

SENATE BILL REPORT

SB 5103

As of January 25, 2019

Title: An act relating to establishing natural areas.

Brief Description: Regarding establishing natural areas.

Sponsors: Senator Sheldon.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/24/19.

Brief Summary of Bill

- Requires the Department of Natural Resources to submit to the Governor and the Legislature for approval a list of all property acquisitions for use as natural resource conservation areas and as natural area preserves.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Department of Natural Resources (DNR) is authorized to acquire property for management as natural resource conservation areas (NRCAs) and as natural area preserves (NAPs). NRCAs are established for their outstanding scenic and ecological values, and allow for low-impact public use. DNR is required to develop a management plan for each NRCA identifying significant resources to be conserved and the areas with potential for low-impact public and environmental educational uses.

NAPs have more limited public access and are established to preserve the best remaining examples of Washington's native ecosystems. DNR is responsible for maintaining a state register of NAPs, maintaining a natural heritage program to assist in nominating and selecting areas for this designation, and for preparing a natural heritage plan to create and manage the system of natural areas. The Natural Heritage Advisory Council assists DNR by reviewing and approving the natural heritage plan, and reviewing and approving nominations for registration of lands as natural area preserves.

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.

Summary of Bill: Before November 1st of each even-numbered year, DNR must recommend to the Governor a prioritized list of all property acquisitions for the purpose of creating NRCAs and NAPs. The Governor may remove projects from the list recommended by DNR and must submit the amended list in the capital budget request to the Legislature. DNR may not sign contracts or otherwise financially obligate funds for the acquisition or assembly of areas for designation as NRCAs or NAPs before the Legislature has appropriated funds for the acquisitions.

Appropriation: None.

Fiscal Note: Requested on January 16, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: DNR should evaluate the process the Department of Fish and Wildlife uses in their Lands 2020 program to prioritize land purchases. There should be more legislative oversight and public involvement in the NRCA process. DNR has lost the community's faith to protect public resources, and the public involvement process lacks transparency.

CON: DNR needs to clarify the public process it uses to approve NRCAs. There is no relationship between the establishment of an NRCA in Dewatto Bay and any land disputes in the area. The public meetings in Dewatto Bay demonstrated that there was not sufficient public support to move forward at this time.

Persons Testifying: PRO: Senator Tim Sheldon, Prime Sponsor; Tom Davis, Washington Farm Bureau; Ken VanBuskirk, citizen; Earl Iddings, citizen.

CON: Brock Milliern, DNR.

Persons Signed In To Testify But Not Testifying: No one.