

By Senator Van De Wege

2SHB 1168 - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

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

3 "NEW SECTION. **Sec. 1.** FINDINGS AND DETERMINATIONS. (1) Over the
4 last decade, forestland and rangeland wildfires have grown larger and
5 increased in intensity and destructiveness throughout Washington
6 state. The annual acres burned in our state illustrates this alarming
7 trend. In the 1990s, an average of 86,000 acres burned annually. In
8 the 2000s, the average annual acres burned increased to 189,000. In
9 the last five years, the annual average grew to more than 488,000
10 acres burned. This trajectory of escalation continued last year, with
11 wildfires burning more than 812,000 acres.

12 (2) Recent wildfires have devastated state, federal, tribal, and
13 private lands, destroyed homes and property, and taken lives. These
14 fires have also released greenhouse gases, destroyed critical fish
15 and wildlife habitat, filled our skies with harmful smoke, polluted
16 our waters, damaged our economy, increased the risk of flooding and
17 landslides, created a critical need for reforestation, and threatened
18 the natural resources needed for essential industries and rural
19 economies.

20 (3) Catastrophic wildfires have significant negative impacts on
21 fish and wildlife habitat, including the loss and degradation of
22 places to shelter and feed, water quality and quantity, and soil
23 nutrients. Washington's fish and wildlife are part of a fire-adapted
24 landscape, but catastrophic wildfires threaten their health and
25 recovery.

26 (4) The increase in these uncharacteristic wildfires are the
27 result of a combination of climate change-driven drought, hotter
28 temperature, and windstorms; human development patterns and land use
29 planning and activities; and where uncharacteristic fires occur in
30 forests, by past fire suppression and departures from native
31 ecosystem structure and function. Uncharacteristic wildfire risk is

1 addressed through scientifically informed landscape-level treatments
2 designed to restore forest ecosystem and watershed resilience.

3 (5) Wildfires result in significant greenhouse gas emissions.
4 Wildfires have become one of the largest sources of black carbon in
5 the last five years. From 2014-2018, wildfires in Washington state
6 generated 39.2 million metric tons of carbon, the equivalent of more
7 than 8.5 million cars on the road a year. In 2015, when 1.13 million
8 acres burned in Washington, wildfires were the second largest source
9 of greenhouse gas emissions, second only to transportation.

10 (6) The legislature has recognized our forests, as well as the
11 manufacturing and utilization of wood products, as a natural carbon
12 solution and critical component of our state's carbon reduction
13 strategy pursuant to chapter 120, Laws of 2020. Uncharacteristic
14 wildfires threaten the ability of our forests to sequester carbon,
15 and they threaten the stability and long-term viability of our forest
16 products industry.

17 (7) The Washington state department of natural resources' 20-year
18 forest health strategic plan and climate risk assessment finds that
19 carbon emissions from wildfires are anticipated to increase if there
20 is no change in forest management practices. Unless the state
21 significantly increases active forest management across land
22 ownerships to reduce the risk and intensity of wildfires, wildfire
23 emissions will erode efforts to achieve our state's greenhouse gas
24 emissions reduction goals. In addition to reducing fuel loads, many
25 effective forest health treatments retain and restore older, large
26 fire-resilient trees across the landscape that play an important role
27 in carbon sequestration, enhancing climate resilience and ecosystem
28 services, and mitigating climate change.

29 (8) Wildfires inflict huge costs to the state budget, the budgets
30 of partner agencies, and our economy. From 2014-2019, agencies in
31 Washington annually spent nearly \$150 million fighting wildfires. In
32 2015, firefighting costs were more than \$342 million. In 2019,
33 firefighting costs were more than \$172 million. And suppression costs
34 are only a small portion of the full economic impact. According to a
35 2018 report by the nonprofit headwater's economics, suppression costs
36 account for only nine percent of the total cost of wildfires when
37 factoring in disaster recovery, lost business, lost infrastructure,
38 and timber damage, and public health impacts.

39 (9) Over one-half of Washington is forested, providing
40 significant environmental and economic value. Over \$4,900,000,000 in

1 wages and \$200,000,000 in taxes are paid by the forest products'
2 sector each year. Opportunities exist to boost our rural economies
3 through wildfire preparation and preparedness that maintain and
4 attract private sector investments and employment in rural
5 communities.

6 (10) Wildfires are significant threats to life and property. Over
7 the last five years, wildfires in Washington have taken five lives,
8 including four firefighters and the life of a one-year old boy. In
9 2020 alone, 298 homes were destroyed by wildfires in our state. More
10 than 1,100 homes have been destroyed this decade. Communities in
11 every corner of Washington have felt the impact and devastation of
12 flames and smoke. In 2020, the town of Malden, Washington was forever
13 scarred by rangeland wildfire. Approximately 80 percent of the town's
14 structures burned down in the Babb Road fire, including the city
15 hall, post office, and fire station.

