

SENATE BILL REPORT

ESSB 6231

As Passed Senate, February 17, 1998

Title: An act relating to natural area preserves.

Brief Description: Limiting the near-term growth of the natural area preserve program, and providing for a study of the program.

Sponsors: Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Anderson, Snyder, Swecker, T. Sheldon, Oke and Goings).

Brief History:

Committee Activity: Natural Resources & Parks: 2/6/98 [DPS, DNP].
Passed Senate, 2/17/98, 46-2.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 6231 be substituted therefor, and the substitute bill do pass.

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

Minority Report: Do not pass.

Signed by Senators Jacobsen, Prentice and Spanel.

Staff: Paul Mabrey (786-7412)

Background: Natural area preserves are public and private areas of land or water which have maintained their natural character or which are important in preserving rare or vanishing flora, fauna, or other natural historical features. The Department of Natural Resources is authorized to set the criteria for selection, acquisition, management, and protection these natural areas.

The Natural Heritage Advisory Council, consisting of 15 appointed members, reviews and approves area nominations for registration as a natural area, as well as reviews offers for voluntary dedication of natural areas.

Summary of Bill: The Department of Natural Resources must adopt no new management plans pertaining to any natural area preserves before January 10, 1999.

The Senate Natural Resources and Parks Committee is designated to study four aspects of the natural area preserves program. The four areas of proposed study are: (1) the potential impact of adopting preserve boundaries which encompass land that has not yet been purchased; (2) the correlation between the natural area preserve program and the natural resource conservation area program and the integration of the two programs; (3) the adequacy of public input procedures concerning boundaries and management; and (4) the

criteria and scientific methods used to ensure that preserve selection fulfills program purposes.

Appropriation: None.

Fiscal Note: Requested on January 28, 1998.

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

Testimony For: There is an opinion that there exists an abuse of power at DNR and that the program management manipulates legislative intent. Selection process is secretive in nature and does not provide for public input and process. Affected communities are outraged for the lack of process in taking away access to previously accessible land.

Testimony Against: A moratorium would freeze the state's ability to protect endangered, critical, and fragile wildlife, ecosystems, and the like. The Legislature currently has the power to control acquisition because land cannot be purchased without legislative appropriation. A moratorium will endanger fishing habitats. Current problems with the program are managerial in nature and the program need not be stopped to fix that problem. There is no other way to accomplish the goals of the program without governmental regulation of private property. There is no need for the bill - the program is running properly and should be expanded rather than curtailed. A moratorium would compromise one of the states important tools in resolving threatened fish and wildlife resolution and in preventing species listings in ESA.

Testified: PRO: Charles Thompson; Jim Walls, Columbia Pacific RCMD; Brian Blake; Jay Sterling; CON: Jennifer Belcher, DNR; Greg Combs; Rick Ereth; Elliot Marks, The Natural Conservancy; Lau Messmer, TNC; Joan Marie Poland; Dan Norris, Kitsap Audubon Society; Josh Baldi, WA Environmental Council.