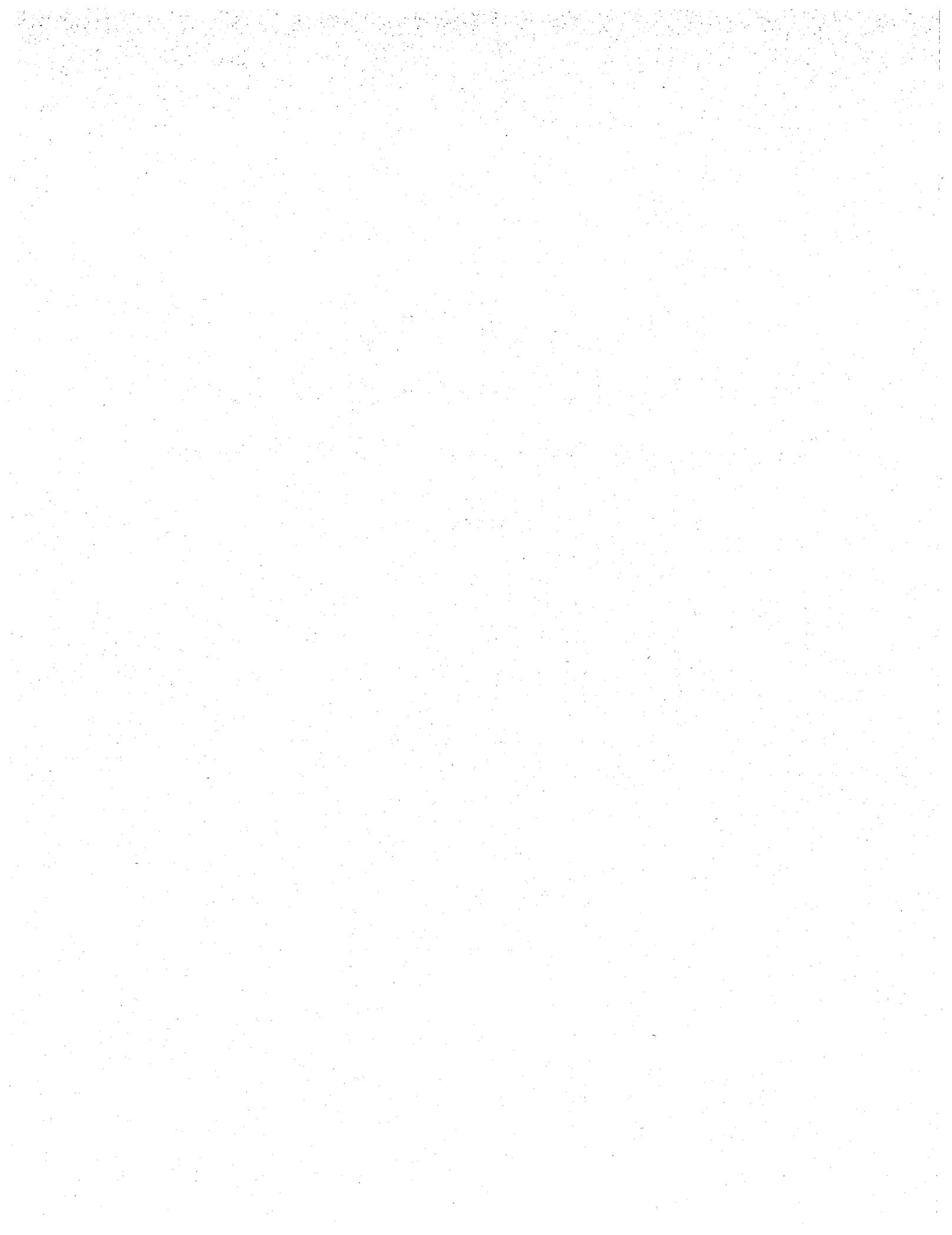


**Legacy at Risk:
State Wildlife and Recreation
Lands Management Task Force
Report**

Prepared for the
Governor and Legislature of the State of Washington

December 1, 1992



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Summary

Legacy at Risk

Washington's population boom has greatly increased the demands on state-owned fish and wildlife habitat, natural areas, parks, and other recreation sites. The intensity and diversity of recreational uses are multiplying. Residential and industrial development are making public lands a last refuge for many plants and animals.

At the same time, state agencies responsible for these lands have not been given the funding necessary for proper stewardship. Budgets for land management have historically been inadequate. Critically needed levels of operation and maintenance are not funded. Routine maintenance projects are deferred, causing the need for premature and costly capital reinvestment.

The state's wildlife and recreation legacy is at risk. Failure to immediately and adequately address the lands management funding crisis will result in closed recreation sites, diminished fish and wildlife populations, and accelerated decay of the state's capital investments. If the downward spiral is not halted, quality of life and environmental health will erode, tourists and businesses will find Washington less attractive, and future generations will inherit far less than we have enjoyed.

State Wildlife and Recreation Lands Management Act

A milestone in the search for solutions to the stewardship funding crisis was reached during the 1992 Legislative Session with unanimous passage of the State Wildlife and Recreation Lands Management Act (SHB 2594). State policy was established to provide adequate and continuing funding for the operation and maintenance of state-owned fish and wildlife habitat, natural areas, parks and other recreation lands.

The Act also created the State Wildlife and Recreation Lands Management Account, and formulas for distributing account funds. It did not, however, provide any immediate funding. Instead, the legislature created the State Wildlife and Recreation Lands Management Task Force and directed it to:

- Recommend long-term revenue sources to fund the new account;
- Investigate possible use of future appropriations under Chapter 43.98 RCW (Washington Wildlife and Recreation Program) in meeting major operation and maintenance funding needs; and
- Report on funding needed to assist counties with local services provided to protect state-owned wildlife and recreation lands.