16 (11) Wildfire smoke has significant negative impacts on public
17 health. For the second time in the last three years, Washington state
18 had the worst air quality in the world due to wildfires. Communities
19 in every corner of the state felt the impact. Exposure to particulate
20 matter in wildfire smoke has been associated with a wide range of
21 damaging health effects. The particulates in this smoke make those
22 breathing the air wheeze, cough, shorten their breath, and experience
23 sore eyes and throats, diminishing health and quality of life. Other
24 adverse health outcomes are more severe, including increases in
25 asthma-related hospitalizations, chronic and acute respiratory and
26 cardiovascular health problems, and premature death.

27 (12) Historical forest management, legacy wildfire suppression
28 responses, and a rapidly changing climate have increased the risk of
29 catastrophic wildfires throughout the state. It is the policy of the
30 state to encourage prudent and responsible forest resource management
31 to maintain the health of forests and ecosystems in Washington state.
32 Increasing the pace and scale of forest restoration through fuel
33 reduction, thinning, and the use of prescribed fire on federal,
34 state, tribal, and private lands pursuant to the 20-year forest
35 health strategic plan, the wildland fire protection 10-year strategic
36 plan, and RCW 79.10.520 will reduce the risk of catastrophic
37 wildfires.

38 (13) In 2020, more than 1,300,000 acres of national forest system
39 land in eastern Washington were considered in need of treatments to
40 restore forest health and reduce the risk of wildfire hazard

1 potential. Many of these lands are adjacent to populated communities,
2 private lands, and state trust lands.

3 (14) In 2020, 166,000 acres of department of natural resources'
4 land and 74,000 acres of other state-owned lands in eastern
5 Washington were in need of forest health treatment. These forestlands
6 provide critical fish and wildlife habitat, natural and cultural
7 resources, recreation, raw materials for the forest industry, and
8 funding for counties and schools. From 2011-2020, 102,700 forested
9 acres of department of natural resources' managed trust lands have
10 burned.

11 (15) Tribal lands and communities have been significantly
12 impacted by wildfires and unhealthy forests. Approximately 494,000
13 acres of tribal lands in eastern Washington need forest health
14 treatments. These forestlands provide critical fish and wildlife
15 habitat, natural and cultural resources, and economic opportunities.

16 (16) Washington state has nearly eight million acres of private
17 forestlands. Forested acres are declining statewide with a loss of
18 394,000 acres between 2007 and 2019. Small forestland owners account
19 for 15 percent of total forest acres. Small forestland owner forested
20 acres declined 3.7 percent from 2,990,000 acres in 2007 to 2,880,000
21 million acres in 2019. The number of small forestland owners
22 increased 8.5 percent from 201,000 in 2007 to 218,000 in 2019. The
23 number of small forestland owner parcels increased 2.1 percent from
24 256,500 to 261,800. This rapid land use change creates significant
25 challenges for implementing forest health and wildfire response
26 actions in the wildland urban interface. In eastern Washington alone,
27 approximately 288,000 acres owned by small forestland owners are in
28 need of immediate forest health treatment. These forestlands provide
29 critical raw materials for the forest industry, rural economic
30 opportunities, fish and wildlife habitat, cultural resources, and
31 recreation. A coordinated interagency response is needed to address
32 the multifaceted challenge posed by increasing parcelization, forest
33 fragmentation, loss of economic viability, and changes in landowner
34 assistance needs.

35 (17) The legislature finds that increasing the pace and scale of
36 science-based forest health activities to reduce hazardous fuels and
37 restore fire resilient forests, including through mechanical thinning
38 and prescribed burning, on federal, state, tribal, and private lands,
39 will reduce the risk and severity of wildfires, protect cultural and
40 archaeological resources, improve fish and wildlife habitat, expand

1 recreational opportunities, protect air and water quality, create
2 rural economic opportunities, provide critical wood products, and
3 increase long-term carbon sequestration on our natural resource
4 lands.

5 (18) Increased development in the wildland urban interface has
6 also increased the number of people living in areas that are at risk
7 of wildfire. In Washington, over 2,000,000 homes are currently at
8 risk of wildfire. Communities and homeowners can take actions that
9 reduce the risk of loss in the event of wildfire including, but not
10 limited to, home hardening, creating defensible space, and building
11 potential control lines or strategic fuel breaks.

12 (19) Long-term, sustainable investment in wildfire response,
13 forest restoration, and community resilience is of utmost importance
14 to the health and safety of our environment, our economy, our
15 communities, and the well-being of every resident.

