
Capital Budget Committee

HB 2509

Brief Description: Implementing the recommendations of the 2015 review of the Washington wildlife and recreation program.

Sponsors: Representatives Tharinger, DeBolt, Blake and Zeiger; by request of Recreation and Conservation Office.

Brief Summary of Bill

- Modifies a portion of the current WWRP account structure.
- Shifts funding allocation among the WWRP accounts, as well as within the Habitat Conservation Account and Outdoor Recreation Account.
- Changes some WWRP eligibility and application processes.
- Modifies allowable costs and management requirements under the WWRP.

Hearing Date: 1/26/16

Staff: Christine Thomas (786-7142).

Background:

Established Program and Accounts.

The Washington Wildlife and Recreation Program (WWRP) was established in 1990 to provide capital budget funding in the form of grants for the acquisition and development of land for outdoor recreation and habitat conservation. Initially, the WWRP consisted of two accounts: the Habitat and Conservation Account (HCA) and the Outdoor Recreation Account (ORA). Appropriations made for the WWRP were allocated equally between the two accounts. In 2005, legislation created the Riparian Protection Account (RPA) and the Farmland Preservation Account (FPA) and established a statutory formula that allocates appropriated funds to the four accounts.

Grant Application Process.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The statute provides rulemaking, grant review, and prioritization authority to the Recreation and Conservation Funding Board (RCFB), which is administered by the Recreation and Conservation Office (RCO). Project applications are submitted by eligible recipients to the RCO in eleven categories including, for example, critical habitat, natural areas, and urban wildlife within the HCA and local parks, trails, and water access within the ORA, as well as riparian protection and farmland preservation. The applications are reviewed and evaluated by RCO staff and panels of experts. The RCFB considers and then approves a ranked list of projects that is submitted to the Governor and the Legislature for inclusion in the capital budget. Typical projects receiving grant funds include protecting wildlife habitat and recreation opportunities, renovating community parks, developing regional trails, restoring state lands, and protecting farmland.

Eligibility and Match Requirements.

Eligible recipients include state agencies, local governments, Native American tribes, and nonprofit entities (farmland preservation and riparian protection categories only). Local governments, Native American tribes, and nonprofit entities must provide 50 percent match of the total project costs.

2015 WWRP Review.

A proviso in the 2015-17 Capital Budget directed the RCO to convene and facilitate a stakeholder process to review and make recommendations on the WWRP. The RCO submitted a report to the Legislature in December 2015, which includes background on WWRP project funding, a summary of the review process, and a series of statutory and administrative recommendations.

Summary of Bill:

Modifies the Washington Wildlife and Recreation Program (WWRP) Account Structure.

Several changes are made to the WWRP's account structure:

- Eliminates the RPA as a separate account and creates a new riparian protection funding category within the HCA; and
- Renames the FPA as the Farm and Forests Account (FFA), with 90 percent of funds dedicated to farmland preservation projects and 10 percent for projects on forest land.

Shifts Allocation Among WWRP Accounts.

The allocation among WWRP accounts is modified from a structure that varies based on the appropriation level to a structure that provides 45 percent to the ORA, 45 percent to the HCA, and 10 percent to the FFA, regardless of the appropriated amount.

Current	HB 2509
Appropriations of \$40 M or less: <ul style="list-style-type: none"> • 50% - HCA • 50% - ORA 	Appropriations at all levels: <ul style="list-style-type: none"> • 45% - HCA • 45% - ORA • 10% - FFA
Appropriations over \$40 M: <ul style="list-style-type: none"> • \$20 M - HCA • \$20 M - ORA • Amounts between \$40-50 M: <ul style="list-style-type: none"> • 10% - HCA 	

- 10% - ORA
- 40% - RPA
- 40% - FPA
- Amounts over \$50 M:
 - 30% - HCA
 - 30% - ORA
 - 30% - RPA
 - 10% - FPA

Shifts Allocation Within the HCA.

An additional funding category is established for riparian habitat within the HCA, and the percentage of funding for state lands restoration and enhancement is increased. The percentage of funding for each of the remaining categories decreases.

Current	HB 2509
Allocation within the HCA: <ul style="list-style-type: none"> • 45% - Critical habitat • 30% - Natural areas • 20% - Urban wildlife habitat • 5% - State lands restoration and enhancement (DFW & DNR) 	Allocation within the HCA: <ul style="list-style-type: none"> • 35% - Critical habitat • 25% - Natural areas • 15% - Riparian habitat • 15% - Urban wildlife • Lesser of 10% or \$3 M for state lands restoration and enhancement (DFW, DNR, State Parks). Amounts in excess of \$3 M are for riparian habitat

Shifts Allocation Within the ORA.

The percentage of funds for state recreational lands within the ORA is increased by 5 percent, while the amount for water access sites is decreased by 5 percent.

Current	HB 2509
Allocation within the ORA: <ul style="list-style-type: none"> • 30% - State Parks, at least 50% for acquisition • 30% - Local parks, at least 50% for acquisition • 20% - Trails • 15% - Water access sites • 5% - State recreational lands (DFW & DNR) 	Allocation within the ORA: <ul style="list-style-type: none"> • 30% - State Parks, 40-50% for acquisition • 30% - Local parks, 40-50% for acquisition • 20% - Trails • 10% - Water access sites • Lesser of 10% or \$3 M for state recreational lands (DFW & DNR). Amounts in excess of \$3 M are for water access sites

Modifies WWRP Eligibility and Application Processes.

- Expands eligibility for nonprofit nature conservancies within the HCA to include the natural areas, critical habitat, and urban wildlife categories.

- Allows State Parks to apply for funding from the restoration and enhancement category within the HCA, in addition to DFW and DNR.
- Allows other state agencies not eligible to apply for WWRP funds, such as the Department of Transportation or the Department of Corrections, to enter into interagency agreements with eligible state agencies to apply in partnership for riparian protection funds.
- Directs the RCFB to consider multiple benefits provided by a project when setting acquisition priorities for the HCA, meaning the projects are compatible with habitat conservation or provide additional conservation benefits.
- Sets priorities for forest land projects including community support, likelihood of conversion of the site to nontimber or highly developed use, consistency with local land use plans, and existence of multiple benefits.
- Specifies that in addition to reviewing an application with the appropriate local governments, applicants must confer with them as well for the purpose of early review of potential projects.

Modifies Allowable Costs and Management Requirements Under the WWRP.

- Adds noxious weed control to allowable incidental costs paid from HCA grants for land acquisitions, in addition to currently authorized costs such as fencing and surveying.
- Specifies that development, recreational access, or fee simple acquisition projects must be accessible for recreation and outdoor education unless the RCFB approves limitation to protect sensitive species, water quality, or public safety.
- Allows the RCFB to waive a local match for projects that meet the needs of an underserved population or a community in need, as defined by the RCFB.

Includes Definitions and Implementing Provisions.

- Makes changes to allocation under the WWRP effective for appropriations after July 1, 2016.
- Defines terms and modifies existing definitions.

Appropriation: None.

Fiscal Note: Available.

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