



## What is Washington's Forest Health Law?

### Background

In 2007, the legislature amended state law governing forest health ([RCW 76.06](#)). Washington State Department of Natural Resources (DNR) was designated as the agency responsible for implementing a comprehensive program to improve forest health statewide. DNR currently provides insect and disease technical information and education to forest landowners. DNR also monitors forest health to record the extent of insect and disease damage, and gain advanced warning of outbreaks by certain pests.

### What does the new law accomplish?

The primary goal of the Forest Health program is to expand and improve forest health problem detection, the distribution of information and technical assistance to landowners, as well as coordination between all landowners. The program offers consultation regarding sources of risk to landowner objectives: insect infestations, diseases, tree overcrowding, and weather damage.

The amended law added emphasis on government-to-government coordination with federal, state and tribal land managers, so that forest conditions can be improved across large landscapes.

The goal is for landowners to receive timely information and assistance to become proficient at preventative, voluntary activities and help avoid unwanted insect and disease damage.

### Forest Health Hazard Warnings and Orders

As forest health problems spread across numerous landownerships and cause a significant increase in dead trees, fire danger increases significantly. RCW 76.06 authorizes the Commissioner of Public Lands to appoint a technical advisory committee to evaluate the forest health threats and recommend potential remedial actions. This committee is comprised of forest management practitioners and scientific experts. The Commissioner, considering the recommendations of the technical committee and other factors such as local input received at public meetings, may issue a "forest health hazard warning" to publicize the situation and stimulate a coordinated response.



Ponderosa pine trees killed by the western pine beetle  
(Photo by DNR, Mike Johnson)

If, in spite of voluntary efforts, forest conditions continue to deteriorate, the technical committee can recommend that the Commissioner issue a "forest health hazard order." An order by the Commissioner would identify the forest health threat in a specific area, and require landowners to take remedial action within designated timeframes. Failure to act means landowners could face potential liability for firefighting costs if a wildfire should occur in untreated forests there, unless the problem originated on public lands. The law provides a formal appeal and mitigation process for affected landowners.

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## How the process works

### Forest Health Hazard Warnings

- DNR identifies that the insect/disease activity is uncharacteristically severe, and likely to affect many landowners.
- Commissioner of Public Lands convenes technical committee to review situation and make recommendations on threat severity and management options.
- Commissioner conducts public hearings in affected areas. Committee recommendations and local input are used to determine what action is needed, such as forest health hazard warning.
- In ‘warning’ area, additional effort is provided by DNR toward landowner notification, technical assistance and treatment project coordination; landowners implement voluntary treatments; technical committee monitors results and reports the findings to Commissioner.
- If the problem is subsiding, the Commissioner ends the forest health hazard warning.

### Forest Health Hazard Orders

- If the problem persists or worsens, the Commissioner may decide to elevate the forest health hazard warning to an order.
- In ‘order’ area, landowners receive notification of required treatment activities or, unless the problem originates on public lands, they could become liable for future firefighting costs.
- Landowner notification, assistance, and project coordination continue to be provided by DNR.
- Committee continues to monitor situation and makes recommendations to the Commissioner regarding potentially changing the hazard order status.



Damage to Douglas fir and grand fir trees from western spruce budworm defoliation (Photo by DNR, Glenn Kohler)