public forest landowners, academic experts in forest health issues,  
24 and the general public.

25 **Sec. 103.** RCW 70.94.6538 and 2009 c 118 s 502 are each amended  
26 to read as follows:

27 BURN PERMIT AUTHORITY. The department of natural resources in  
28 granting burning permits for fires for the purposes set forth in RCW  
29 70.94.6534 shall condition the issuance and use of such permits to  
30 comply with air quality standards established by the department of  
31 ecology after full consultation with the department of natural  
32 resources. ~~((Such burning shall not cause the state air quality  
33 standards to be exceeded in the ambient air up to two thousand feet  
34 above ground level over critical areas designated by the department  
35 of ecology, otherwise subject to air pollution from other sources.  
36 Air quality standards shall be established and published by))~~ The  
37 department of ecology ~~((which shall))~~ must also establish a procedure  
38 for advising the department of natural resources when and where air  
39 contaminant levels exceed or threaten to exceed the ambient air

1 standards over such critical areas. The air quality shall be  
2 quantitatively measured by the department of ecology or the  
3 appropriate local air pollution control authority at established  
4 monitoring stations over such designated areas. Further, such  
5 permitted burning shall not cause damage to public health or the  
6 environment. All permits issued under this section shall be subject  
7 to all applicable fees, permitting, penalty, and enforcement  
8 provisions of this chapter. The department of natural resources shall  
9 set forth smoke dispersal objectives designed consistent with this  
10 section to minimize any air pollution from such burning and the  
11 procedures necessary to meet those objectives.

12 The department of natural resources shall encourage more intense  
13 utilization in logging and alternative silviculture practices (~~to~~  
14 ~~reduce the need for burning~~) and encourage thinning to reduce fuel  
15 loads and prescribed burning when appropriate for forest health  
16 improvement and fire prevention. The department of natural resources  
17 shall, whenever practical, encourage landowners to (~~develop and~~)  
18 use (~~alternative acceptable~~) effective and efficient disposal  
19 methods (~~subject to the following priorities~~), including the  
20 following: ((+1)) Slash production minimization(~~(, (2))~~); slash  
21 utilization(~~(, (3))~~); nonburning disposal(~~(, (4))~~); and silvicultural  
22 burning. Such alternative methods shall be evaluated as to the  
23 relative impact on air, water, and land pollution, public health, and  
24 their financial feasibility.

25 The department of natural resources shall not issue burning  
26 permits and shall revoke previously issued permits at any time in any  
27 area where the department of ecology or local board has declared a  
28 stage of impaired air quality as defined in RCW 70.94.473.

29 **Sec. 104.** RCW 76.04.205 and 1986 c 100 s 17 are each amended to  
30 read as follows:

31 BURN PERMIT REVOCATION OR POSTPONEMENT. (1) Except in certain  
32 areas designated by the department or as permitted under rules  
33 adopted by the department, a person shall have a valid written  
34 burning permit obtained from the department to burn:

35 (a) Any flammable material on any lands under the protection of  
36 the department; or

37 (b) Refuse or waste forest material on forest lands protected by  
38 the department.

1 (2) To be valid a permit must be signed by both the department  
2 and the permittee. Conditions may be imposed in the permit for the  
3 protection of life, property, or air quality and (~~{the department}~~)  
4 the department may suspend or revoke the permits when conditions  
5 warrant. A permit shall be effective only under the conditions and  
6 for the period stated therein. Signing of the permit shall indicate  
7 the permittee's agreement to and acceptance of the conditions of the  
8 permit.

9 (3) The department may inspect or cause to be inspected the area  
10 involved and may issue a burning permit if:

11 (a) All requirements relating to firefighting equipment, the work  
12 to be done, and precautions to be taken before commencing the burning  
13 have been met;

14 (b) No unreasonable danger will result; and

15 (c) Burning will be done in compliance with air quality standards  
16 established by chapter 70.94 RCW.

17 (4) The department, authorized employees thereof, or any warden  
18 or ranger may refuse, revoke, or postpone the use of (~~permits~~) a  
19 permit to burn only when necessary for the safety of adjacent  
20 property or when (~~necessary in their judgment to prevent air~~  
21 ~~pollution~~) the particular burn at issue is forecast to contribute  
22 significantly to an exceedance of an air quality standard as provided  
23 in chapter 70.94 RCW.

