



“There is no rhythm to this Session... they are just doing everything real fast !” —Anonymous Lobbyist

In spite of the 15 week session, which is supposed to be “more relaxed”, this year the legislators are very serious about the policy changes they believe are necessary to streamline government and make it more accountable. The first floor vote in the House was a bill to audit and make government agencies more accountable for their actions. Legislators are anxious to finish their “policy bills” before they tackle the harder decisions about revenue and program cuts. So, in weeks 3 and 4, Audubon staffers felt more like Anna’s Hummingbirds as we attended hearings and testified on our priorities.

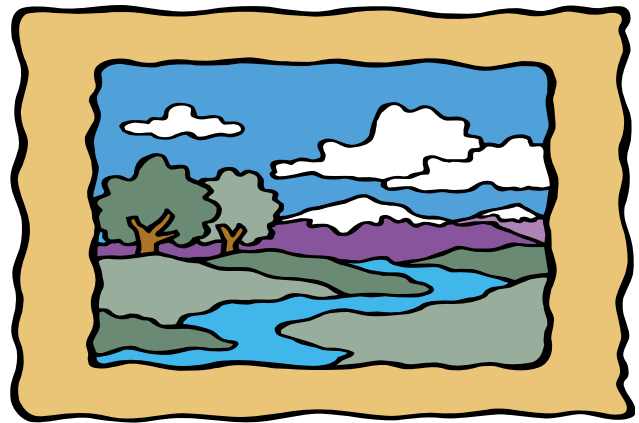
Conserve Bird Habitat in our Parks and Public Lands

Audubon is following several bills that will maintain and increase bird habitat. For example, Audubon supports HB 1136 Outdoor Recreation Account to increase money the state can use to maintain our parks and open spaces; this bill changes the account percentages from 25% to 50% in the Outdoor Recreation Account for operation and maintenance.

Also, Audubon supports the concept of a statewide Evergreen Pass. Several bills and ideas are being discussed about how much to charge for a pass that would let us use all public lands. The argument is about charging \$35 or \$50 and how to divide the funds between Departments of Fish and Wildlife, Natural Resources and State Parks. We just want a statewide pass so that it is easier to go birding on all state lands and ensure we are paying our fair share of the maintenance costs.

We owe thanks to Senators Oke, Regala, Swecker, Jacobsen, Kohl-Welles and Haugan and Representatives McIntire, Dunshee, Cooper, Moeller, Wood, Lantz and Chase for sponsoring two bills to increase the Conservation Futures funding for local governments. HB 1140 and SB 5113 allow counties to levy up to 11

cents per thousand dollars of assessed valuation. County commissioners would vote for these funds and the money could be used to acquire and maintain open space in your county. Audubon supports both bills.



Shoreline Protection

Senator Joyce Mulliken (R-13th, Ephrata) featured a recent Growth Management Hearings Board decision about Everett’s shoreline master program in the Senate’s Land Use Committee. As the chair of this committee, Senator Mulliken invited numerous speakers to discuss their reactions to the Everett decision, the Growth Management Act (GMA) and best available science.

The City of Everett raised concerns about: how GMA and Shoreline Management Act (SMA) are to be integrated; the need for “bottoms up” local control of land use decisions; the Growth Management Hearings board decision which implies a higher protection for environmental issues than other water uses; and highlighted the difficulty of reaching agreement on what is best available science.



2003 Citizens' Lobby Day Set for February 20...

Audubon Washington, People for Puget Sound and other conservation organizations invite all environmentalists and conservationists to **Citizens' Lobby Day** on February 20, 2003 in Olympia Washington. This is an exciting and informative day of legislative briefings, lobbying workshops, meetings with **your** lawmakers, and a fun and exciting legislative reception.

Register today online at <http://www.pugetsound.org> or contact our office for more information.

Here is a quick glimpse of what's in store:

Citizens' Lobby Day 2003 Agenda

- 9:00am-Noon** **Legislation Update & Lobbying Workshop**
- Noon-1:30pm** **Audubon Members "Dutch treat" Luncheon and Briefing**
- 1:30-5:30pm** **Meetings with your Legislators...**
- Hospitality Suite** (hot drinks, snacks and comfortable seats)
- 5:30 – 8:00pm** **Legislative Reception & Lobby Day Celebration**
- Join Legislators and citizen activists to celebrate protecting our environment!
- (RSVP Kris Schoyen (360) 786-8020 x202)

We hope to see you there!

Contact Heath G. Packard for more information.

hpackard@audubon.org

360.786.8020 x205

Washington Environmental Council's representative explained how best available science is intended to be used in land use decisions. Within the next few weeks, the conservation community will have an analysis of the 90+ page Everett decision and will send it to interested parties.

In the meantime, Senator Mulliken did introduce **SB 5551** relating to timelines and funding for implementation of Shoreline Guidelines for SMA programs at the request of the Governor. Audubon, Washington Environmental Council (WEC), People for Puget Sound and the League of Women Voters will continue working with Senator Mulliken and other legislators to find \$2 million this biennium for the new guidelines.

