

HOUSE BILL REPORT

2SSB 6082

As Reported by House Committee On:
Capital Budget

Title: An act relating to expanding the criteria for habitat conservation programs.

Brief Description: Expanding the criteria for habitat conservation programs.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Doumit and Rasmussen).

Brief History:

Committee Activity:

Capital Budget: 2/23/04, 3/1/04 [DPA].

**Brief Summary of Second Substitute Bill
(As Amended by House Committee)**

- Adds a category for riparian protection to the Washington Wildlife and Recreation Program (to the existing categories for outdoor recreation and habitat conservation.)
- Changes are made to the statutory formula for funding allocations made under the program. The new Riparian Protection Account receives 50 percent of any capital budget appropriation between \$40 - \$50 million and one-third of any appropriation over \$50 million.
- Requires the Department of Natural Resources and the Department of Fish and Wildlife to make a payment in lieu of taxes and another amount for control of noxious weeds on property acquired through the Habitat Conservation Account, and all state agencies acquiring land under the Riparian Protection Account must make these payments. The counties must distribute the payment in lieu of taxes to appropriate junior taxing districts and school districts.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: Do pass as amended. Signed by 15 members: Representatives Dunshee, Chair; Hunt, Vice Chair; Priest, Assistant Ranking Minority Member; Blake, Chase, Eickmeyer, Kirby, Lantz, Mastin, Morrell, Murray, Newhouse, O'Brien, G. Simpson and Veloria.

Minority Report: Do not pass. Signed by 8 members: Representatives Alexander, Ranking Minority Member; Benson, Bush, Hankins, Hinkle, Orcutt, Schoesler and Woods.

Staff: Charlie Gavigan (786-7340).

Background:

The Washington Wildlife and Recreation Program (WWRP) provides funds for the acquisition and development of local and state parks, water access sites, trails, critical wildlife habitat, and urban wildlife habitat. Counties, cities, ports, park and recreation districts, school districts, state agencies, and tribes are eligible to apply. Local and tribal governments must provide at least a 50 percent match in cash or in-kind contributions. Grants applications are evaluated annually and the Interagency Committee for Outdoor Recreation submits a list of prioritized projects to the Governor and Legislature for approval. Half the funds appropriated in a biennium for the WWRP are for habitat conservation and the other half for outdoor recreation, allocated by formulas established in statute.

Summary of Amended Bill:

A new category is added to the WWRP and changes are made to the statutory formula for allocations made under the program. Riparian protection is added to the existing categories for outdoor recreation and habitat conservation. Up to \$40 million in appropriations is allocated the same as it is in current law: half for outdoor recreation projects and half for habitat conservation projects. If the appropriation is between \$40 million and \$50 million, the allocation for the amount over \$40 million is: 25 percent each for the Habitat Conservation Account and the Outdoor Recreation Account; and 50 percent for the Riparian Protection Account. Any amounts over \$50 million are allocated as follows: one-third each to the three accounts.

The criteria for the new Riparian Protection Account grants are: whether the projects continue enrollment in the Conservation Reserve Enhancement Program; whether the projects are included in specified planning processes such as watershed, salmon recovery, or other local plans such as habitat conservation plans; whether there is community support; whether there is an immediate threat to the site; whether the quality of the habitat is good; whether the project is consistent with local land use plans, and whether the site has educational or scientific value. For cities and counties making acquisitions through the new Farmlands Preservation Account, the city or county must endeavor to sell the property to someone who will maintain it in agricultural production after the city or county has filed the appropriate deed restriction to preserve the property as agricultural.

The Department of Natural Resources and the Department of Fish and Wildlife must make a payment in lieu of taxes and another amount for control of noxious weeds on property acquired through the Habitat Conservation Account, and all state agencies acquiring land under the Riparian Protection Account must make these payments. The State Treasurer pays the counties directly for DNR properties. The counties must distribute the payment in lieu of taxes to appropriate junior taxing districts and school districts.

Amended Bill Compared to Second Substitute Bill:

The striking amendment adds a category for riparian protection to the Washington Wildlife and Recreation Program. Changes are made to the statutory formula for funding allocations made under the program. The new Riparian Protection Account receives 50 percent of any Capital Budget appropriation between \$40 and \$50 million and one-third of any appropriation over \$50 million. Provisions are added relating to payment in lieu of taxes and for noxious weeds, and other changes are made.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect July 1, 2005.

Testimony For: Stakeholders have been working since last year to try to reach a compromise on this important issue and are still working to try to resolve differences. The farm preservation proposal is not included in the bill because it is difficult to reach agreement in this area. The provisions relating to riparian protection and payment in lieu of taxes should be added back in. Progress is being made regarding state agency stewardship funds. Protecting riparian areas are important for both economic and environmental reasons.

Testimony Against: None.

Persons Testifying: Senator Parlette, prime sponsor; and Steve Pozzanghera, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: Mike Ryherd, WWRC; and Paul Parker, Washington State Association of Counties.