Key Findings and Recommendations

The State Wildlife and Recreation Lands Management Task Force met in six public meetings between July and October, 1992. Its key findings and recommendations to the Governor and Legislature, based on hundreds of hours of research and discussion, are:

1. The state's environmental integrity, its economy, and the quality of the lives of its residents are all enriched by responsible stewardship of state-owned wildlife and recreation lands. Properly managing these lands and ensuring their integrity and availability for future generations provides benefits for all Washington residents. Therefore, all of the state's residents have a responsibility to fund an adequate portion of the land's management costs. Currently, this obligation is unfulfilled.

Many people receive further benefits from their direct use of state-owned lands. Hikers, hunters, fishers, boaters, wildlife observers, picnickers, campers, and others receive benefits that contribute to their physical, social, and psychological well-being. These users have an added responsibility to support the cost of state lands management.

2. The State Wildlife and Recreation Lands Management Account must provide \$42 million per biennium for shortfalls related to ongoing management responsibilities. An additional \$61.1 million also must be provided for a one-time, operating catch-up, to bring lands and facilities up to a standard that can be sustained through routine, planned maintenance. It is recommended that this catch-up be spread over four biennia. In total, the account should provide \$54.2 million during the 1993-95 biennium.

3. Revenue for the State Wildlife and Recreation Lands Management Account should be provided by the general public and users of state-owned lands. Seven revenue options are recommended for consideration:
 - Motor vehicle excise tax increase;
 - Off-road vehicle use permit fee increase;
 - Automobile rental fee;
 - Retail sales tax on motor vehicle fuel;
 - Real estate excise tax increase;
 - Additional retail sales tax on recreational equipment;
 - State lands recreational use permit fee.
4. Appropriations for habitat conservation and outdoor recreation lands under the Washington Wildlife and Recreation Program (WWRP) can not be used to meet major operation and maintenance needs. Use of WWRP funds for land management is currently prohibited by statute, contrary to current state policy regarding the use of bond funds, and prevented by federal arbitrage rules.
5. The Task Force was unable to make recommendations regarding the funding needed to assist counties with local services provided to protect state-owned lands. Instead, the Task Force recommends that the entire issue of payments to counties related to state-owned lands be comprehensively addressed by another forum, which should include representatives of county government, state wildlife and recreation agencies, community organizations, and citizens.

Introduction

The Operation and Maintenance Funding Problem

Increasing Demands

The natural beauty of Washington has helped make the state one of the country's most desirable places to live and visit. The Evergreen State is known for its outdoors—its mountains, rugged coastline, numerous rivers, lush forests, abundant wildlife, and diverse recreation opportunities. Tourists and residents are attracted to Washington by its reputation for high quality of life.

As additional people have come to enjoy Washington, the demands on state-owned wildlife and recreation lands have increased dramatically. More people use state-owned parks, conservation areas and recreation sites, in more ways, than ever before. Residential and industrial development are making public lands a last refuge for many plants and animals.

Stewardship of state-owned wildlife and recreation lands is entrusted to the state's natural resource agencies (Appendix D). These agencies provide the recreation opportunities that help make Washington a hub of outdoor activity, and the care necessary to protect our natural heritage for future generations.

Agency budgets for management of wildlife and recreation lands have been out-paced by rapidly increasing demands. Critically needed levels of operation and maintenance (O&M) are not funded. Routine maintenance projects are deferred, only to become major rehabilitation problems requiring significant capital expenditures.

Further, agencies also have new management responsibilities for lands acquired through the Special Lands Transfer and Washington Wildlife and Recreation Programs. While these land acquisition programs are an essential component in responding to the increasing demand on state-owned wildlife and recreation lands, without adequate management funding the important resource values

for which such lands are purchased can be lost. With land acquisition must come a long-term commitment to stewardship.

The Interagency Committee for Outdoor Recreation (IAC), at the direction of the 1990 Legislature, assessed the O&M needs of state-owned habitat, natural areas, parks and other recreation lands. Its report (IAC Special Report 90-8) documented a critical need for increased O&M funding. Yet, since the report was issued, budget cuts have further reduced the ability of natural resource agencies to be responsible stewards.

The Costs of Underfunding

Underfunding the management of state-owned wildlife and recreation lands is costly to the state. Recreation sites become more crowded, environmentally damaged, littered and vandalized. In many cases, public health and safety is at risk. Capital reinvestments are prematurely required because of deferred maintenance. Sensitive plant and animal species are not protected. Land managers are unable to afford the care necessary to be "good neighbors" to adjacent, private landowners.

These and other costs have been well documented elsewhere. The following are just a few of the thousands of examples of the funding crisis:



Litter problems, Nisqually Wildlife Access Area.

"State Parks is required by law to spray all noxious weeds on its property. Six types of weeds are found in many of our Eastern Washington parks. As we develop and maintain the Centennial Trail, we will have to maintain and spray for noxious weeds. Costs for just Riverside State Park noxious weed control is now \$16,000 per biennium." (1992 State Parks)

