

# HOUSE BILL REPORT

## HB 3122

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**As Reported by House Committee On:**  
General Government Appropriations

**Title:** An act relating to cost recovery for the natural heritage program.

**Brief Description:** Authorizing the department of natural resources to recover costs for data delivery services provided under the natural heritage program.

**Sponsors:** Representatives Darneille, Hunt, McCoy, Upthegrove and Dunshee; by request of Commissioner of Public Lands.

**Brief History:**

**Committee Activity:**

General Government Appropriations: 2/2/10, 2/5/10 [DP].

**Brief Summary of Bill**

- Requires the Department of Natural Resources to charge fees for the recovery of service costs related to the Washington Natural Heritage Program.

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### HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

**Majority Report:** Do pass. Signed by 10 members: Representatives Darneille, Chair; Takko, Vice Chair; Dunshee, Hudgins, Kenney, Klippert, Pedersen, Sells, Van De Wege and Williams.

**Minority Report:** Do not pass. Signed by 3 members: Representatives McCune, Ranking Minority Member; Blake and Short.

**Staff:** Owen Rowe (786-7391).

**Background:**

In 1981 the Legislature amended the Natural Area Preserves Act and established the Washington Natural Heritage Program (WNHP) within the Department of Natural Resources (DNR).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The WNHP manages site-specific and species/ecosystem-specific information on priority species and ecosystems; those that are rare or have very limited distribution.

The WNHP's mandate is to:

- identify which species and ecosystems are priorities for conservation effort;
- build and maintain a database for priority species and ecosystems; and
- share the information with others so that it can be used for environmental assessments and conservation planning purposes.

The data is used by a number of agencies, organizations, companies, and individuals for conservation planning, environmental review processes, and other information requests.

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### **Summary of Bill:**

In order to recover the service costs incurred for staff time and expenses, the WNHP must charge a \$6,000 annual subscription fee or a \$100 access fee per request, plus a charge of \$75 per hour to process and respond to a data request. The fees are deposited into the Natural Resources Conservation Areas Stewardship Account. The WNHP may waive the fees when a data request requires less than one hour of response time or when no data is provided. The DNR may also adjust or modify the fees as necessary to recover service costs.

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**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 bill is agency request legislation under direction from the Office of Financial Management. The bill provides for cost recovery for services provided by the WNHP. This bill would not make up for the budget shortfall that the DNR is experiencing through recent budget reductions to the WNHP. This information is of vital importance to local and statewide organizations. The ability to collect fees to support the WNHP is part of a solution to keep this activity viable. In the past, the DNR charged a \$30 fee for information requests for private firms and organizations. The WNHP is crucial to natural resource management. Contemporary work on natural resource issues requires consideration of data at the ecosystem level. The WNHP helps to support decision making regarding natural resource issues. This WNHP provides the only source of information on the state's plant and animal species as well as wetlands. This information is very important for conservation organizations to identify critical areas. The fees should be dedicated and kept separate from the general fund in order to support the WNHP.

(With concerns) There is concern about the future sustainability of the WNHP. It is the only program that catalogs environmental data in this manner. There is concern about the impact of user fees on the usage of the WNHP, and that the fees in this bill will not sufficiently support the WNHP. There should be additional funding appropriated to support the WNHP. This session there are many bills that impact the timber industry's bottom line. The hourly charge should be removed from this bill, as well as the provision that allows the DNR to adjust fees to support the WNHP.

(Opposed) None.

**Persons Testifying:** (In support) Peter Goldmark, Commissioner of Public Lands; Rocky Beach, Washington Department of Fish & Wildlife; Catherine Hovanic, Washington Native Plant Society; and Bill Robinson, The Nature Conservancy.

(With concerns) Debora Munguia, Washington Forest Protection Association.

**Persons Signed In To Testify But Not Testifying:** None.