Environmental De-Regulation

We are opposed to two Senate bills that will undermine rule-making process and shift legal costs to the state (**SB 5255 Specific grant of authority** and **SB 5254 Burden of Proof**). Both bills are up for a Senate floor vote ... probably by February 7th or 10th. If you have time this weekend, call your Senator and tell them you are not in favor of either bill because they weaken our current process of adopting sound environmental laws and invite endless litigation. See last issue of BEV for more details.

Also this week, the House and Senate heard more bills questioning the Hydraulic Project Application (HPA) program. These bills center around the Skagit Valley's diking and drainage ditches. Skagit Valley farmers are very upset with the Washington State Department of Fish and Wildlife (WDFW) about possible requirements to flood crop land with salt water when an area may be beneficial for salmon. WDFW is trying to meet its obligations to ESA and salmon listings, but the farmers could suffer by losing agricultural land to estuaries. The answer, according to the farmers, is to exempt their tidegates,





ditches and drainage infrastructure from getting HPA permits. This problem is too complicated to simply eliminate portions of our statewide HPA law.

Audubon supports farmers because snow geese, ducks and many other waterfowl use their lands for overwintering. However, we cannot support throwing out the state's Hydraulic Code to address a problem that could be solved with cooler heads. We believe the farmers could work out their grievances through a third party, for example, the Conservation Commission, Skagit Watershed Council or use a mediator to solve the farmers' problems site by site. Audubon urges WDFW Director Jeff Koenings to assign his brightest and best staff to work with the farmers on a collaborative and constructive solution. The following House bills do not solve the problem they simply try to place a temporary and piecemeal fix on a complex estuary with 100 year old farms and great birding habitat.

HB 1418 Exempts tidegates from HPA permits. (Audubon response: we need to have all projects near or in water use the same standards in the HPA permits)

HB 1419 Makes the state pay for damages to property from saltwater (Audubon response: this will be very costly in a time of budget shortfalls)

HB 1420 Allows Drainage Districts to control tidegates, dikes and drainage systems. (Audubon response: same as for HB 1418)



HB 1421 Creates another layer of governance in Skagit County to restore public lands for salmon. (Audubon response: An existing "Lead Entity" already does this work)



Body Gripping Traps

Senator Oke's (R- 26, Port Orchard) Parks, Fish and Wildlife Committee heard from several citizens about two bills on animal trapping. SB 5129 would have repealed the citizen initiative that outlawed traps and SB 5179 allows traps in some circumstances.

Audubon's Conservation Committee discussed the two bills prior to the hearing. They unanimously agreed that the initiative was NOT to be repealed. Half of the chapters responding said they could live with amendments to the initiative if they clarified the confusion about gophers and moles and helped tree farmers deal with mountain beavers or other animals destroying crops. Richard Anderson from our Kitsap Chapter was very clear that we should not encourage the selling and buying of pelts. Audubon suggested changes to a "selling clause" in SB 5179 and our outright opposition to SB 5129. Senator Oke is now discussing SB 5179 with Representative Mike Cooper (D-21, Edmonds) chair of the House Fisheries, Ecology and Parks Committee.



Environmental Education Bill Gains Momentum

SB 5079 Natural Science, Wildlife and Environmental Education Partnership Fund

was unanimously passed by the Senate Education Committee and has been referred to the Senate Rules Committee. On Monday, February 10, the House Education Committee will have a hearing on companion bill HB 1466.

Republicans and Democrats alike are supporting this Environmental Education (EE) legislation, which could lead to more support and resources for EE programs statewide. We applaud the leaders in this legislature who want to help communities and students through Environmental Education. Contact your Legislators and urge them to vote for the Partnership Fund, SB 5079 or HB 1499.

Audubon Members Visit the Legislature

Helen Engle braved the wind and rain last week to meet with Senator Jim Kastama (D-25th) from Puyallup. Helen knows Senator Kastama's family and wanted to see Jim in action as a State Senator. We had a great discussion with Jim about his sound proposals for health care, transportation and de-regulation. Senator Kastama is holding the line for us when it comes to many of the bills designed to slow down environmental protection or keep citizens out of the decision making process. Thank you, Senator Kastama, for your support!

East Lake Washington's conservation chair, Tim McGruder, called tonight informing us that nine (9!) of his chapter members will attend the Citizen Lobby Day on February 20. We are scheduling appointments for the East Lake Washington Audubon members and helping them prepare for their meetings. We hope more chapter members will call and let us know they are coming to Olympia on February 20....!





Coming Up Next Week

If you want to read the full schedule of all hearings and topics please go to: http://www.leg.wa.gov/committees/storage/wcss/original/weekly_sched_02-10-03.htm

This calendar comes out by 7pm every Wednesday night. You can plan how many vacation days you can take from work to testify in Olympia. Just look at the calendar!