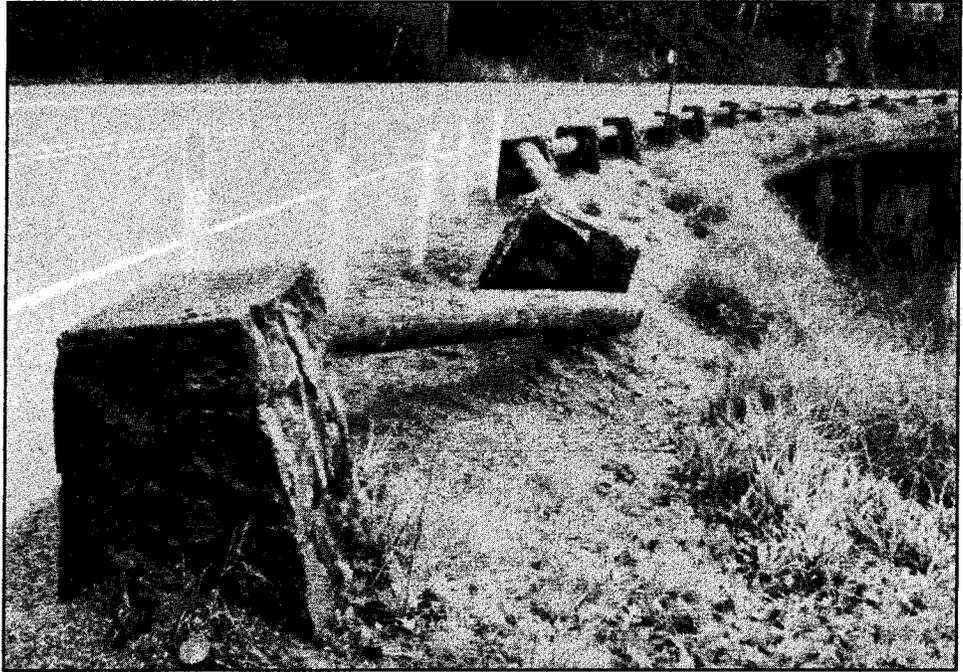


Substandard park ranger residence, Sun Lakes State Park.

"Many campers were camped along roads and off in the woods. There were too many to document in detail. I spoke with every one of them about their fires and the potential of a wildfire. There was everything from lost people to emergency bike accidents. I could not contact anyone on the radio." (1992 DNR incident report)

"There is inadequate protection of archeological sites and wildlife such as bat colonies, eagle nest sites, heron rookeries, and seal-haul out areas at Woodard Bay." (1992 DNR)

"The picnic table was dragged to a fire ring near the shelter and burned... Outhouse tipped over by vandals." (1992 DNR incident report)



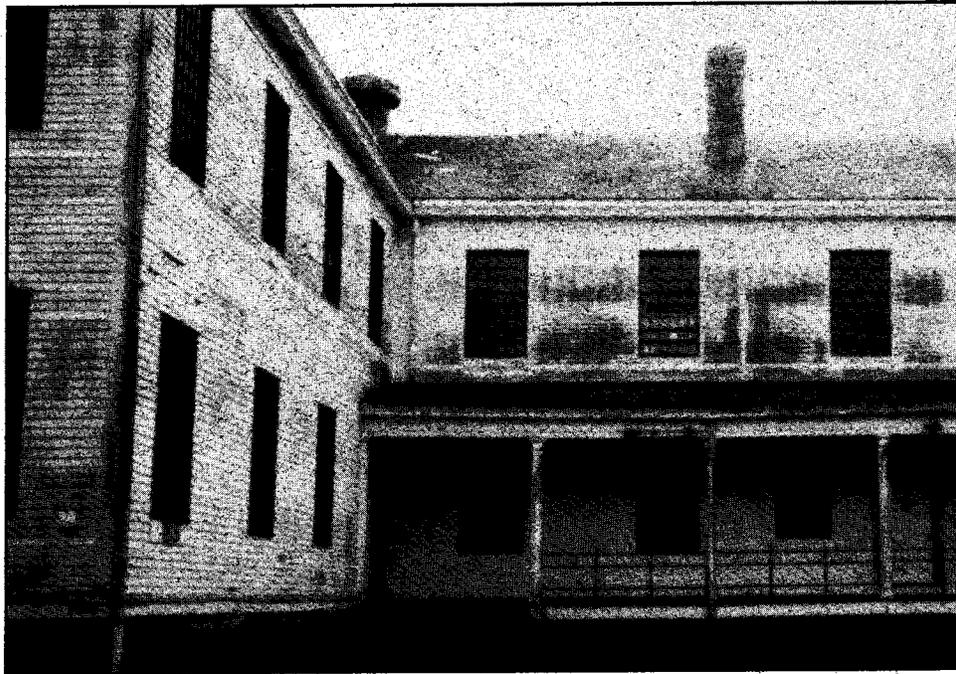
Broken guardrail, Deception Pass State Park.

"Increasing park use is causing new management problems. At Wallace Falls State Park the parking areas often fill in the morning, causing many visitors to park their cars on the roadways. On some days, more than 100 cars line the edges of the roads. In addition to other increasing responsibilities, park rangers must now monitor and control these traffic and safety hazards." (1992 State Parks)

"Wildlife Access Areas were purchased and developed for fishing recreation. These areas are often, however, the only public access to freshwater lakes. As the state urbanizes, the public demands boating, swimming, picnicking, parking, and sanitary facilities at these sites. Facilities and maintenance levels are inadequate for actual use and sites are often closed when the fishing season is over." (1992 Department of Wildlife)

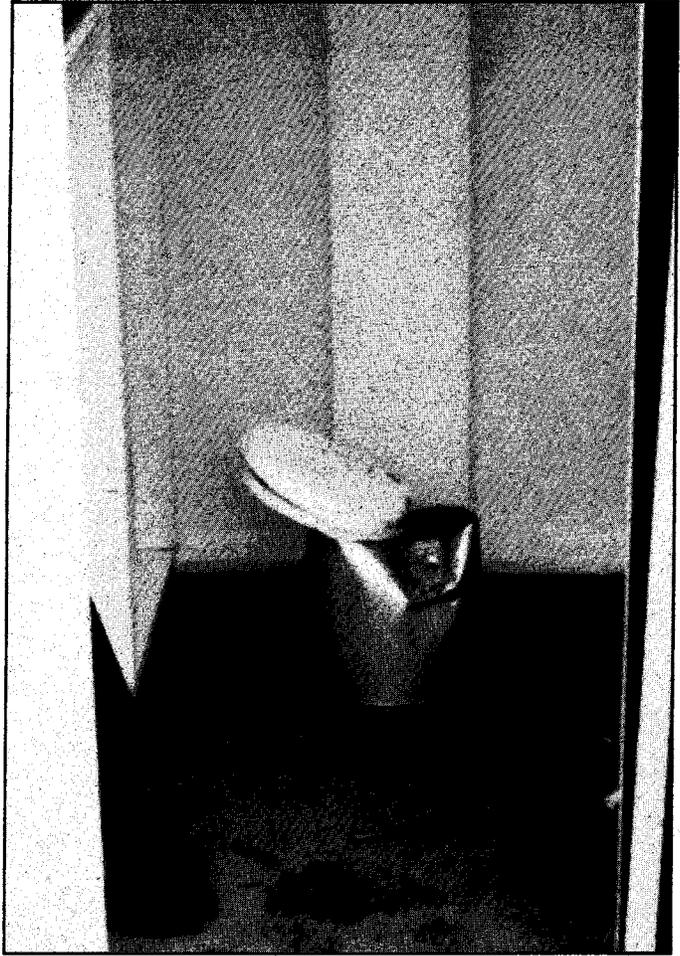
"The entrance road to Cranberry Lake in Deception Pass State Park needed routine maintenance over several years, including minor edge and crack sealing, seepage point re-ballasting, and overlays that totaled \$25,000. Funds were unavailable, and maintenance was not accomplished until the road deteriorated to the point where it required a \$60,000 major repair." (1992 State Parks)

