

HOUSE BILL REPORT

SSB 6231

As Passed House - Amended:

March 13, 2008

Title: An act relating to improving the coordination of marine protected areas in Washington.

Brief Description: Improving the coordination of marine protected areas.

Sponsors: By Senate Committee on Ways & Means (originally sponsored by Senators Jacobsen and Shin).

Brief History:

Committee Activity:

Ecology & Parks: 2/26/08, 2/27/08 [DP];

Appropriations Subcommittee on General Government & Audit Review: 2/29/08 [DPA].

Floor Activity:

Passed House - Amended: 3/6/08, 68-26.

Senate Refused to Concur.

Passed House - Amended: 3/13/08, 96-0.

Brief Summary of Substitute Bill (As Amended by House)

- Requires the director of the Washington Department of Fish and Wildlife to establish a work group relating to marine protected areas.

HOUSE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass. Signed by 8 members: Representatives Upthegrove, Chair; Rolfes, Vice Chair; Sump, Ranking Minority Member; Dickerson, Eickmeyer, Kristiansen, O'Brien and Pearson.

Staff: Jason Callahan (786-7117).

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT & AUDIT REVIEW

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.

Majority Report: Do pass as amended. Signed by 12 members: Representatives Linville, Chair; Ericks, Vice Chair; Skinner, Assistant Ranking Minority Member; Alexander, Blake, Chandler, Kretz, Lantz, Lias, Miloscia, Morris and Nelson.

Staff: Alicia Dunkin (786-7178).

Background:

In the year 2000 President Bill Clinton signed an executive order relating to the federal government's management of marine protected areas (MPAs). The executive order defines MPAs as areas of the marine environment that have been reserved by federal, state, territorial, tribal, or local laws and regulations to provide lasting protection for part or all of the natural and cultural resources located within the area.

The goals of the executive order are to strengthen the management and conservation of MPAs, develop a scientifically-based system of MPAs, and avoid causing harm to MPAs through federal actions. Each federal agency undertaking actions that may affect an MPA must identify those actions and avoid harm to the MPA.

The MPAs have been identified nationally, with approximately 80 located in Washington. The MPAs in Washington include areas such as national wildlife refuges, aquatic reserves established by the Commissioner of Public Lands, areas closed to bottom fishing by the Washington Department of Fish and Wildlife (WDFW), underwater parks, natural area preserves created by the Department of Natural Resources, and national parks.

The MPAs can be designated and managed by the federal or state government, or by an appropriate local government. Restrictions on activities in an MPA are limited to the authority of the government that created the MPA.

Summary of Amended Bill:

The Director of the WDFW is required to establish a work group on MPAs (Work Group). The MPAs are defined as marine or estuarine areas designated by a state, federal, local, or tribal government in order to provide long-term protection to the resources within the area.

The Work Group is directed to examine the current inventory and management of MPAs and develop a series of recommendations regarding MPAs. The focus of the recommendations must include improving the coordination among MPAs, improving the integration of science, and furthering the integration of local governments and non-governmental organizations into MPA management decisions. Depending on the outcome of separate legislation, the Work Group may either focus exclusively on coastal areas, or include the Puget Sound in its purview. If the Puget Sound is included, the Puget Sound Partnership must conduct reviews jointly for MPAs located within the Puget Sound.

The Work Group must be chaired by the Director of the WDFW (Director) and must be composed of individuals invited by the Director. Invited individuals must include

representatives of other state agencies and local governments with jurisdiction over MPAs, as well as representatives of federal agencies, tribal governments, and Marine Resource Committees.

The final report of the Work Group must be completed and delivered to the Legislature by December 1, 2009.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony: (Ecology & Parks)

(In support) It is important for Washington to remember that, unlike most states, it has to be concerned with two very different bodies of water: the Puget Sound and the Pacific Ocean. With so much focus on the Puget Sound, the coastal areas are often not given the attention they need and deserve. The Governor has entered into an agreement to work with other states located on the Pacific Ocean on issues relevant to the management of MPAs, but local input would also be a good idea.

Federal law allows states to have some influence over federal decisions off of the coast of states, but only if the adjacent state has relevant policies that can be expressed. Right now, Washington is silent too often on coastal issues.

(With concerns) This bill is not included in the Governor's budget.

(Opposed) None.

Staff Summary of Public Testimony: None.

Persons Testifying: (Ecology & Parks) (In support) Senator Jacobsen, prime sponsor; Jim Cahill, Puget Sound Partnership; and Rich Doenges, Department of Natural Resources.

(With concerns) Morris Barker, Department of Fish and Wildlife.

Persons Testifying: (Appropriations Subcommittee on General Government & Audit Review) None.

Persons Signed In To Testify But Not Testifying: (Ecology & Parks) None.

Persons Signed In To Testify But Not Testifying: (Appropriations Subcommittee on General Government & Audit Review) None.