24 **Sec. 105.** RCW 76.04.315 and 1986 c 100 s 22 are each amended to  
25 read as follows:

26 BURN BAN AUTHORITY. (1) In times and localities of unusual fire  
27 danger, the department may issue an order suspending any or all  
28 burning permits or privileges authorized by RCW 76.04.205 and may  
29 prohibit absolutely the use of fire in such locations.

30 (2) For the purposes of this section, "unusual fire danger" means  
31 adverse weather and fire fuel conditions, in combination with the  
32 prevalence of ignition sources, that indicate high potential over a  
33 large area for a fire to ignite, spread, and require suppression  
34 action.

35 NEW SECTION. **Sec. 106.** A new section is added to chapter 76.04  
36 RCW to read as follows:

37 JOINT TRAINING. (1) Subject to the availability of amounts  
38 appropriated for this specific purpose, the department must strive to



1 ensure adequate capacity of trained, effective firefighting forces  
2 across all available local, state, and federal agencies, tribes, and  
3 the private sector to meet state needs during each fire season.

4 (2) Subject to the availability of amounts appropriated for this  
5 specific purpose, the national guard must coordinate with the  
6 department to maintain trained firefighters to be deployed as needed  
7 during the fire season and to recommend to the legislature funding  
8 resources needed to maintain this level of readiness.

9 NEW SECTION. **Sec. 107.** A new section is added to chapter 76.04  
10 RCW to read as follows:

11 COORDINATED COMMAND FOR LARGE FIRES. Subject to the availability  
12 of amounts appropriated for this specific purpose, the department of  
13 natural resources must strive to ensure that adequately trained fire  
14 commanders are available to dispatch resources where they are needed  
15 most. To foster efficient year-round workforce management, the  
16 department of natural resources must, whenever practical, train  
17 existing department or local fire district personnel to fill such  
18 additional fire commander positions during the fire season.

19 NEW SECTION. **Sec. 108.** AERIAL ATTACK. Subject to the  
20 availability of amounts appropriated for this specific purpose, the  
21 department of natural resources may enter into contracts for aerial  
22 resources qualified for wildland fire suppression and must strive to  
23 ensure sufficient fire aviation personnel is available to coordinate  
24 and deploy aviation assets where they are most needed.

25 NEW SECTION. **Sec. 109.** A new section is added to chapter 76.04  
26 RCW to read as follows:

27 MULTILINGUAL PRESCRIBED BURN NOTICES. Prior to conducting a  
28 prescribed burn, the department is encouraged to notify the public in  
29 the vicinity of the burn of the general location, approximate time of  
30 ignition, and expected duration of the prescribed burn. The  
31 department may notify the public through written and verbal notices,  
32 press releases to local media, and social media. The department is  
33 further encouraged to give such notifications in a language that  
34 diverse residents can understand when a significant segment of the  
35 community speaks a language other than English and has limited  
36 proficiency in English.

1        NEW SECTION.    **Sec. 110.**    A new section is added to chapter 38.52  
2    RCW to read as follows:

3        MULTILINGUAL PUBLIC HEALTH AND SAFETY RISK NOTICES. (1) State  
4    agencies required by law or rule to provide public notices to a  
5    community or area to advise or inform the public about an imminent or  
6    emergent public health, safety, or welfare risk are encouraged to  
7    provide notices in the language that diverse residents can understand  
8    when a significant segment of the community speaks a language other  
9    than English and has limited proficiency in English. Under a state of  
10   emergency, state agencies are encouraged to provide such notices,  
11   information, and services in the languages represented by the  
12   specific affected area's demographic data.

13        (2) During emergencies, political subdivisions' emergency  
14   management departments are encouraged to provide accurate written and  
15   verbal notices including, but not limited to, evacuation notices and  
16   shelter information, in the languages represented by their  
17   communities who speak a language other than English. Emergency  
18   management departments of political subdivisions are also encouraged  
19   to air public service announcements by radio or television broadcast  
20   in the languages represented by their communities who speak a  
21   language other than English.

