

**SENATE BILL REPORT**

**ESHB 2628**

**AS REPORTED BY COMMITTEE ON AGRICULTURE & WATER RESOURCES,  
FEBRUARY 28, 1992**

**Brief Description:** Protecting riparian-associated wildlife from agricultural and grazing land practices.

**SPONSORS:** House Committee on Fisheries & Wildlife (originally sponsored by Representatives R. King, Orr, G. Cole, Rust, Belcher, Fraser, Horn, Morris, R. Meyers, Basich, Leonard, Valle and Jacobsen)

**HOUSE COMMITTEE ON FISHERIES & WILDLIFE**

**HOUSE COMMITTEE ON APPROPRIATIONS**

**SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES**

**Majority Report:** Do pass as amended.

Signed by Senators Barr, Chairman; Bailey, Conner, Gaspard, and W. Hansen.

**Staff:** Bob Lee (786-7404)

**Hearing Dates:** February 25, 1992; February 28, 1992

**BACKGROUND:**

Soil conservation districts have adopted best management practices for dryland and irrigated agriculture and rangeland to protect water quality as part of the non-point water quality program. There also exist best management practices under the non-point water quality program for other activities including construction, boats and marinas, noncommercial activities and forest practices.

The Growth Management Act requires each county that is required to develop a comprehensive plan to adopt development regulations to assure the conservation of agricultural land. The act requires that agricultural lands be used in the accustomed manner and be in accordance with best management practices. The Growth Management Act does not indicate which agency's best management practices are to be followed.

The Department of Wildlife manages 840,000 acres of land. The Department of Wildlife leases some of these lands for grazing and agriculture. The department has adopted rules for grazing and agricultural leases that assure that these practices are compatible with wildlife or recreation management objectives. The rules require that a grazing management plan accompany the leases.

The Department of Natural Resources manages approximately five million acres of land. Of these lands, 1.1 million acres are managed for crop and livestock production.

**SUMMARY:**

The Department of Wildlife is directed to appoint a technical advisory committee to assist in developing recommended best habitat management practices for application to land management activities in agriculture and range management. The practices are to be designed to maintain or improve sufficient habitat to preserve, protect, and perpetuate fish and wildlife, and are to be completed and presented to the appropriate legislative committees by August 31, 1993. The technical advisory committee shall include scientists representing agriculture, academia, the conservation commission and conservation districts, and the Departments of Ecology, Fisheries, and Natural Resources. The Department of Wildlife shall transmit its product to interested parties. The Washington State University Extension Service is directed to make this information available, within existing staffing and budget constraints, to the public.

The Departments of Wildlife and Natural Resources are to study methods of application of best habitat management practices as standards to agricultural and grazing lands owned or managed by these agencies. The study is to recognize the multiple use concept in Chapter 79.68 RCW for application of best habitat management practices to lands owned or managed by the Department of Natural Resources. The departments shall jointly report to the appropriate legislative committees by November 30, 1993, on the following:

- (1) Ownership and acreage of state-owned or managed lands to which best habitat management practices are applicable;
- (2) Feasible techniques to implement best habitat management practices; and
- (3) A reasonable time frame for implementation of best habitat management practices on state-owned and managed agricultural and grazing lands.

Washington State University is directed to report to the appropriate legislative committees by December 31, 1993, on how to best integrate fish and wildlife considerations with the existing curriculum in the university's Agriculture Department and with the Cooperative Extension Service. Washington State University shall also report on the feasibility and cost of creating a rotational assignment with the Department of Wildlife.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

The committee striking amendment deletes requirements that the Department of Wildlife develop standards for protection of fish and wildlife habitat on state owned agricultural and grazing lands and inserts a provision that allows for the filing of water right claims if a portion of the water is delivered to a national wildlife refuge.

**TESTIMONY FOR:**

There is a need to provide further guidance to the Department of Wildlife and the Department of Natural Resources regarding the management of state owned lands to assure protection of fish and wildlife habitat.

**TESTIMONY AGAINST:**

There are existing committees that are working on rangeland management issues that are precluded from being involved in this committee. The Department of Wildlife and the Department of Natural Resources presently have management practices that are part of lease agreements with lessees.

**TESTIFIED:** Representative Dick King, original prime sponsor; Marlyta Deck, Washington Cattlemen's Association (con); Jerry Kaufman (con)