16 (20) It is the intent of the legislature to take immediate action
17 to fully fund the wildland fire protection 10-year strategic plan.
18 Strategies to accomplish these goals include, but are not limited to:

19 (a) Upgrading our capability to attack wildfires with critical
20 air and ground resources;

21 (b) Providing needed wildfire resources to state wildfire
22 response and local fire service districts;

23 (c) Working with each state utility, local publicly owned
24 electric utility, and electrical cooperative to reduce wildfire risk
25 and develop consistent approaches and shared data related to fire
26 prevention, safety, vegetation management, and energy distribution
27 systems; and

28 (d) Improving wildfire detection in areas at risk of wildfire
29 through new technologies and equipment.

30 (21) Furthermore, it is the intent of the legislature to take
31 immediate action to increase the pace and scale of forest management
32 across different land ownerships and fully fund the 20-year forest
33 health strategic plan and activities developed to facilitate
34 implementation of the Washington state forest action plan. Strategies
35 to accomplish these goals include, but are not limited to:

36 (a) Restoring to health a minimum of 1,250,000 acres of
37 forestland in need of immediate action to become more resilient and
38 improve watershed health;

1 (b) Increasing prescribed fire and other fuel reduction projects
2 through proven forestry practices and the operation of prescribed
3 fire crews;

4 (c) Establishing potential control lines and strategic fuel
5 breaks around communities with high wildfire risk;

6 (d) Increasing funding for the small forestland owner office for
7 technical assistance and support for small forestland owners and
8 funding an integrated small forestland owner forest health program in
9 support of extending management and control of wildfire from homes
10 through the wildland urban interface to small forestland owner
11 holdings; and

12 (e) Monitoring forest health conditions and effectiveness of
13 treatments throughout the state, including ecological function and
14 reducing catastrophic wildfires.

15 (22) Furthermore, it is the intent of the legislature to take
16 immediate action to help communities become more resilient to
17 wildfire. Strategies to accomplish these goals include, but are not
18 limited to:

19 (a) Increasing funding for cost share programs for home
20 hardening, fuels reduction, and community resilience programs in
21 communities at risk of wildfire;

22 (b) Reducing wildfire risk to wildland urban interfaces; and

23 (c) Ensuring our state's most vulnerable populations are not
24 disproportionately burdened by the impact and consequences of
25 wildfire.

26 (23) The legislature intends to provide \$125,000,000 per biennium
27 over the next four biennia for a total of \$500,000,000 and that these
28 investments will help protect the state's people, environment, and
29 economy.

30 NEW SECTION. **Sec. 2.** WILDFIRE RESPONSE, FOREST RESTORATION, AND
31 COMMUNITY RESILIENCE ACCOUNT. (1) The wildfire response, forest
32 restoration, and community resilience account is created in the state
33 treasury. All receipts from moneys directed to the account must be
34 deposited in the account. Moneys in the account may be spent only
35 after appropriation. Expenditures from the account may be used only
36 for carrying out the purposes of this act and for no other purposes.

37 (2) Expenditures from the account may be made to state agencies,
38 federally recognized tribes, local governments, fire and conservation
39 districts, nonprofit organizations, forest collaboratives, and small

1 forestland owners, consistent with the 20-year forest health
2 strategic plan, the wildland fire protection 10-year strategic plan,
3 and the Washington state forest action plan.

4 (3) The wildfire response, forest restoration, and community
5 resilience account may only be used to monitor, track, and implement
6 the following purposes:

7 (a) Fire preparedness activities consistent with the goals
8 contained in the state's wildland fire protection 10-year strategic
9 plan including, but not limited to, funding for firefighting capacity
10 and investments in ground and aerial firefighting resources,
11 equipment, and technology, and the development and implementation of
12 a wildland fire aviation support plan in order to expand and improve
13 the effectiveness and cost-efficiency of the department's wildland
14 fire aviation program;

15 (b) Fire prevention activities to restore and improve forest
16 health and reduce vulnerability to drought, insect infestation,
17 disease, and other threats to healthy forests including, but not
18 limited to, silvicultural treatments, seedling development, thinning
19 and prescribed fire, and postfire recovery activities to stabilize
20 and prevent unacceptable degradation to natural and cultural
21 resources and minimize threats to life and property resulting from
22 the effects of a wildfire. Funding priority under this subsection
23 must be given to programs, activities, or projects aligned with the
24 20-year forest health strategic plan, the wildland fire protection
25 10-year strategic plan, and the Washington state forest action plan
26 across any combination of local, state, federal, tribal, and private
27 ownerships;

28 (c) Fire protection activities for homes, properties,
29 communities, and values at risk including, but not limited to:
30 Potential control lines or strategic fuel breaks in forests and
31 rangelands near communities; improved warning and communications
32 systems to prepare for wildfires; increased engagement with non-
33 English speaking communities in their home language for community
34 preparedness; and the national fire protection association's fire
35 wise USA and the fire-adapted communities network programs to help
36 communities take action before wildfires.