22        **Sec. 111.**    RCW 38.52.070 and 1997 c 49 s 4 are each amended to  
23   read as follows:

24        MULTILINGUAL EMERGENCY DISASTER COMMUNICATION. (1) Each political  
25   subdivision of this state is hereby authorized and directed to  
26   establish a local organization or to be a member of a joint local  
27   organization for emergency management in accordance with the state  
28   comprehensive emergency management plan and program: PROVIDED, That a  
29   political subdivision proposing such establishment shall submit its  
30   plan and program for emergency management to the state director and  
31   secure his or her recommendations thereon, and verification of  
32   consistency with the state comprehensive emergency management plan,  
33   in order that the plan of the local organization for emergency  
34   management may be coordinated with the plan and program of the state.  
35   Local comprehensive emergency management plans must specify the use  
36   of the incident command system for multiagency/multijurisdiction  
37   operations. No political subdivision may be required to include in  
38   its plan provisions for the emergency evacuation or relocation of  
39   residents in anticipation of nuclear attack. If the director's

1 recommendations are adverse to the plan as submitted, and, if the  
2 local organization does not agree to the director's recommendations  
3 for modification to the proposal, the matter shall be referred to the  
4 council for final action. The director may authorize two or more  
5 political subdivisions to join in the establishment and operation of  
6 a joint local organization for emergency management as circumstances  
7 may warrant, in which case each political subdivision shall  
8 contribute to the cost of emergency management upon such fair and  
9 equitable basis as may be determined upon by the executive heads of  
10 the constituent subdivisions. If in any case the executive heads  
11 cannot agree upon the proper division of cost the matter shall be  
12 referred to the council for arbitration and its decision shall be  
13 final. When two or more political subdivisions join in the  
14 establishment and operation of a joint local organization for  
15 emergency management each shall pay its share of the cost into a  
16 special pooled fund to be administered by the treasurer of the most  
17 populous subdivision, which fund shall be known as the . . . . .  
18 emergency management fund. Each local organization or joint local  
19 organization for emergency management shall have a director who shall  
20 be appointed by the executive head of the political subdivision, and  
21 who shall have direct responsibility for the organization,  
22 administration, and operation of such local organization for  
23 emergency management, subject to the direction and control of such  
24 executive officer or officers. In the case of a joint local  
25 organization for emergency management, the director shall be  
26 appointed by the joint action of the executive heads of the  
27 constituent political subdivisions. Each local organization or joint  
28 local organization for emergency management shall perform emergency  
29 management functions within the territorial limits of the political  
30 subdivision within which it is organized, and, in addition, shall  
31 conduct such functions outside of such territorial limits as may be  
32 required pursuant to the provisions of this chapter.

33 (2) In carrying out the provisions of this chapter each political  
34 subdivision, in which any disaster as described in RCW 38.52.020  
35 occurs, shall have the power to enter into contracts and incur  
36 obligations necessary to combat such disaster, protecting the health  
37 and safety of persons and property, and providing emergency  
38 assistance and communication to the victims of such disaster. Each  
39 political subdivision is authorized to exercise the powers vested  
40 under this section in the light of the exigencies of an extreme

1 emergency situation without regard to time-consuming procedures and  
2 formalities prescribed by law (excepting mandatory constitutional  
3 requirements), including, but not limited to, budget law limitations,  
4 requirements of competitive bidding and publication of notices,  
5 provisions pertaining to the performance of public work, entering  
6 into contracts, the incurring of obligations, the employment of  
7 temporary workers, the rental of equipment, the purchase of supplies  
8 and materials, the levying of taxes, and the appropriation and  
9 expenditures of public funds.

10 NEW SECTION. **Sec. 112.** ACCOUNTING FOR FOREST HEALTH AND FIRE  
11 MANAGEMENT-RELATED APPROPRIATIONS. (1) By December 31, 2016, the  
12 department of natural resources must report to the legislature on how  
13 funds appropriated in the 2016 supplemental operating budget for use  
14 related to forest health and wildfire management were expended or are  
15 expected to be expended in 2017. In particular, the report must  
16 address the following:

17 (a) Local fire resources and a summary of agreements the  
18 department of natural resources has entered into with local fire  
19 districts;

20 (b) Wildland fire suppression personnel and training, including  
21 fire engine personnel, local training, joint training, and fire  
22 commander personnel and training;

23 (c) Aviation resources, including personnel;

24 (d) Wildfire prevention education, community outreach programs,  
25 and technical assistance to landowners; and

26 (e) Any other forest health and wildfire management-related  
27 expenditures of funds appropriated in the 2016 supplemental omnibus  
28 operating appropriations act.

