2010 Legislation Affecting the Forest Practices Program As of May 5, 2010 Prepared by Darin Cramer				
Bill #	Title ("AN ACT relating to ...")	Provisions	Status	Effect*
ESHB2541	…maximizing the ecosystem services provided by forestry through the promotion of the economic success of the forest products industry.	- directs DNR to: 1) develop proposals for appropriate landowner conservation incentives that support landowners to maintain their land in forestry (e.g., incentives related to ecosystem service markets, tax incentives, easements, technical assistance, and recognition or certification); 2) consult with the Forest Practices Board, representatives of federal, state and local government, tribes, small forest landowners, conservation groups, industrial foresters, and other individuals DNR deems beneficial in implementing the law; and; 3) by Dec. 31, 2011 present research and proposed incentives to the governor, legislative committees, Commissioner of Public Lands, and the Forest Practices Board; and offer to present findings and recommendations to the Washington congressional delegation, local governments, and any state or federal agency that has as a portion of their mission the support of Washington's working land base and the jobs, products, and ecological values that working lands provide. - states that these actions shall not cause, promote, or delay any Forest Practices Board rule making. - authorizes DNR to seek federal and private funds and in-kind contributions to complete the work; and specifies, "at the discretion of (DNR), DNR must comply with this act only to the degree that existing or acquired non-state resources permit. - adds two definitions to RCW 76.09.020: "ecosystem services" and "ecosystem services market." - the new section of the law expires July 1, 2012.	law, effective 6/10/10	direct, no rule-making required
SHB2935	…environmental and land use hearings boards and making more uniform the timelines for filing.	- eliminates the forest practices appeals board and the hydraulics appeals board, and consolidates other state boards that conduct administrative review of environmental and land use decisions. The duties of the eliminated boards are transferred to other boards. Forest Practices appeals will be heard by the Pollution Control Hearings Board beginning 7/1/2010. - establishes uniform timelines for filing appeals based on the "date of receipt" as currently defined in 43.21B.001; stop work order appeal period is lengthened to 30 days. - retains the informal appeals to agencies, such as appeals of a Notice to Comply using the brief adjudicated procedure (BAP) and civil penalty remission mitigation process that is heard by the DNR supervisor. - allows appeals that are currently assigned to the Environmental Hearings Office to be completed in that forum.	law, effective 7/1/10	direct, rule-making required
SHB2420	…promotion of industries that rely on the state's	- expands the definition of green industry to include the forest products industry.	law, effective	Indirect

*direct = changes Chapter 76.09 RCW (Forest Practices Act), Chapter 43.21C RCW (State Environmental Policy Act) and/or Title 222 WAC
*indirect = changes to Forest Practices administrative procedures

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	working land base.	- clean energy definition is expanded to include energy derived from wood biomass, liquid biofuels, and bio based products. - forest products industry is defined as those businesses that grow, manage, harvest, transport and process forest, wood and paper products.	6/10/10	
SB6481	…clarifying which local governments have jurisdiction over conversion related forest practices	- counties planning under RCW 36.70A.040 (GMA) with a population greater than one hundred thousand, and the cities within those counties, where more than a total of 25 Class IV General forest practices applications have been filed with the DNR between January 1, 2003, and December 31, 2005 are required to adopt and enforce ordinances for Class IV General forest practices, conversion of forest land into non forest land. - removed the 12/31/08 deadline for transfer of jurisdiction. - counties with a population of less than 100,000 and the cities within them, have the discretionary authority to adopt regulations and assume the jurisdiction over Class IV General forest practices.	law, effective 6/10/10	Indirect
E2SHB2617	…eliminating boards and commissions	- eliminates lodging, subsistence and travel allowances for members of class one boards, commissions, councils, committees or similar groups beginning July 1, 2010 through June 30, 2011. The Small Forest Landowner Advisory Committee (SFLAC) is a class one committee, and therefore will need to meet via teleconference and provide a location in a state facility for public participation. - beginning July 1, 2010, through June 30, 2011, class four boards, commissions, councils, committees or similar groups, when feasible, shall use an alternative means of conducting a meeting that does not require travel while still maximizing member and public participation and may use a meeting format that requires members to be physically present at one location only when necessary or required by law. Meetings that require a member's physical presence at one location must be held in state facilities whenever possible, and meetings conducted using private facilities must be approved by the director of the office of financial management. - the Forest Practices Board is a class four board and there is no law or statute that requires member's physical attendance at meetings. The AG's office is analyzing the law; the impact and alternatives for minimizing the effect to the Board's business will be discussed at an upcoming meeting.	law, effective 6/10/10	Indirect
2SSB6578	…creating an optional multiagency permitting team	- Office of Regulatory Assistance is to develop an optional multiagency permitting team for coordinated permitting and integrated regulatory decision making. With the exception of some	law, effective 3/22/10	indirect

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		initial costs, the expenses of the team are to be recovered through cost-reimbursement and cost-sharing. The teams will be a mobile group of senior-level permitting and regulatory decision making personnel representing the Washington state departments of ecology, fish and wildlife, and natural resources who have expertise in regulatory issues relating to a project. - tribes, local and federal permitting and regulatory personnel can be called upon to join the team on a project-by-project basis. The teams will initially focus on projects such as large-scale public, private, and port development projects with complex aquatics, wetland, or other environmental impacts; environmental cleanup, restoration, and enhancement projects; aquaculture projects; and energy, power generation, and utility projects initially in central Puget Sound.		

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