37 (4) Appropriations for forest health activities funded by the
38 wildfire response, forest restoration, and community resilience
39 account shall not be less than 25 percent of the biennial
40 appropriated funding.

1 (5) Appropriations for community resilience activities funded by
2 the wildfire response, forest restoration, and community resilience
3 account shall not be less than 15 percent of the biennial
4 appropriated funding.

5 (6) Funding may not be used for emergency fire costs or
6 suppression costs as defined in RCW 76.04.005.

7 (7) To the maximum extent possible, workforce development
8 investments from the wildfire response, forest restoration, and
9 community resilience account should prioritize historically
10 marginalized, underrepresented, rural, and low-income communities.

11 (8) Any expenditures from the wildfire response, forest
12 restoration, and community resilience account for forest health
13 treatments on federal lands must be additive to the baseline
14 accomplishments and outputs already funded through the federal
15 government and outlined in the annual work plans of the United States
16 forest service, bureau of land management, the national park service,
17 and/or the United States fish and wildlife service.

18 (9) The department may solicit the forest health advisory
19 committee established in RCW 76.06.200 and wildland fire advisory
20 committee established in RCW 76.04.179 to provide recommendations for
21 investments under this section. In assessing investments and
22 developing recommendations for communities that will be impacted
23 based on ecological, public infrastructure, and life safety needs as
24 set forth in the 20-year forest health strategic plan and the
25 wildland fire protection 10-year strategic plan, the forest health
26 advisory committee and wildland fire advisory committee must use
27 environmental justice or equity focused tools, such as the Washington
28 tracking network's environmental health disparities tool to identify
29 highly impacted communities. This identification must be used as a
30 factor in determining recommendations for investments under this
31 section. "Highly impacted communities" has the same meaning as
32 defined in RCW 19.405.020.

33 (10) To the maximum extent practicable and consistent with
34 landowner objectives, forest health treatments funded through the
35 wildfire response, forest restoration, and community resilience
36 account shall seek to utilize the value of any merchantable materials
37 to help offset treatment costs.

38 NEW SECTION. **Sec. 3.** TRANSPARENCY AND ACCOUNTABILITY. (1) By
39 December 1st of each even-numbered year, and in compliance with RCW

1 43.01.036, the department must report to the governor and legislature
2 on the following:

3 (a) The type and amount of the expenditures made, by fiscal year,
4 and for what purpose, from the wildfire response, forest restoration,
5 and community resilience account created in section 2 of this act;

6 (b) The amount of unexpended and unobligated funds in the
7 wildfire response, forest restoration, and community resilience
8 account and recommendations for the disbursement to local districts;

9 (c) Progress on implementation of the wildland fire protection
10 10-year strategic plan including, but not limited to, how investments
11 are reducing human-caused wildfire starts, lowering the size and
12 scale and geography of catastrophic wildfires, reducing the
13 communities, landscapes, and population at risk, and creating
14 resilient landscapes and communities;

15 (d) Progress on implementation of the 20-year forest health
16 strategic plan as established through the forest health assessment
17 and treatment framework pursuant to RCW 76.06.200 including, but not
18 limited to: Assessment of fire prone lands and communities that are
19 in need of forest health treatments; forest health treatments
20 prioritized and conducted by landowner type, geography, and risk
21 level; estimated value of any merchantable materials from forest
22 health treatments; and number of acres treated by treatment type,
23 including the use of prescribed fire.

24 (2) The department must include recommendations on any
25 adjustments that may be necessary or advisable to the mechanism of
26 funding dispensation as created under this act.

27 (3) The report required in this section should support existing
28 department assessments pursuant to RCW 79.10.530 and 76.06.200.

29 (4) Upon the determination of a sustainable harvest calculation
30 as required by RCW 79.10.300(5), the department shall provide the
31 necessary information for the joint legislative audit and review
32 committee established in chapter 44.28 RCW to oversee an independent
33 review of the methodologies and data utilized by the department in
34 development of the sustainable harvest calculation, including the
35 associated forest inventory, forest growth, harvest and yield data
36 and modeling, as well as the regulations or policy decisions that
37 impact harvest levels.

38 (a) The joint legislative audit and review committee shall
39 oversee an independent review of the methodologies and data utilized
40 by the department in determining a sustainable harvest calculation as

1 required by RCW 79.10.300(5), including the associated forest
2 inventory, forest growth, harvest and yield data and modeling, as
3 well as the regulations or policy decisions that impact harvest
4 levels. In carrying out the review, the joint legislative audit and
5 review committee shall:

6 (i) Retain one or more contractors with expertise in forest
7 growth and yield monitoring, timber harvest scheduling, and the
8 management of timberlands under the requirements of chapter 76.09
9 RCW;

10 (ii) Convene an independent advisory committee of experts on
11 forest growth and yield monitoring, timber harvest scheduling, forest
12 engineering, and the management of timberlands under the requirements
13 of chapter 76.09 RCW. The joint legislative audit and review
14 committee must solicit and consider recommendations from state trust
15 land beneficiaries, private timberland companies, and purchasers of
16 the department's timber sales when selecting members of the
17 independent advisory committee; and

18 (iii) Within six months of the determination by the department
19 under RCW 79.10.300(5), complete the independent review and submit a
20 report with findings and recommendations to the board of natural
21 resources and the legislature.