29 (2) For efficiency, the department of natural resources may  
30 include the report required in this section as part of the report on  
31 the forest health and wildfire management strategic plan, also due on  
32 December 31, 2016, as required under section 101(3) of this act.

33 **PART 2**  
34 **LOCAL FIRE MANAGEMENT**

35 NEW SECTION. **Sec. 201.** A new section is added to chapter 76.04  
36 RCW to read as follows:

1 LOCAL FIRE RESOURCES. (1)(a) Subject to the availability of  
2 amounts appropriated for this specific purpose, the department must  
3 determine where additional fire suppression resources are needed and  
4 which local fire districts would most benefit from those additional  
5 resources. Fire suppression resources may include, but are not  
6 limited to, aerial attack, wildland fire training, fire engines,  
7 safety equipment, chainsaws, and radios.

8 (b) In making determinations under this section, the department  
9 of natural resources may coordinate with the wildland fire advisory  
10 committee, and must, at minimum, consider the following factors:

11 (i) Whether the local fire district is located in a fire prone  
12 area; and

13 (ii) Particular resource needs based on existing fire suppression  
14 capability and a ten-year history of wildland fire activity in or  
15 near the local fire district's jurisdiction.

16 (c) Based on the determination made in (a) of this subsection,  
17 the department must enter into agreements with local fire districts  
18 to provide the fire suppression resources the department has  
19 identified as necessary. These agreements must include terms and  
20 conditions allowing local fire districts to order deployment of fire  
21 suppression resources to assist in response to wildfire reports or to  
22 be prepositioned for initial attack during high wildfire severity  
23 conditions.

24 (2) For purposes of this section:

25 (a) "Prepositioned fire suppression resources" means fire  
26 suppression resources either geographically positioned or contracted  
27 for prior to and in anticipation of wildland fire suppression  
28 activity during a fire season; and

29 (b) "Severity conditions" means that the conditions in a region  
30 of the state indicate a high level of wildfire risk as indicated by  
31 official actions, such as the declaration of a red flag warning, or  
32 the issuance of a high wildfire probability by a state or federal  
33 wildland fire organization.

34 NEW SECTION. **Sec. 202.** WILDLAND FIRE PUBLIC EDUCATION AND  
35 OUTREACH. (1)(a) Subject to the availability of amounts appropriated  
36 for this specific purpose, the department of natural resources, in  
37 cooperation with the conservation commission, must expand its  
38 programs to provide wildfire prevention education, community outreach  
39 programs, and technical assistance to landowners.

1 (b) As part of its community outreach and education programs, the  
2 department of natural resources may include educational material  
3 regarding foams, gels, and other products designed to protect  
4 structures from encroaching wildfires, particularly for homeowners in  
5 communities located in fire prone areas of the state.

6 (c) Nothing in this section creates or infers additional  
7 liability on the department of natural resources or the conservation  
8 commission. No educational material made available by the department  
9 of natural resources may be construed as an endorsement of any  
10 product type or specific commercial product.

11 (2) The department of natural resources must also strive to  
12 ensure landowner compliance with grant and contract requirements with  
13 respect to forest health, resiliency, or fuels reduction treatments,  
14 burn permit conditions, and industrial fire precaution levels.

15 NEW SECTION. **Sec. 203.** SEVERITY PROGRAM STUDY. (1)(a) The  
16 wildland fire advisory committee must investigate options to assist  
17 local fire suppression entities, particularly with respect to  
18 bolstering effective initial attack. The wildland fire advisory  
19 committee may consider severity resource program models, wildland  
20 fire resource repositioning concepts, and any other options that may  
21 strengthen the initial attack capabilities of local fire suppression  
22 entities.