"In Okanogan County, the Driscoll Island bridge was the only non-boating access to the island. For several biennia, the manager requested funds to repair the bridge. Last year, the department spent \$4,000 to remove the bridge because it had become a safety hazard. Replacement cost of the bridge was estimated at \$50,000." (1992 Department of Wildlife)



Building maintenance and painting needs, Fort Worden State Park.

"The Snoqualmie Wildlife Area has had an ongoing need for O&M that has gone unfunded. In recent years the barn on the property collapsed, the pheasant pens caved in, and the water supply has been tainted. The resident manager continues to reside in a trailer home that was moved onto the site for a temporary residence 15 years ago." (1992 Department of Wildlife)



Vandalized toilet facilities, DNR recreation site.

“At Riverside State Park in the Spokane area and at Belfair State Park on the Hood Canal, camp area restrooms are deteriorating and have wiring that does not meet current code. Many campers complain that buildings are dingy, out-of-date, need facilities to accommodate disabled persons, need renovated showers, and new hot water systems.” (1992 State Parks)

“One staff person is responsible for 120 water access sites covering an area from Long Beach to Port Angeles.” (1992 Department of Wildlife)

Searching for Solutions

Substitute House Bill 2594

A milestone in the search for solutions to the O&M funding crisis was reached during the 1992 Legislative Session with unanimous passage of the State Wildlife and Recreation Lands Management Act (Appendix C). The Act established state policy to provide adequate and continuing funding for the operation and maintenance of state-owned fish and wildlife habitat, natural areas, parks and other recreation lands.

To manage that funding, the Act created the State Wildlife and Recreation Lands Management Account. Account funds are allocated to four categories of O&M responsibility:

- *Basic Stewardship* — not less than 30 percent for costs associated with holding and protecting property to maintain basic functions and values.
- *Improved or Developed Resources* — not less than 20 percent for costs associated with the built or manipulated environment.
- *Human Use Management* — not less than 15 percent for visitor management, education, and protection.
- *Administration* — not more than 15 percent to support the above.

The Act further defined eligible agencies and minimum allocations:

- *Parks and Recreation Commission* — not less than 25 percent.
- *Department of Natural Resources* — not less than 25 percent.
- *Department of Wildlife* — not less than 25 percent.
- *Department of Fisheries* — no minimum allocation.

The Act did not, however, provide any immediate funding. Instead, recognizing the complexity of O&M funding issues, the legislature created the State Wildlife and Recreation Lands Management Task Force and directed it to research and recommend funding options.

Task Force Mission and Study Process

Substitute House Bill 2594 charged the State Wildlife and Recreation Lands Management Task Force with:

- Recommending new long-term sources to fund the State Wildlife and Recreation Lands Management Account;
- Investigating possible use of future appropriations under Chapter 43.98 RCW in meeting major O&M funding needs; and
- Reporting on funding needed to assist counties with local services provided to protect state-owned wildlife and recreation lands.

The Task Force was appointed on June 29, 1992. Composed of 16 members (Appendix A), the Task Force represented a variety of interests concerned about the lack of funding for adequate stewardship:

- Seven citizen members appointed by the Governor, representing different regions of the state;
- Four legislative members (one from each caucus of the House and Senate); and
- Five state agency members (one each from the Departments of Fisheries, Natural Resources, and Wildlife, the State Parks and Recreation Commission, and the Office of Financial Management).

The Task Force met in six public meetings between July and October. Meeting notifications were sent to over 100 interested organizations and individuals.

As a foundation for its discussions, the Task Force relied on several sources that document the wildlife and recreation lands management funding crisis. One cornerstone was a 1990 study on O&M needs (*IAC Special Report 90-8: Operation and Maintenance Needs of State-Owned Habitat, Natural Areas, Parks, and Other Recreation Sites*). That study, prepared at the direction of the legislature, assessed O&M responsibilities and was a catalyst for passage of SHB 2594. The Task Force also was assisted in its work by review of the recently completed Department of Wildlife's Budget and Revenue Review Committee report.

As the Task Force addressed its mission, it required new information on funding needs and potential revenue sources. That information was provided by the staff of the Interagency Committee for Outdoor Recreation and its member agencies, the Office of Financial Management, and the Department of Revenue.

The Task Force was charged with making difficult recommendations concerning sources of funding for responsible stewardship. Although many of its recommendations will be controversial, providing immediate and adequate management funding is critical to maintaining the integrity of the state's wildlife and recreation legacy. Beyond satisfying this funding need, the Task Force believes that there may be further opportunities to improve the comprehensive management of state-owned wildlife and recreation lands, and suggests that the issue continue to be examined.

