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SHB 2519 - H AMD 0222 FAILED 2/18/92

2 By Representatives Wynne, Beck, Brumsickle and Morton

3 On page 1, strike everything after the enacting clause and
4 insert the following:

5 "NEW SECTION. **Sec. 1.** The legislature finds that Washington
6 state faces increasing incidents of destructive wildfires in
7 wildland/urban interface areas. The wildfires periodically occur
8 in housing developments that are located in extreme high risk
9 areas. The wildfires threaten the health, safety, and welfare of
10 all persons in the areas. The legislature further finds that fire
11 prevention and fire safety are not currently being considered in
12 the local planning process for new residential housing
13 developments.

14 Therefore, preventive measures must be emphasized, including
15 developing fire prevention and fire protection strategies.

16 **Sec. 2.** RCW 76.04.005 and 1986 c 100 s 1 are each amended to
17 read as follows:

18 As used in this chapter, the following terms have the meanings
19 indicated unless the context clearly requires otherwise.

20 (1) "Additional fire hazard" means a condition existing on any
21 land in the state covered wholly or in part by forest debris which
22 is likely to further the spread of fire and thereby endanger life
23 or property.

1 (2) "Closed season" means the period between April 15 and
2 October 15, unless the department designates different dates
3 because of prevailing fire weather conditions.

4 (3) "Department" means the department of natural resources, or
5 its authorized representatives, as defined in chapter 43.30 RCW.

6 (4) "Department protected lands" means all lands subject to
7 the forest protection assessment under RCW 76.04.610 or covered
8 under contract or agreement pursuant to RCW 76.04.135 by the
9 department.

10 (5) "Emergency fire costs" means those costs incurred or
11 approved by the department for emergency forest fire suppression,
12 including the employment of personnel, rental of equipment, and
13 purchase of supplies over and above costs regularly budgeted and
14 provided for nonemergency fire expenses for the biennium in which
15 the costs occur.

16 (6) "Forest debris" includes forest slash, chips, and any
17 other vegetative residue resulting from activities on forest land.

18 (7) "Forest fire service" includes all wardens, rangers, and
19 other persons employed especially for preventing or fighting forest
20 fires.

21 (8) "Forest land" means any unimproved lands which have enough
22 trees, standing or down, or flammable material, to constitute in
23 the judgment of the department, a fire menace to life or property.
24 Sagebrush and grass areas east of the summit of the Cascade
25 mountains may be considered forest lands when such areas are
26 adjacent to or intermingled with areas supporting tree growth.

1 Forest land, for protection purposes, does not include structures.

2 (9) "Forest landowner," "owner of forest land," "landowner,"
3 or "owner" means the owner or the person in possession of any
4 public or private forest land.

5 (10) "Forest material" means forest slash, chips, timber,
6 standing or down, or other vegetation.

7 (11) "Landowner operation" means every activity, and
8 supporting activities, of a forest landowner and the landowner's
9 agents, employees, or independent contractors or permittees in the
10 management and use of forest land subject to the forest protection
11 assessment under RCW 76.04.610 for the primary benefit of the
12 owner. The term includes, but is not limited to, the growing and
13 harvesting of forest products, the development of transportation
14 systems, the utilization of minerals or other natural resources,
15 and the clearing of land. The term does not include recreational
16 and/or residential activities not associated with these enumerated
17 activities.

18 (12) "Participating landowner" means an owner of forest land
19 whose land is subject to the forest protection assessment under RCW
20 76.04.610.

21 (13) "Slash" means organic forest debris such as tree tops,
22 limbs, brush, and other dead flammable material remaining on forest
23 land as a result of a landowner operation.

24 (14) "Slash burning" means the planned and controlled burning
25 of forest debris on forest lands by broadcast burning,

1 underburning, pile burning, or other means, for the purposes of
2 silviculture, hazard abatement, or reduction and prevention or
3 elimination of a fire hazard.

4 (15) "Suppression" means all activities involved in the
5 containment and control of forest fires, including the patrolling
6 thereof until such fires are extinguished or considered by the
7 department to pose no further threat to life or property.

8 (16) "Unimproved lands" means those lands that will support
9 grass, brush and tree growth, or other flammable material when such
10 lands are not cleared or cultivated and, in the opinion of the
11 department, are a fire menace to life and property.

12 (17) "Washington state fire services" means the statutorily
13 authorized fire agencies within the state, including public fire
14 departments and districts, state fire fighting units, and federal
15 fire fighting units.

16 (18) "Wildland" means any forest or unimproved lands that have
17 enough flammable vegetative material, to constitute in the judgment
18 of the department, a fire menace to life or property. Wildland,
19 for protection purposes, does not include structures.

20 (19) "Wildland/urban interface or intermix" means a line,
21 area, or zone where structures and other human development meet or
22 intermingle with undeveloped wildland.

23 NEW SECTION. Sec. 3. A new section is added to chapter 76.04
24 RCW to read as follows:

1 (1) In cooperation with the Washington state fire services,
2 the department of natural resources shall develop a rating system
3 by July 1, 1993, to evaluate the levels of wildfire risk to
4 existing structures and potential development areas located in the
5 wildland/urban interface or intermix. This system shall be used to
6 identify areas of high and extreme hazard, and shall include a map
7 that displays these areas. The department shall reevaluate the
8 locations of risk areas as necessary, but at least every five
9 years.

10 (2) In designating areas of high or extreme fire hazard under
11 this section, the department shall consult with appropriate
12 federal, state, and local agencies, including but not limited to
13 Washington state fire services, the state building code council,
14 the utilities and transportation commission, and county and city
15 governments. The department shall also solicit participation by the
16 public by whatever means it finds appropriate. The department may
17 hold public hearings in communities affected by the department's
18 designations, may publicize its activity under this section, and
19 may conduct and organize workshops, conferences, and seminars.

20 (3) Nothing contained in this section shall be construed to
21 require cities or counties to amend or take any action with respect
22 to regulations, plans, or policies governed by the growth
23 management act, chapter 36.70A RCW."

24 On page 1, line 2 of the title, after "76.04;" strike "adding a new
25 section to chapter 19.27 RCW;"