23 (b) For purposes of this section, "local fire suppression  
24 entities" means a city, county, fire department, fire district, or  
25 other nonstate, nonfederal public entity responsible for suppressing  
26 wildland fires within its jurisdiction.

27 (2) By December 31, 2016, the department of natural resources,  
28 having considered wildland fire advisory committee recommendations,  
29 must report to the legislature and commissioner of public lands, on  
30 the following:

31 (a) A description of outreach efforts to involve local fire  
32 suppression entities;

33 (b) Programs and concepts considered;

34 (c) Factors identified as important to both local fire  
35 suppression entities and statewide wildfire coordination efforts;

36 (d) Recommendations regarding which programs or concepts best  
37 satisfy the initial attack needs of local fire suppression entities;  
38 and

1 (e) Recommendations regarding implementation, resource  
2 allocation, and funding.

3 NEW SECTION. **Sec. 204.** JOINT LEGISLATIVE AUDIT AND REVIEW  
4 COMMITTEE FOREST FIRE PROTECTION ASSESSMENT AUDIT. In conjunction  
5 with section 103, chapter 4, Laws of 2015 3rd sp. sess., the joint  
6 legislative audit and review committee must identify parcels within  
7 the state that are not subject to the forest fire protection  
8 assessment and are not included in a local fire district. A report on  
9 the results of the analysis with any findings and recommendations  
10 must be submitted to the appropriate committees of the legislature by  
11 July 31, 2017.

12 **PART 3**  
13 **IMPLEMENTATION**

14 NEW SECTION. **Sec. 301.** This act may be known and cited as the  
15 wildfire management act.

16 NEW SECTION. **Sec. 302.** This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of  
18 the state government and its existing public institutions, and takes  
19 effect immediately."

**SSB 6657 - S AMD 774**  
By Senator Parlette

20 On page 1, line 1 of the title, after "management;" strike the  
21 remainder of the title and insert "amending RCW 70.94.6536,  
22 70.94.6538, 76.04.205, 76.04.315, and 38.52.070; adding new sections  
23 to chapter 76.04 RCW; adding a new section to chapter 38.52 RCW;  
24 creating new sections; and declaring an emergency."

EFFECT: (1) For the strategic plan: Removed the December 31,  
2018, deadline, added federal land management agencies geographic  
informational systems technology, prioritized vulnerable communities;  
(2) For the smoke management plan update: Removed the December  
31, 2018, deadline, added the Washington Prescribed Fire Council as a  
stakeholder, required annual progress reports until completed;

(3) For the Prescribed Burn Manager Certification Course, removes the course and instead requires the department of natural resources (DNR) to offer prescribed burn manager training;

(4) For aerial assets: Made permissive DNR may contract for aerial resources and removed language specific to single engine air tankers and helicopters;

(5) Simplified accounting requirements for 2016 supplemental operating budget appropriations related to forest health and wildfire management;

(6) For local fire resources: Added aerial attack and wildland fire training as types of local fire resources, and a provision requiring DNR to enter into agreements with local fire districts to offer the fire resources;

(7) For community outreach and education programs: Added conservation commission as a cooperating entity, added a provision requiring education regarding commercial products designed to protect structures from encroaching wildfire;

(8) Replaces a section requiring DNR to report on lands not covered in any fire protection jurisdiction with a section expanding an existing joint legislative audit and review committee audit on the forest fire protection assessment and extends that section of the audit to 2017;

(9) Replaces several sections creating a local wildland fire severity program with a study by the Wildland Fire Advisory Committee on how best to implement a program to support local initial attack;

(10) Removed legislative intent language;

(11) Removed an encouragement for legislative authorities to review WUI Code for provisions appropriate for interface areas in their jurisdiction;

(12) Codified the requirements that DNR and the National Guard maintain trained fire personnel available subject to appropriation;

(13) Struck four sections that created a pension option for volunteer firefighters;

(14) Removed a requirement that DNR provide free personal protection equipment to qualified volunteers;

(15) Removed a section requiring DNR and DES to investigate statewide wildfire policy options; and

(16) Removed a section creating a forest resiliency burning pilot project (passed separately in ESHB 2928).

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