Funding the State Wildlife and Recreation Lands Management Account

Amount of Revenue Needed

Ongoing Shortfall

The Task Force recommends that the State Wildlife and Recreation Lands Management Account provide \$42 million per biennium for ongoing management responsibilities. This amount is the 1993-95 biennium funding shortfall anticipated in July 1992, based on information supplied by the Office of Financial Management and IAC-member agencies¹ (Table 1). This is the additional amount necessary to allow the state to manage its wildlife and recreation lands, at a standard that will protect the resource and visitor, preserve functionality, satisfy legal requirements and mandates, and minimize long-term capital costs.²

One-Time Catch-Up

The Task Force further recommends that the account provide \$61.1 million for a one-time, operating catch-up. This catch-up, in conjunction with the above, is necessary to bring lands and facilities up to a standard that can be sustained through routine, planned maintenance. Another one-time, catch-up expenditure,

¹ *Operation and Maintenance Needs of State-Owned and Managed Habitat, Natural Areas, Parks and Other Recreation Sites*, August 11, 1992 Update.

² For lands and facilities in place during the 1991-93 biennium.

Table 1. Ongoing Biennial Shortfall and One-Time, Operating Catch-Up³ (by agency, in millions)			
	1991-93 Operating Budget	Ongoing Biennial Shortfall	One-Time, Operating Catch-Up ⁴
State Parks and Recreation Commission			
Parks Management Program	\$50.0	\$21.3	\$31.0
Department of Natural Resources			
Natural Area Preserve Program	\$0.5	\$1.4	\$0.0
Conservation Areas Program	\$0.5	\$3.5	\$0.0
Recreation Program	<u>\$3.8</u>	<u>\$2.3</u>	<u>\$2.2</u>
Subtotal	\$4.8	\$7.2	\$ 2.2
Department of Wildlife			
Wildlife Areas Program	\$5.3	\$9.9	\$15.4
Wildlife Access Areas Program	<u>\$1.3</u>	<u>\$3.0</u>	<u>\$12.5</u>
Subtotal	\$6.6	\$12.9	\$27.9
Department of Fisheries			
Habitat and Recreation Program	\$0.7	\$0.6	\$0.0
Total	\$62.1	\$42.0	\$61.1

³ Includes operation and maintenance activities as defined by the State Wildlife and Recreation Lands Management Act and the 1990 report: *Operation and Maintenance Needs of State-Owned Habitat, Natural Areas, Parks, and Other Recreation Sites* (IAC 90-8). Costs of acquisition, development, major renovation, improvement or rehabilitation normally funded through the capital budget and the operation and maintenance of fish hatcheries are excluded from the identified needs.

⁴ One-time, operating catch-up costs are temporary expenditures, above current appropriation levels, needed to bring the portion of land and facilities not qualifying under Office of Financial Management bondability guidelines up to a standard that could be sustained through routine planned maintenance. In order to bring all lands and facilities up to the same standard, additional capital backlogs would also need to be addressed.

for activities that are ineligible for account funding, such as major renovation, improvement or rehabilitation normally funded through the state's capital budget, is also needed and is addressed later in this report.

The Task Force proposes that the one-time, operating catch-up cost be spread over four biennia (Table 2). Specifically, 20 percent of the total need would be addressed in the first biennium (1993-95), followed by 30 percent during the next two biennia (1995-97 and 1997-99) and 20 percent during the fourth biennium (1999-01). The phased one-time catch-up is recommended to:

- Compensate for administrative delays in revenue collections;
- Allow agencies some time to assimilate the higher level of maintenance activity; and
- Help stabilize the pattern of account expenditures.

The phased approach to implementing the catch-up will, however, cause most lands and facilities to further deteriorate before they receive maintenance. For this reason, the Task Force recommends the one-time, operating catch-up needs be reviewed in the final biennium to determine whether existing needs have been met or additional needs have developed.

Table 2. Biennial Revenue Needed from State Wildlife and Recreation Lands Management Account (first five biennia, in millions)			
Biennium	Ongoing	One-Time, Operating Catch-Up	Total
1993-95	\$42.0	\$12.2	\$54.2
1995-97	\$42.0	\$18.3	\$60.3
1997-99	\$42.0	\$18.3	\$60.3
1999-01	\$42.0	\$12.2	\$54.2
2001-03	\$42.0	—	\$42.0

Address the Whole Problem

The Task Force strongly recommends that sufficient revenue be directed to the account to fund both the ongoing shortfall and the one-time, operating catch-up. The Task Force is keenly aware that this recommendation comes at a time when the state is faced with many budget challenges. The impact of scarce funding is even worse, however, for the state's wildlife and recreation agencies, which traditionally have been at a competitive disadvantage with education, transportation, corrections, and other societal needs. Quite simply, there is a dangerous and incorrect perception that the state can continue to underfund management of its wildlife and recreation lands—that there are no severe, immediate or long-term consequences.

The Task Force firmly believes that failure to immediately address the O&M funding problem will result in closed recreation sites, diminished fish and wildlife populations, undesirable impacts on surrounding private lands, and accelerated decay of the state's capital investments. If the downward spiral is not halted, quality of life and environmental health will erode, tourists and businesses will find Washington less attractive, and future generations will inherit far less than we have enjoyed.

Evaluating Alternatives

Who Should Pay?

Central to the challenge of providing revenue to the State Wildlife and Recreation Lands Management Account is determining who should pay.

Responsibly managed state-owned wildlife and recreation lands—whether parks, trails, wildlife habitat, natural areas, or water access sites—provide a multitude of essential benefits. The state's environmental integrity, its economy, and the quality of the lives of its residents are all enriched by proper stewardship of these resources.

Many types of state lands, such as critical habitat or natural areas, receive very little direct public use. In fact, at many sites public use is discouraged to protect sensitive plant or animal species. Other lands that do receive public use, such as parks or other recreation sites, offer benefits to non-users too, through the protection of wetlands, habitat, aesthetics, and other values.