22 (b) Upon receiving the report from the joint legislative audit
23 and review committee required under (a)(iii) of this subsection, the
24 board of natural resources shall determine whether modifications are
25 necessary to sustainable harvest calculation set under RCW
26 79.10.300(5).

27 **Sec. 4.** RCW 76.06.200 and 2019 c 305 s 1 are each amended to
28 read as follows:

29 (1) The department must establish a forest health assessment and
30 treatment framework designed to proactively and systematically
31 address the forest health issues facing the state. Specifically, the
32 framework must endeavor to achieve an initial goal of assessing and
33 treating one million acres of land by 2033.

34 (2) The department must utilize the framework to assess and treat
35 acreage in an incremental fashion each biennium. The framework
36 consists of three elements: Assessment; treatment; and progress
37 review and reporting.

38 (a) Assessment. Each biennium, the department must identify and
39 assess two hundred thousand acres of fire prone lands and communities

1 that are in need of forest health treatment, including the use of
2 prescribed fire or mechanical treatment (~~(, such as thinning)~~).

3 (i) The scope of the assessment must include lands protected by
4 the department as well as lands outside of the department's fire
5 protection responsibilities that could pose a high risk to department
6 protected lands during a fire.

7 (ii) The assessment must identify areas in need of treatment, the
8 type or types of treatment recommended, spatial optimization of
9 forest treatments across landscapes, data and planning needs to carry
10 out recommended treatment, and the estimated cost of recommended
11 treatment.

12 (iii) The department shall develop a mapping tool to identify
13 small forestland owners within wildfire risk areas and use this tool
14 to evaluate and optimize forest health work at a landscape scale to
15 move high risk wildfire areas to lower risk and to leverage funding
16 and the small forestland owner forest health program and landowner
17 assistance program in section 7 of this act with the greatest impact
18 for wildfire prevention, preparedness, and response.

19 (b) Treatment. Each biennium, the department must review
20 previously completed assessments and prioritize and conduct as many
21 identified treatments as possible using appropriations provided for
22 that specific purpose.

23 (c) Progress review and reporting. By December 1st of each even-
24 numbered year, the department must provide the appropriate committees
25 of the legislature and the office of financial management with:

26 (i) A request for appropriations designed to implement the
27 framework in the following biennium, including assessment work and
28 conducting treatments identified in previously completed assessments;

29 (ii) A prioritized list and brief summary of treatments planned
30 to be conducted under the framework with the requested
31 appropriations, including relevant information from the assessment;
32 and

33 (iii) A list and brief summary of treatments carried out under
34 the framework in the preceding biennium, including total funding
35 available, costs for completed treatment, and treatment outcomes. The
36 summary must include any barriers to framework implementation and
37 legislative or administrative recommendations to address those
38 barriers.

39 (3) In developing and implementing the framework, the department
40 must:

1 (a) Utilize and build on the forest health strategic planning
2 initiated under section 308(11), chapter 36, Laws of 2016 sp. sess.,
3 to the maximum extent practicable, to promote the efficient use of
4 resources;

5 (b) Prioritize, to the maximum extent practicable consistent with
6 this section, forest health treatments that are strategically planned
7 to serve the dual benefits of forest health maximization while
8 providing geographically planned tools for wildfire response; (~~and~~)

9 (c) Where possible, partner with federally recognized tribes to
10 expand use of the tribal forest protection act on federal lands
11 managed by the United States forest service and the bureau of land
12 management;

13 (d) When entering into good neighbor agreements, as that term is
14 defined in RCW 79.02.010, prioritize, to the maximum extent
15 practicable consistent with this section, forest health treatments
16 adjacent to or nearby state lands so as to increase the speed,
17 efficiency, and impact on the landscape; and

18 (e) Establish a forest health advisory committee to assist in
19 developing and implementing the framework. The committee may: (i)
20 Include representation from large and small forestland owners,
21 wildland fire response organizations, milling and log transportation
22 industries, forest collaboratives that may exist in the affected
23 areas, highly affected communities and community preparedness
24 organizations, conservation groups, and other interested parties
25 deemed appropriate by the commissioner; and (ii) consult with
26 relevant local, state, and federal agencies, and tribes.

