

# SENATE BILL REPORT

## SSB 5327

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As Passed Senate, March 10, 1997

**Title:** An act relating to fish and wildlife enhancement.

**Brief Description:** Creating a habitat incentive program through the department of fish and wildlife.

**Sponsors:** Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Morton, Loveland, Rossi, Stevens, Snyder and Oke).

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/20/97, 2/25/97 [DPS].  
Passed Senate, 3/10/97, 48-0.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** That Substitute Senate Bill No. 5327 be substituted therefor, and the substitute bill do pass.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Jacobsen, Morton, Prentice, Roach, Snyder, Spanel, Stevens and Swecker.

**Staff:** Ross Antipa (786-7413)

**Background:** Landowners who make improvements to fish habitat may face changing regulatory requirements over time as a result of the habitat improvements.

Landowners who make investments in fish habitat improvements desire not to be penalized by increased regulation of hydraulic permits or forest practice permits that result from the habitat improvements.

**Summary of Bill:** Private landowners may participate in a habitat incentives programs for food fish or game fish habitat improvement with the Department of Fish and Wildlife if they own less than 1,000 total acres. The department is not obligated to enter agreements unless they protect fish habitat. Landowners who enter agreements with the department are subject to hydraulic permit and forest practice regulations that were in effect prior to the time habitat improvements were made. The agreements are specified in writing and are not transferrable to subsequent owners.

A one half-time fisheries biologist is funded for the program.

**Appropriation:** None.

**Fiscal Note:** Requested on February 11, 1997.

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

**Testimony For:** The habitat incentive program will enhance fish resources with a cooperative approach.

**Testimony Against:** None.

**Testified:** Rollie Geppert, WDFW; Willie O'Neil, Stilly/Sno Enhancement Gr. (pro); Dawn Vyvyan, Yakama Indian Nation (pro); Steve Robinson, NW Indian Fisheries Commission (pro).

**House Amendment(s):** The habitat incentive program for private landowners is expanded to include concurrence between the landowner, the Department of Fish and Wildlife, the Department of Natural Resources, and federally recognized Indian tribes. Initiation of the program is delayed until January, 1998, pending an exhaustive evaluation of all factors and potential outcomes of the program. Private landowners who participate in the habitat incentive program receive less regulatory certainty for future hydraulic permits than under the Senate version. Forest practice regulations are to be evaluated by the agencies for inclusion in the habitat incentives program. A null and void clause is included.