Properly managing state-owned lands and ensuring their integrity and availability for future generations provides benefits for all Washington residents. Therefore, all of the state's residents have a responsibility to fund a portion of the land's management costs.

In addition, many people receive further benefits from their direct use of state-owned lands. Hikers, hunters, fishers, boaters, wildlife observers, picnickers, campers, and others receive benefits that contribute to their physical, social, and emotional well-being. These users have an added responsibility to support the cost of state lands management.

Although determining exactly how many people use state-owned wildlife and recreation lands is difficult, sources suggest it is quite high. A 1987 study conducted by IAC indicated that 89 percent of the state's households sightsee and picnic, 76 percent hike or walk for pleasure, 72 percent enjoy water-related activities, and 53 percent visit interpretive centers or actively pursue nature study and wildlife observation.

At the heart of the matter then is to determine what proportion of the cost of state-lands management should be paid by the general public, and what additional amount should be paid by users—what is everyone's "fair share."

Because stewardship benefits all state residents, management agencies frequently have looked to general tax sources for support. Often, general fund support has been inadequate.

Due to this unfulfilled obligation of the general public to fund state-owned wildlife and recreation lands, the Task Force examined many "general fund type" revenue sources.

Because of the responsibility of users of state lands to pay an extra amount, the Task Force examined the fees that agencies charge for services and opportunities they provide. Generally, most of the fees that can be effectively administered are already being imposed. Most of these fees, such as for camping, hunting, and fishing, allow users to pay a fair price for the benefits they receive. Excise taxes imposed on boats and recreational vehicles contribute to the perceptions of some users that they are already paying their "fair share."

The Task Force did discover, however, that segments of the user population receive significant benefits without charge. Generally, these people are day users who participate in activities like swimming, picnicking, hiking or wildlife observation. Consequently, the Task Force examined several revenue options that target these individuals.

Evaluation Goals/Criteria

The Task Force used five goals/criteria to help guide its account funding recommendations:

- *Equity/Fairness:* Revenue sources should be related to those groups who benefit from responsible management of state-owned wildlife and recreation lands. Responsible stewardship provides general societal,

economic and environmental benefits to all of Washington's present and future population. In addition, specific personal benefits accrue to those people who use the state's wildlife and recreation lands, such as campers, hikers, fishers, and wildlife observers.

- *Adequacy*: The sources of revenue must be able to generate funding for ongoing and one-time catch-up operation and maintenance needs. Since stewardship responsibilities are ongoing, revenue sources must be capable of stable, sustainable long-term funding. Revenue should increase over time to compensate for inflation and increasing management responsibilities.
- *Acceptability*: The funding sources must be acceptable to a majority of the public and legislature.
- *Impact*: Revenue sources should not cause major changes in behavior or undue hardship, nor should they negatively impact other public programs. Revenue sources should not reduce other existing funding for wildlife and recreation lands.
- *Administrative Feasibility/Compliance Costs*: The revenue sources must lend themselves to efficient and relatively inexpensive administration.

Recommended Revenue Sources

Overview

The Task Force researched and discussed dozens of potential options for funding the State Wildlife and Recreation Lands Management Account. Many revenue sources lent themselves to variations that created additional, distinctly different alternatives.

Based on its deliberations, the Task Force recommends that seven revenue options be considered for funding the State Wildlife and Recreation Lands Management Account⁵ (Table 3). The Task Force recommends that two or more revenue sources be combined in a balanced package that does not disproportionately impact any one group.

⁵ The presentation order of the revenue sources does not signify any prioritization by the Task Force.

Table 3. Recommended Revenue Sources (with example rates and estimated revenue—for illustration only)		
Revenue Source	Example Rate	Estimated Biennial Revenue (in millions)
Motor Vehicle Excise Tax Increase	0.05 percent increase (on average, \$2.56 per vehicle per year)	\$25
Off-Road Vehicle Use Permit Fee Increase	\$10 per year increase	\$0.8
Automobile Rental Fee	\$2 per day	\$24 - \$30
Retail Sales Tax on Motor Vehicle Fuel	0.5 percent	\$22
Real Estate Excise Tax Increase	0.1 percent increase; 0.1 percent increase with first \$100,000 of price excluded	\$31 \$16 - \$20
Additional Sales Tax on Recreational Equipment	2.0 percent at retail	\$13 - \$25
State Lands Recreational Use Permit Fee	\$20 per automobile per year	\$3.4 - \$6.8

Motor Vehicle Excise Tax Increase

Description:

Increase the annual motor vehicle excise tax and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

Each 0.05 percent increase in the motor vehicle excise tax would generate \$25 million per biennium.

Background:

The Department of Licensing collects various fees associated with motor vehicle registration. These include use tax, excise tax, transfer fees, and license plate fees.

In total, the combination of fees associated with owning a motor vehicle in Washington is relatively high when compared to other states. This is mostly due to the annual motor vehicle excise tax. The excise tax is imposed at a 2.2 percent rate on the value of the motor vehicle.

In 1993, the excise tax was imposed on 4,980,000 vehicles and generated \$560 million. This revenue is used for transportation and general fund purposes. The average annual cost of the excise tax is \$112.45 per vehicle. Each 0.05 percent increase in the excise tax rate would cost, on average, \$2.56 per vehicle.

A proposal to increase the license plate renewal fee, and earmark the revenue to the State Wildlife and Recreation Lands Management Account, was discussed during the 1991 Legislative Session. At that time it was considered politically unfeasible. The Department of Wildlife's Budget and Revenue Review Committee also has identified license plate fees as a funding option in its report. There are conflicting opinions on whether earmarking a portion of license plate renewal fees for nonhighway purposes would be in conflict with the 18th Amendment to the state's constitution. The Department of Wildlife receives thirty dollars of the cost of optional, personalized license plates for the management of nonconsumptive wildlife use.

Stakeholders:

Owners of motor vehicles would be affected by an increase in the motor vehicle excise tax. These owners are already sensitive to the high cost of registering a vehicle in Washington.