27 (4) In implementing subsection (3)(b) of this section, the
28 department shall attempt to locate and design forest health
29 treatments in such a way as to provide wildfire response personnel
30 with strategically located treated areas to assist with managing fire
31 response. These areas must attempt to maximize the firefighting
32 benefits of natural and artificial geographic features and be located
33 in areas that prioritize the protection of commercially managed lands
34 from fires originating on public land.

35 (5) The department must establish and implement the forest health
36 assessment and treatment framework within the appropriations
37 specifically provided for this purpose.

38 NEW SECTION. Sec. 5. WORKFORCE DEVELOPMENT. (1) The legislature
39 finds that satisfying the goals identified in section 1 of this act

1 to increase the pace and scale of forest health treatments and
2 improve wildfire prevention and response requires increasing the
3 workforce that is needed to perform this critical work. This need
4 creates an opportunity to develop employment and career pathways
5 across the state, including in rural communities throughout
6 Washington. Investments to support and further develop the forest
7 sector workforce are recommended in both the department's 2019 "plan
8 for climate resilience" and the department of commerce's 2020 report
9 "Washington's green economy."

10 (2) The department and the department of commerce shall jointly
11 develop and implement, as appropriate and in consultation with
12 centers of excellence, higher education, secondary education, and
13 workforce development centers, initiatives to develop a forest health
14 workforce necessary to implement the goals of this section.
15 Initiatives may include, but are not limited to:

16 (a) Creating a new or making an existing grant program available
17 to nonprofits, labor organizations, state agencies, community and
18 technical colleges, institutions of higher education, private sector
19 employers, skills centers, or other training and education
20 institutions that have qualifications and experience in the
21 development of training programs, such as secondary and postsecondary
22 courses, relevant to the workforce needs of the forest sector. Grants
23 must be awarded on a competitive basis with priority funding for
24 programs that meet urgent forest health and wildfire suppression
25 skills gaps and demonstrate a lack of available workforce in
26 underserved communities. Grants awarded may be used for activities
27 such as internships, Washington state registered apprenticeship
28 programs, recognized preapprenticeships, career launch, and other
29 relevant career connect Washington activities, and postsecondary
30 bridge programs for forest sector or skill relevant trades that
31 provide:

- 32 (i) On the job training;
- 33 (ii) Hard and soft skills development;
- 34 (iii) Test preparation for trade apprenticeship;
- 35 (iv) Advanced training in the forest sector relating to jobs such
36 as: Hand crews; wildland firefighters; fire safety; equipment
37 operators; timber operators; mill workers; mill or forestry
38 technicians; mechanics; loggers; timber fallers; commercial truck
39 drivers; foresters; ecologists; biologists; or other workforce needs
40 in support of forest restoration and wildfire response;

1 (b) Developing education programs for elementary, secondary, and
2 higher education students that: (i) Inform people about the role of
3 forestry, fire, vegetation management, and ecological restoration;
4 (ii) increase the awareness of opportunities for careers in the
5 forest sector and exposure of students to those careers through
6 various work-based learning opportunities inside and outside the
7 classroom; (iii) connect students in pathways to careers in the
8 forest sector; and (iv) incorporate opportunities for secondary
9 students to earn industry recognized credentials and dual credit in
10 career and technical education courses;

11 (c) Developing regional education, industry, and workforce
12 development collaborations, including recruiting and building
13 industry awareness and coordinating candidate development
14 particularly in areas that are traditionally underrepresented in
15 natural resource industries and specifically in forestry;

16 (d) Building additional statewide response. The department shall
17 develop a recruiting and outreach program across the state to
18 encourage people to volunteer with their local fire departments. The
19 department shall expand existing training programs to meet increased
20 interest and need in wildfire response and forest health work; and

21 (e) Developing a program to train local building and construction
22 trade members and contractors to be deployed during periods requiring
23 surge capacity for wildland fire suppression including:

24 (i) As wildland firefighters who meet the requirements of being
25 utilized by the department; and

26 (ii) As heavy equipment operators who meet the requirements to be
27 utilized by the department as required by RCW 76.04.181.

28 (3) The commissioner and the director of the department of
29 commerce must direct their staff to develop a plan for tracking,
30 maintaining, and publicly reporting on the following:

31 (a) A working definition of the forest sector workforce,
32 including the job skills, certifications, and experience required;

33 (b) Recommendations for the training, recruitment, and retention
34 of the current and anticipated forest sector workforce necessary to
35 implement the goals of this act;

36 (c) The identification of gaps and barriers to a full forest
37 sector workforce pool, including:

38 (i) Estimates of forest sector workforce jobs created and
39 retained as well as any reductions in the forest sector workforce;

1 (ii) An estimate of the number of needed private contractors to
2 implement the goals of this act, an inventory of local and regional
3 private contractors trained to carry out wildfire response and forest
4 health work, and a list of local private contractors utilized
5 annually for wildfire response and forest health work; and

6 (iii) An inventory of existing training facilities and programs
7 that support ongoing and anticipated forest sector, or related
8 sectors, as identified in subsection (2)(a)(iv) of this section;

9 (d) Recommendations for addressing identified barriers or other
10 needs to otherwise continue the development of a forest workforce
11 necessary to implement the goals of this act.