Here are some highlights that your Audubon staff will monitor next week:

HOUSE

Agriculture & Natural Resources - John L. O'Brien Building, (JLOB) Hearing Rm B, 2/11/03, 10:00 am

Public Hearing:

1. HB 1251 - Protecting forest land from exotic forest insects or diseases.
2. HB 1252 - Making technical, non-substantive, corrections to and re-codifying various Department of Natural Resources' public land statutes.
3. HB 1260 - Concerning environmental impact statements on certain state trust lands.

Education - JLOB Hearing Rm A, 2/10/03, 1:30 pm

Public Hearing:

HB 1466 - Promoting natural science, wildlife, and environmental education.

Fisheries, Ecology & Parks - JLOB Hearing Rm A, 2/11/03, 1:30 pm **TVW**

Public Hearing:

1. HB 1698 - Concerning the distribution and use of funds provided to off-road vehicles and non-highway road recreational activities.
2. HB 1268 - Creating the orca research and conservation association.

Fisheries, Ecology & Parks (cont.) - JLOB Hearing Rm A, 2/13/03, 8:00 am

Public Hearing:

1. HB 1500 - Providing the Department of Fish and Wildlife with a range of enforcement options to enforce the hydraulic code.
2. HB 1515 - Providing for a sliding-scale fee for processing and issuing hydraulic project approvals applications.

Local Government - JLOB House Hearing Rm E, 2/10/03, 1:30 pm and on **TVW**

Work Session: Shoreline Management Guidelines.

1. Overview of Shoreline Management Act.
2. Overview of Shoreline Guidelines Settlement and Proposed Guidelines.

Transportation - JLOB House Hearing Rm B 2/13/03 3:30 pm

Work Session:

Transportation Permit Efficiency and Accountability Committee(TPEAC)



SENATE

Government Operations & Elections - J.A. Cherberg Building, Senate Hearing Rm 3, 2/12/03, 1:30 pm and on TVW

Public Hearing:

1. SB 5417 - Requiring an independent audit of state government.
2. SB 5514 - Revising the definition of manager in state civil service law.
3. HB 1053 - Enhancing government accountability.
4. SB 5312 - Requiring quality management programs for state agencies.
5. SB 5528 - Requiring senate confirmation of certain commission and department appointments.

Land Use & Planning - J.A. Cherberg Building, Senate Hearing Rm 3, 2/10/03, 3:30 pm TVW

Public Hearing:

1. SB 5309 - Requiring senate confirmation of appointees to growth management hearings boards.
2. SB 5507 - Clarifying who has standing regarding growth management hearings board hearings.
3. SB 5506 - Specifying additional requirements for final orders of growth management hearings boards.
4. SB 5160 - Authorizing certain counties to withdraw from the Growth Management Act.
5. SB 5551 - Establishing a schedule of time limits under which local governments must develop or amend shoreline master plans.
6. Exempting rural counties from review requirement of GMA (S-1044).

Land Use & Planning (cont.) - J.A. Cherberg Building, Senate Hearing Rm 3, 2/13/03, 1:30 pm

Public Hearing:

1. PSSB 5108 - Removing statutory authority for access to private property.
2. SB 5353 - Revising shoreline regulation as it relates to agriculture.
3. SB 5380 - Clarifying the definition of ordinary high water mark.
4. SB 5152 - Requiring the Columbia River Gorge Commission to compensate property owners for certain zoning changes.
5. SB 5078 - Regulating the authority of metropolitan municipal corporations to acquire property.

Natural Resources, Energy & Water - J.A. Cherberg Building, Senate Hearing Rm 2, 2/13/03, 10:00 am

Public Hearing:

SB 5289 - Adopting a watershed monitoring plan and action strategy.

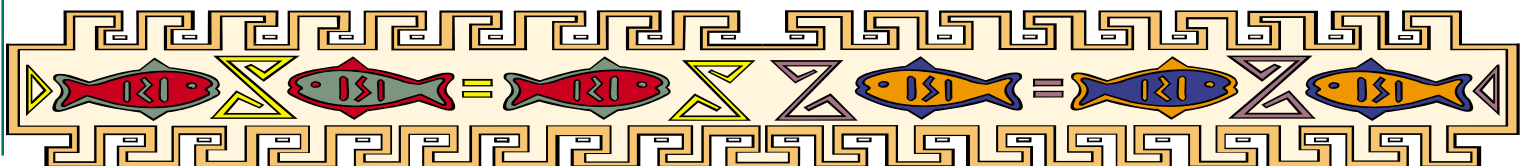
Parks, Fish & Wildlife - J.A. Cherberg Building, Senate Hearing Rm 2, 2/10/03, 1:30 pm

Work Session:

1. Overview of the hydraulic project approval program.
2. Report of the Hydraulic Project Approval Task Force.

Public Hearing:

1. SB 5280 - Eliminating the hydraulic project approval program.
2. SB 5375 - Improving the efficiency and predictability of the hydraulic project approval program.





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