

HOUSE BILL REPORT

ESHB 2650

As Amended by the Senate

Title: An act relating to important bird areas.

Brief Description: Recognizing important bird areas.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Flannigan, Cooper, Priest, Quall, Jarrett, Kessler, Tom, Rockefeller, Dunshee, Grant, Romero, Moeller, McDermott, O'Brien, Chase, Upthegrove, Hunt, G. Simpson, Kenney, Wallace, Wood and Kagi).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/30/04, 2/6/04 [DPS].

Floor Activity:

Passed House: 2/14/04, 95-0.

Senate Amended.

Passed Senate: 3/2/04, 48-0.

Brief Summary of Engrossed Substitute Bill

- Allows the Department of Natural Resource's natural heritage program to recognize certain sites that are identified by a qualifying nonprofit organization as having been scientifically determined to be necessary to conserve populations of native and migratory birds and the habitat they are dependent on for breeding, shelter, and sustenance.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Linville, Chair; Rockefeller, Vice Chair; Eickmeyer, Grant, Hunt, McDermott and Quall.

Minority Report: Do not pass. Signed by 6 members: Representatives Schoesler, Ranking Minority Member; Holmquist, Assistant Ranking Minority Member; Kristiansen, Assistant Ranking Minority Member; Chandler, Orcutt and Sump.

Staff: Jason Callahan (786-7117).

Background:

The Department of Natural Resources (DNR) is authorized to maintain a natural heritage program. This program is designed to provide assistance to the DNR in the selection and nomination of areas in the state containing natural heritage resources. Natural heritage resources are unique types of plant communities, animal species, and geologic or aquatic areas.

The natural heritage program is required to maintain a database that contains the location of natural heritage resources in the state. The information in the database is available to public and private entities to aid in environmental assessments and land management decisions. Generally, information in the database that relates to wildlife habitat is developed jointly with the Department of Fish and Wildlife.

The natural heritage program is directed by the natural heritage plan. This plan is required to provide details on which natural heritage resources are to be considered, and provide criteria for the selection of natural areas. Natural areas, also known as natural area preserves, are lands which have retained much of their natural character or are important in preserving natural heritage resources. Natural areas may be purchased, leased, set aside, or exchanged by the DNR. Natural areas in the state must be listed on the Washington Register of Natural Area Preserves. To be included on the register, the owner of the natural area must have voluntarily agreed to participate.

Summary of Engrossed Substitute Bill:

The DNR is provided discretionary authority to recognize important bird areas within their natural heritage program, using information collected by a qualifying nonprofit organization. "Qualifying nonprofit organization" is defined as a national nonprofit organization, or a branch of the organization, that conserves and restores natural ecosystems. "Important Bird Areas" is defined as areas identified by the DNR and a qualifying nonprofit organization that are necessary to conserve populations of wild winter fowl, upland game birds, songbirds, or other birds or their habitat.

Information relied on by the DNR should be based on internationally agreed-upon scientific criteria and protocols developed by a qualifying nonprofit organization. Once recognized, important bird areas must be included in the natural heritage program's data bank. Any qualifying nonprofit organization that the DNR teams with is encouraged to work with interested parties to maintain or enhance important bird areas.

EFFECT OF SENATE AMENDMENT(S):

Specifies that the recognition of a critical bird area does not create a critical area designation under the Growth Management Act.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Audubon's important bird area program is a national effort to identify important sites. The information can be used to identify areas where birdwatching tourism can be developed. The bill would allow the DNR to have the discretionary authority to work with nonprofits to determine if their data should be included in the DNR's data bank.

Nature tourism and wildlife watching bring a lot of money into the state's economy. Protecting resources will protect this aspect of the economy into the future. The current state databases have good information about where the important bird areas are located; however, the new data that Audubon Washington can provide would be very useful.

The bill would be non-regulatory and the DNR could reject any data that did not meet its standards.

Testimony Against: None.

Persons Testifying: (In support) Nina Carter, National Audubon Society; Steve Pozzanghera, Washington State Department of Fish and Wildlife; and Dean Schwickerath, Grays Harbor Audubon Society.

Persons Signed In To Testify But Not Testifying: (In support) Sue Danver and Charles Heebner, Black Hills Audubon Society; and Jim Jesernig, Washington Association of Conservation Districts.

(Concerns) Dan Wood, Washington State Farm Bureau.