Auto dealers and other businesses associated with the sale of motor vehicles would be opposed.

Goals/Criteria Evaluation:

An increase in the motor vehicle excise tax targets most of the general population, allowing them to pay for the general societal and environmental benefits of wildlife habitat, natural areas, and parks.

The tax increase would provide some mitigation for wildlife and outdoor recreation programs for impacts that result from road construction.

There is precedent for use of motor vehicles fees (personalized license plates) for wildlife purposes.

The administrative costs would be very low.

Generally, the tax would be progressive because the individuals who would pay more (those with more valuable vehicles) tend to have middle and upper income levels.

ORV Use Permit Fee Increase

Description:

Increase the annual off-road vehicle (ORV) use permit fee and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

A \$10 increase in the annual ORV use permit fee would generate about \$0.8 million per biennium.

Background:

The annual ORV use permit fee imposed (under Chapter 46.09 RCW) on ORV Motorcycles, ATVs, 4x4s and other ORVs is \$5 (this fee has not increased since it was established in 1971). The permit is required for ORV use on public lands. The Interagency Committee for Outdoor Recreation makes these monies available to public agencies for ORV-related projects.

Stakeholders:

Users of ORVs would probably oppose increases in fees. These users are represented by organized user groups.

Goals/Criteria Evaluation:

ORV users are already paying a fee to support their activity, although the current fee is nominal. Much of this activity does not take place on state-owned land.

The revenue amount would be relatively small, but collection would be easy.

Automobile Rental Fee

Description:

Impose a daily fee on short-term (30 day or less) automobile rentals and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

A two dollar per day fee on automobile rentals would generate between \$24 million and \$30 million per biennium.

Background:

Short-term passenger car rentals in Washington accounted for about \$180 million in taxable retail sales in 1990. One source estimates the average daily rental charge at \$29 per day. Automobiles are typically rented by vacation and business travelers, many of which come from out-of-state.

Legislation passed in the 1992 Session (ESHB 2964) affects several aspects of rental car taxation. An important change involves a shift in how the taxes are collected. Prior to the change, annual state and local motor vehicle excise taxes were paid by rental car companies at the time of vehicle registration (similar to private automobiles). Due primarily to the ease of evading the excise tax through out-of-state registration, this tax was replaced by additional sales and use taxes. The intent of the legislation was to be revenue neutral. Because car rental companies will no longer be paying the annual excise tax, the switch in taxation is expected to be accompanied by lower base rental fees. Rental car businesses also must now register annually with the Department of Licensing.

The recent legislation also enables counties to impose an additional one percent sales and use tax on car rentals (implemented by King, Pierce, and Spokane Counties). This revenue can be used for public sports facilities (including operation and maintenance) or youth/amateur sport activities or facilities.

Several states and cities impose fees on automobile rentals. Two dollar per day fees are imposed in Florida, Pennsylvania, and Hawaii. Arizona, Minnesota, Chicago, and Cleveland charge a per rental fee ranging from \$1.50 to \$7.50.

Stakeholders:

All short-term renters of passenger automobiles would be affected. Rental car companies and, to a lesser degree, other interests dependent on vacation and business travelers would be opposed.

County government interests may be concerned about potential competition with their proposals to enact the local one percent sales and use tax option.

Goals/Criteria Evaluation:

A rental car fee provides a mechanism to allow out-of-state visitors to pay for the benefits of wildlife habitat, natural areas, and parks. The quality of state-owned lands is often an important factor in bringing these visitors to Washington.

The fee would provide some mitigation for wildlife and outdoor recreation programs for impacts that result from road construction.

The administrative costs would be relatively low.

The fee is progressive and would apply mainly to middle and upper income individuals.

The portion of revenue attributable to tourism (as opposed to business travel) might be volatile, as tourism expenditures largely represent discretionary spending that may be curtailed during recessionary periods.

Retail Sales Tax on Motor Vehicle Fuel

Description:

Impose a retail sales tax on motor vehicle fuel and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

Each 0.5 percent sales tax would generate \$22 million per biennium (based on the retail price of fuel excluding federal and state gas taxes).

Background:

No state retail sales tax is currently imposed on motor vehicle fuel. This exemption is contrary to the concept of a retail sales tax on all tangible property purchased for consumption. The state portion of the retail sales

tax is 6.5 percent; local sales taxes bring the total sales tax to 7.0 to 8.2 percent across the state.

Motor vehicle fuel is subject to the state motor vehicle fuel tax. Unlike the sales tax, which is calculated based on the price of an item, the fuel tax is imposed on a per-gallon basis. The 18th Amendment to the state constitution mandates that fuel tax receipts can only be used for highway purposes. Many people feel that a retail sales tax, if imposed, could be used for various purposes because a sales tax is levied on a broad spectrum of items, and is not a special tax on fuel.

Transportation interests are proposing to increase the motor vehicle fuel tax \$0.18 per gallon over the next several years. Proposals to impose a retail sales tax on fuel would be perceived by those interests as a threat to their exclusive state taxation on this commodity, and an impediment to their ability to raise the consumer price of fuel.

Although the retail sales tax rate that would be necessary to satisfy Task Force requirements is relatively low, establishing a precedent for a sales tax on motor vehicle fuel would probably result in taxation to the full rate allowable.

Stakeholders:

Everyone who purchases motor vehicle fuel in the state would be affected. Transportation interests would be strongly opposed.

Goals/Criteria Evaluation:

A retail sales tax on motor vehicle fuel provides a mechanism to allow out-of-state visitors, as well as residents, to pay for the benefits of wildlife habitat, natural areas, and parks. The quality of state-owned lands is often an important factor in bringing these visitors to Washington.

The tax would provide some mitigation for wildlife and outdoor recreation programs for impacts that result from road construction.