12 (4) The department and the department of corrections shall
13 jointly develop opportunities to expand existing programs to provide
14 the additional wildfire, forest health, and silvicultural capacity
15 necessary to implement the goals of this act, including a postrelease
16 program that helps formerly incarcerated individuals who served on
17 state fire response crews obtain employment in wildfire suppression
18 and forest management. The department and the department of
19 corrections must pay the equivalent of the local minimum wage to
20 inmate crewmembers who perform wildfire suppression work.

21 (5) The department shall utilize existing programs such as the
22 Washington conservation corps, Washington veterans corps, Washington
23 service corps, customized and on-the-job training, or similar
24 programs to expand opportunities and promote family wage careers in
25 the forest sector workforce.

26 (6) To the maximum extent possible, workforce development
27 programs and policies should prioritize historically marginalized,
28 underrepresented, rural, and low-income communities.

29 **Sec. 6.** RCW 76.06.150 and 2009 c 163 s 5 are each amended to
30 read as follows:

31 (1) The commissioner (~~(of public lands)~~) is designated as the
32 state of Washington's lead for all forest health issues.

33 (2) The commissioner (~~(of public lands)~~) shall strive to promote
34 communications between the state, tribes, and the federal government
35 regarding forestland management decisions that potentially affect the
36 health of forests in Washington and will allow the state to have an
37 influence on the management of federally owned land in Washington.
38 Such government-to-government cooperation is vital if the condition
39 of the state's public and private forestlands are to be protected.

1 These activities may include, when deemed by the commissioner to be
2 in the best interest of the state:

3 (a) Representing the state's interest before all appropriate
4 local, state, and federal agencies and tribes;

5 (b) Assuming the lead state role for developing formal comments
6 on federal forest management plans that may have an impact on the
7 health of forests in Washington;

8 (c) Pursuing in an expedited manner any available and appropriate
9 cooperative agreements, including cooperating agency status
10 designation, with the United States forest service and the United
11 States bureau of land management that allow for meaningful
12 participation in any federal land management plans that could affect
13 the department's strategic plan for healthy forests and effective
14 fire prevention and suppression, including the pursuit of any options
15 available for giving effect to the cooperative philosophy contained
16 within the national environmental policy act of 1969 (42 U.S.C. Sec.
17 4331) (~~and~~

18 ~~(d) Pursuing~~)).

19 (3) The commissioner shall regularly meet and coordinate with the
20 regional leadership of the United States forest service, in order to:

21 (a) Identify strategies to improve the delivery and increase the
22 pace and scale of forest health and resiliency, and fuels mitigation
23 treatments, on federal lands;

24 (b) Document the resources needed to increase the capacity
25 available to the United States forest service, on national forests in
26 Washington;

27 (c) Identify supplemental planning and implementation support to
28 the United States forest service, through the use of cooperative
29 agreements and good neighbor agreements, as that term is defined in
30 RCW 79.02.010;

31 (d) Maximize the utilization of available efficiencies for
32 compliance with the national environmental policy act, as it applies
33 to actions of the United States forest service in Washington, such as
34 tools to increase the pace and scale of forest health treatments
35 including, but not limited to, categorical exclusions, shared
36 stewardship, and tribal forest protection act for forest health,
37 fuels mitigation, and restoration activities;

38 (e) Accelerate national environmental policy act completion for
39 forest health and resiliency projects, including through increased
40 staffing and the use of partners, contractors, and department

1 expertise to complete national environmental policy act requirements
2 analysis; and

3 (f) Pursue agreements with federal agencies in the service of
4 forest biomass energy partnerships and cooperatives authorized under
5 RCW 43.30.835 through 43.30.840.

6 ~~((3) The))~~ (4) Every two years, the commissioner ~~((of public~~
7 ~~lands))~~ shall report to the ~~((chairs of the appropriate standing~~
8 ~~committees of the))~~ legislature ~~((every year))~~ on progress under this
9 section, including ~~((the))~~:

10 (a) The identification, if deemed appropriate by the
11 commissioner, of any needed state or federal statutory changes,
12 policy issues, or funding needs; and

13 (b) An estimate of the acres of at-risk forests on each national
14 forest and the number of acres treated.

