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**Agriculture & Natural Resources  
Committee**

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**HB 1033**

**Brief Description:** Providing tools for the department of fish and wildlife to use in order to promote access to private lands for hunting.

**Sponsors:** Representatives Blake, Hurst, Kretz, Hayes, Condotta and Buys.

**Brief Summary of Bill**

- Dedicates a portion of the hazardous substance tax to fund a program by the Washington Department of Fish and Wildlife that assists private landowners in mitigating damages and expenses that can be caused by allowing the general public access to their land for hunting.

**Hearing Date:** 1/14/15

**Staff:** Jason Callahan (786-7117).

**Background:**

The Model Toxics Control Act (MTCA), which is administered and enforced by the Department of Ecology (DOE), requires liable parties to clean up sites contaminated with hazardous substances and authorizes the DOE to conduct certain pollution prevention activities. Under the MTCA, the State and Local Toxics Control Accounts (STCA and LTCA) exist to provide for hazardous and solid waste planning, contaminated site cleanup grants to local governments, and other activities related to hazardous waste prevention, management, and remediation. A new account, the Environmental Legacy Stewardship Account (ELSA), was created in 2013.

The primary source of revenue used to fund the activities authorized under the STCA, the LTCA, and the ELSA is a tax of 0.7 percent on the value of hazardous substances (the hazardous substances tax). The STCA receives 56 percent of the first \$140 million in revenue generated by

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the hazardous substances tax, while the LTCA receives the other 44 percent of that amount. The ELSA receives all hazardous substances tax revenues in excess of \$140 million.

Of the revenue dedicated to the STCA, 1 percent is reserved for public participation grants. These are grants administered by the DOE with the primary purpose of facilitating the participation by persons and non-governmental organizations in the investigation and remedying of releases or threatened releases of hazardous substances.

**Summary of Bill:**

The Washington Department of Fish and Wildlife (WDFW) is directed to design a program to assist private landowners in mitigating damages and expenses that can be caused by allowing the general public access to their land for hunting. The WDFW is given the discretion to use the funding provided to it for this purpose in the manner deemed most efficient. This includes the authority to enter into contracts with private landowners who agree to allow free access to their land to licensed hunters in exchange for assistance in collecting and disposing of litter, garbage, hazardous materials, and other items that can result from allowing public hunting access. The WDFW can provide the assistance directly with its own staff, contract with a third party, provide direct payments to participating landowners, or utilize the Washington Conservation Corps.

Funding for the new program is transferred to the WDFW-managed Wildlife Account from the STCA. The amount of money transferred for the new program is determined each biennium according to a set formula. The WDFW receives all revenue that represents 1 percent of total revenues collected from the hazardous substance tax, reduced by the amount of money that represents 1 percent of all collections during the 2011-13 fiscal biennium. That amount of money, defined as the established level, is reserved each biennium for public participation grants.

**Appropriation:** None.

**Fiscal Note:** Available.

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