
Local Government Committee

SSB 5934

Brief Description: Concerning pollinator habitat.

Sponsors: Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Senators Padden, Van De Wege, Dhingra, Liias, Salomon and Warnick).

Brief Summary of Substitute Bill

- Allows cities and counties to encourage permit applicants to include pollinator friendly plants in landscaped areas.
- Prohibits cities, counties, homeowners' associations, and common interest communities from banning beehives and pollinator habitats.

Hearing Date: 2/20/24

Staff: Elizabeth Allison (786-7129).

Background:

The Washington State Department of Agriculture Pollinator Health Program.

The Washington State Department of Agriculture (WSDA) promotes and protects pollinator habitats and the health and sustainability of pollinator species by providing technical and financial assistance to state agencies, local governments, and private landowners to implement practices promoting habitats for managed pollinators, as well as beekeeper and grower best management practices.

Pollinator Habitat.

The WSDA operates a program to protect pollinator habitats and the health and sustainability of pollinator species. The program must provide technical and financial assistance to state agencies, local governments, and private landowners to implement practices that promote

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pollinator habitats and beekeeper and grower best management practices.

The Department of Fish and Wildlife (WDFW) must implement practices necessary to maintain pollinator habitats on department-owned and managed agricultural and grazing lands, where practicable. The WDFW must also evaluate various restoration techniques with the goal of improving habitats for native pollinators and update its riparian habitat recommendations to encourage development of pollinator habitats.

The WSDA, in consultation with the State Conservation Commission and WDFW, must develop a list of native forage plants that are pollen-rich or nectar-rich and beneficial for all pollinators, including honey bees.

Public works projects that include landscaping must designate 25 percent of the landscaping area to be pollinator habitat, if practicable.

Project and Commercial Building Permits.

A project permit is a land use or environmental permit, or license required from a local government for a project action, including subdivisions, conditional uses, and planned unit developments.

A commercial building permit is a building permit issued by a city or county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building not covered by a residential building permit.

Homeowners' Associations and Common Interest Communities.

A homeowners' association (HOA) is a legal entity with membership comprised of the owners of residential real property located within a development or other specified area. An HOA is typically created by a land developer or builder of a planned residential development pursuant to a declaration of covenants, conditions, and restrictions.

A common interest community is a form of real estate in which each unit owner or homeowner has an exclusive interest in a unit or lot and a shared or undivided interest in a common area or areas.

Summary of Bill:

A city or county may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area by:

- providing the list of native forage plants as developed by the WSDA;
- providing information regarding the benefits of pollinators and pollinator habitats; and
- offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitats a part of the permit application.

Jurisdictions may set restrictions regarding beehives, but may not prohibit them.

A pollinator habitat is an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators.

Homeowners' associations and common interest communities may not prohibit pollinator habitats, including beehives compliant with local regulations.

Appropriation: None.

Fiscal Note: Not requested.

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