15 NEW SECTION. Sec. 7. A new section is added to chapter 76.13
16 RCW to read as follows:

17 SMALL FORESTLAND OWNER FOREST HEALTH PROGRAM. (1) There is
18 established an integrated small forestland owner forest health
19 program that promotes the coordination and delivery of services with
20 federal, state, and local agencies, including local fire districts,
21 conservation districts, and community wildfire resilience coalitions,
22 forest landowner associations, colleges and universities, landowner
23 assistance organizations, consultants, forest resource-related
24 industries, and environmental organizations to nonindustrial forests
25 and woodland owners, hereafter referred to as small forestland
26 owners.

27 (2) Under the state forester's direction, the program must:

28 (a) Integrate existing landowner assistance forest health
29 programs consistent with the recommendations of "Washington's Small
30 Forest Landowners in 2020, Status, Trends and Recommendations after
31 20 years of Forests & Fish, January 2021" (the report required by
32 chapter 457, Laws of 2019), to more efficiently and effectively reach
33 the diversity of small forestland owner audiences to take forest
34 health action;

35 (b) Identify and remove barriers to technical assistance,
36 funding, and forest health management planning;

37 (c) Increase education and outreach to small forestland owners;
38 and

1 (d) Distribute funding effectively to move high wildfire risk
2 areas to lower risk.

3 (3) Priority areas for forest health treatment under the
4 Washington state forest action plan, the 10-year forest health
5 strategic plan, and the wildland fire protection 10-year strategic
6 plan may not prohibit technical support or stewardship plan support
7 for small forestland owner lands outside the designated emphasis
8 areas.

9 NEW SECTION. **Sec. 8.** WILDFIRE AVIATION RESPONSE. The department
10 must develop and implement a wildland fire aviation support plan, as
11 recommended by the wildland fire protection 10-year strategic plan,
12 in order to expand and improve the effectiveness and cost-efficiency
13 of the department's wildland fire aviation program. The wildland fire
14 aviation support plan must include:

15 (1) Recommendations for the addition of air assets in order for
16 the department to increase its initial attack capability and maintain
17 and improve on the department's ability to manage fires to meet 10-
18 year wildland fire protection and 20-year forest health strategic
19 plan goals;

20 (2) Development of a next-generation rotor wing platform strategy
21 to ensure the availability and use of the latest firefighting
22 aviation technology and provide a path for either the upgrade or
23 replacement, or both, of the department's legacy aircraft;

24 (3) Evaluation of opportunities to increase the use of contract
25 air assets;

26 (4) Evaluation of costs and benefits to increase dedicated air
27 resources during peak fire season when there may be limited available
28 supply due to wildfire activity in other states; and

29 (5) Strategies to upgrade retardant loading and processing
30 infrastructure to improve tanker turnaround time, including support
31 for development of infrastructure to accommodate very large air
32 tankers, at a port with an international airport within a county east
33 of the crest of the Cascade mountains that does not share a border
34 with another state.

35 **Sec. 9.** RCW 72.64.160 and 1991 c 131 s 2 are each amended to
36 read as follows:

1 (1) For the purposes of RCW 72.64.150, inmate forest fire
2 suppression crews may be considered a class I free venture industry,
3 as defined in RCW 72.09.100, when fighting fires on federal lands.

4 (2) For the purposes of RCW 72.64.050, inmate forest fire
5 suppression crews when fighting fires on nonfederal lands must
6 receive a gratuity no less than the minimum wage per hour paid in the
7 locality in which the industry is located.

8 NEW SECTION. **Sec. 10.** If specific funding for the purposes of
9 this act, referencing this act by bill or chapter number, is not
10 provided by June 30, 2021, in the omnibus appropriations act, this
11 act is null and void.

12 NEW SECTION. **Sec. 11.** SHORT TITLE. This act may be known and
13 cited as the wildfire response, forest restoration, and community
14 resilience act.

15 NEW SECTION. **Sec. 12.** Sections 1 through 3, 5, and 8 of this
16 act are each added to chapter 76.04 RCW and codified with the
17 subchapter heading of "wildfire response, forest restoration, and
18 community resilience.""

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By Committee on Agriculture, Water, Natural Resources & Parks

19 On page 1, line 2 of the title, after "dangers;" strike the
20 remainder of the title and insert "amending RCW 76.06.200, 76.06.150,
21 and 72.64.160; adding new sections to chapter 76.04 RCW; adding a new
22 section to chapter 76.13 RCW; and creating new sections."

EFFECT: Adds legislative intent to increase funding for the Small
Forestland Owners Office and to provide a total of \$500 million over
8 years for forest health and reduction of wildlife dangers.

Requires a gratuity equivalent to the local minimum wage for
inmate fire suppression crews working on nonfederal lands.

Provides that forest health treatments funded through the newly
created account shall seek to utilize the value of any merchantable
materials to help offset treatment costs.

Directs the Joint Legislative Audit and Review Committee to
oversee an independent review of the sustainable harvest calculation

and submit a report with findings and recommendations to the Board of Natural Resources and the Legislature.

--- **END** ---