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## HOUSE JOINT RESOLUTION NO. 36

Offered January 13, 2000

*Establishing a joint subcommittee to study the water quality and natural resource impacts of forestry activities and the effectiveness of Virginia's forestry "bad actor" law.*

Patron—Phillips

Referred to Committee on Rules

WHEREAS, forestry activities, when improperly conducted, can and do have adverse effects on water quality; and

WHEREAS, in 1993 the General Assembly, in response to recurring problems with some in the forestry industry who ignored the impact of their operations on water quality, passed Article 12 (§ 10.1-1181.1 et seq.) of Chapter 11 of Title 10.1, creating what has come to be known as the forestry "bad actor" law to deal with problem operations; and

WHEREAS, because of the importance of both forestry activities and water quality to the Commonwealth, the laws regulating forestry activities, as they relate to water quality and as they are implemented, should be closely examined and monitored; and

WHEREAS, even though it has been six years since the passage of the forestry "bad actor" legislation, there are still recurring problems with some logging operations in areas throughout the state; and

WHEREAS, those problem operations are having negative impacts on water quality and vital aquatic habitat; and

WHEREAS, recent audits by the Department of Forestry indicate a decline in full compliance with forestry best management practices; and

WHEREAS, potential increases in the use of chip mills have raised additional concerns regarding the potential natural resource impacts associated with such mills; and

WHEREAS, a thorough examination of the implementation of the forestry "bad actor" law and its effectiveness, and an examination of how other states protect water quality from forestry activities, will serve to foster better forestry activities in the Commonwealth and will promote protection of Virginia's important water and living resources; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the water quality and natural resource impacts of forestry activities and the effectiveness of Virginia's forestry "bad actor" law. The joint subcommittee shall be composed of eleven members, which shall include seven legislative members and four nonlegislative citizen members as follows: four members of the House of Delegates, to be appointed by the Speaker of the House according to Rule 16 of the House Rules; three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; one representative of a conservation organization concerned with preserving aquatic habitats and one representative from the Virginia Polytechnic Institute and State University Department of Forestry, to be appointed by the Speaker of the House; and one representative from the United States Forest Service who is knowledgeable in the hydrology of Southwest Virginia and one representative of the forestry industry, to be appointed by the Senate Committee on Privileges and Elections.

In conducting its study, the joint subcommittee shall review: (i) the implementation and effectiveness of Virginia's forestry "bad actor" law; (ii) the impacts forestry operations can have on water quality and aquatic habitat if performed improperly; (iii) other states' efforts to protect water quality from poor forestry practices; (iv) potential natural resource impacts associated with chip mills; and (v) strategies for improving the protection of water quality and aquatic habitat from poor forestry activities, including logger-education programs and requiring implementation of forestry best-management practices.

The direct costs of this study shall not exceed \$ 5,800.

The Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the Department of Forestry. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

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