

HOUSE BILL REPORT

SB 5348

As Passed House:

March 13, 2009

Title: An act relating to removing references to mitigation banking project eligibility for moneys in the habitat conservation account and the riparian protection account.

Brief Description: Removing references to mitigation banking project eligibility for moneys in the habitat conservation account and the riparian protection account.

Sponsors: Senators Swecker, Haugen, Jacobsen, Parlette, Rockefeller and Shin; by request of The Recreation and Conservation Funding Board.

Brief History:

Committee Activity:

Capital Budget: 3/9/09 [DP].

Floor Activity

Passed House: 3/13/09, 92-0.

Brief Summary of Bill

- Removes mitigation banking projects from the list of allowable uses of the Washington Wildlife and Recreation Program funds in the Habitat Conservation Account and the Riparian Protection Account.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: Do pass. Signed by 15 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson, Blake, Chase, Grant-Herriot, Hope, Jacks, Maxwell, McCune, Orwall, Smith and White.

Staff: Annie Pennucci (786-7142)

Background:

The Washington Wildlife and Recreation Program (WWRP), created by the 1990 Legislature, provides funds for the acquisition and development of local and state parks,

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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. Grant applications are evaluated annually; the Recreation and Conservation Funding Board submits a list of prioritized projects to the Governor and Legislature for approval. In the 2007-09 biennial capital budget, the WWRP received \$100 million in state general obligation bonds. Table 1 displays historical appropriations for the WWRP.

Table 1: The WWRP State Capital Budget Appropriations

Biennium	Appropriation
1991-93	\$ 50,000,000
1993-95	\$ 65,000,000
1995-97	\$ 45,000,000
1997-99	\$ 45,000,000
1999-01	\$ 48,000,000
2001-03	\$ 45,000,000
2003-05	\$ 45,000,000
2005-07	\$ 50,000,000
2007-09	\$ 100,000,000

When biennial funding is less than \$40 million, half of the WWRP funding is distributed to the Habitat Conservation Account and half to the Outdoor Recreation Account. If biennial funding is more than \$40 million, a portion of the funding is distributed to the Riparian Protection Account and the Farmlands Preservation Account. Allowable uses of funds in each of the four WWRP accounts are summarized in Table 2.

Table 2: Allowable Uses of the WWRP Funds, by Account

Habitat Conservation	Outdoor Recreation	Riparian Protection	Farmlands Preservation
<ul style="list-style-type: none"> • Critical habitat • Natural areas • State lands restoration and enhancement • Urban wildlife habitat 	<ul style="list-style-type: none"> • Local parks • State parks • State lands development and renovation • Trails • Water access 	<ul style="list-style-type: none"> • Acquisition, enhancement, or restoration of riparian habitat 	<ul style="list-style-type: none"> • Acquisition and preservation of farmlands

In the Habitat Conservation Account and the Riparian Protection Account, allowable uses of funds include mitigation banking projects. A mitigation bank means a site where habitat is created, restored, enhanced, or preserved to offset authorized project impacts to similar areas. The WWRP mitigation banking funds may not be used to supplant an obligation of a state or local agency to provide mitigation.

Summary of Bill:

The bill removes mitigation banking projects from the statutory list of allowable uses of the Habitat Conservation Account and the Riparian Protection Account.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This agency-requested bill removes mitigation banking from allowable uses of Washington Wildlife and Recreation Program funds. Mitigation banking projects take four to eight years to get up and running and those funds are often reappropriated multiple times. Mitigation banking is a worthy idea but does not work for this program.

(Opposed) None.

Persons Testifying: Jim Fox, Recreation and Conservation Office.

Persons Signed In To Testify But Not Testifying: None.