Real Estate Excise Tax Increase

Description:

Increase the state real estate excise tax (REET) and earmark the proceeds to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

Each 0.1 percent increase in the REET (\$1.00 on each \$1,000 in selling price) would generate about \$31 million per biennium. Each 0.1 percent increase, with the first \$100,000 of the selling price excluded, would generate between \$16 million and \$20 million per biennium.

Background:

The REET was established in 1951 at 1.0 percent as a local funding source for schools. In 1981 it was shifted to a state tax, consistent with the state responsibility for funding basic education. The rate was increased several times during the 1980s, including an additional tax of 0.06 percent from 1987 to 1989 that was earmarked for the acquisition of conservation lands by the Department of Natural Resources. Several local tax rates also have been authorized, including a 1.0 percent tax (which unlike the other REETs is paid by the buyer of real property) for county conservation lands in 1990 (implemented by San Juan County). The current combined tax rate is 1.53 or 1.78 percent in most areas of the state (Chapter 82.45 RCW).

Although the tax is paid by the seller of real property, many people believe that it is typically incorporated into the selling price. The impact of a REET increase on low income home buyers can be mitigated by imposing the increase only on the portion of the sale price in excess of certain amounts. For example, the first \$100,000 of the sale price could be exempt from the tax increase. This would, however, increase the complexity of actual collection, which is performed by county treasurers. All proceeds, with the exception of 7.7 percent (earmarked for public works), currently go to the state general fund, with 1.0 percent of collections retained by counties to cover collection costs.

Stakeholders:

Strong opposition can be expected from people involved in the sale of real property (realtors, developers, builders, etc.). There was vocal and powerful opposition to a proposal to increase the REET in 1991. The perceived impact on home sales and home buyers received a great amount of attention.

Goals/Criteria Evaluation:

Development of private property places greater recreational and habitat demands on state-owned lands. Wildlife habitat, natural areas and recreation opportunities provide amenities that often increase property

values. Capturing some of this increase in value through an increased REET appears an appropriate way of funding O&M. There is precedent for using the tax to fund conservation areas at both the state and local levels.

The tax only applies to sales of real property; thus most citizens are not impacted. Although arguments against the REET focus on the burden on "first-time home buyers", much of the revenue would come from transfers of high cost properties.

Without an income tax upon capital gains, it is one way of taxing land speculators.

REETs are capable of generating large amounts of revenue. That revenue is relatively volatile, however, responding to economic influences and especially mortgage interest rates. Overall, REET revenues are expected to increase over time because of appreciating property values.

Additional Retail Sales Tax on Outdoor Recreational Equipment

Description:

Levy a new tax on the retail sales of specified items used primarily for outdoor recreation and earmark the proceeds to the State Wildlife and Recreation Lands Management Account. The following items and related equipment could be considered: bicycles, camping and climbing gear, snow and water skis, human powered boats, skin diving and scuba equipment, windsurfing equipment, photographic equipment, etc.⁶

Estimated Biennial Revenue:

A 2.0 percent tax would generate between \$13 million and \$25 million per biennium, depending upon the items selected.

Background:

The current state and local sales tax is paid on outdoor recreation equipment. There have been several proposals in recent years that would have imposed an additional tax on this equipment (HB 1250 and SB 5130 in 1991). There is precedent for selective taxation of particular

⁶ Hunting and fishing equipment would be excluded because federal taxes are already imposed.

products; the state taxes liquor and tobacco products and there are certain environmental taxes that apply to specified products (such as litter-related products and hazardous substances).

Although there is a relationship between the purchase of outdoor recreation equipment and the benefits that result from responsible management of wildlife and recreation lands, an outdoor recreation equipment tax would present administrative difficulties. A selective tax, unless it is imposed on an easily definable commodity (such as cigarettes, beer, motor vehicle fuel, etc.) usually creates high administrative costs to the administering agency and also places a burden on distributors or stores that must collect and report the tax. In many respects, the burden of a recreational equipment tax is comparable to the burden created by the litter product tax.

Administration of the tax would require that taxable recreation equipment be clearly defined by the Department of Revenue. Generally, it would be desirable to spread the tax over several categories of recreation equipment, but limit the items within the categories to easily identifiable, high cost items. Too long a list of taxable equipment would increase administrative difficulties.

Even with the clearest guidelines, however, retailers would have difficulty imposing the tax. Generally, identifying and tracking taxable goods and levying an additional sales tax would be easiest for those retailers with computerized inventory control. Many retailers lack this technology, however, and would need to make decisions at the point of sale regarding whether or not the tax should be imposed. This would make it difficult to assure that retailers are uniformly imposing the tax. The Department of Revenue's ability to accurately audit subject businesses would be limited.

Alternate proposals, such as a "first possession" tax on recreation equipment or an increase in the Business and Occupation tax on revenue from the sale of recreation equipment, have additional problems. Generally, these alternatives make it more difficult to pass the tax on to consumers, or create greater competitive disadvantages and administrative burdens for some businesses.

Stakeholders:

Anyone purchasing, and in most cases selling, the selected equipment would be affected by the tax. Recreation equipment retailers could be expected to oppose this revenue source from several standpoints,

including compliance complexity and competitiveness with businesses in other states.

Political support for the tax might be obtained from many users of the equipment, since they would tend to be concerned with funding of parks, wildlife and environmental programs.

Goals/Criteria Evaluation:

The tax targets users of public lands, such as hikers, and picnickers, from whom fees are often difficult to collect because of the dispersed nature of their activities.

With increasing expenditures on recreation equipment, tax receipts should grow at a rate at least as fast as the overall economy.

In the aggregate, the tax would probably be progressive, since upper income individuals purchase many of these products.

In general, most of the use of the taxed recreation equipment would not occur on state lands. Additionally, depending on the types of equipment included, many of the items are purchased for non-recreational purposes, such as ranch or commercial use.

Many of the products are available via mail order as well as for purchase in adjacent states, thus making tax avoidance very easy. In-state retailers would be placed at a further competitive disadvantage.

Administrative complexity would be quite high. Many retailers sell a mix of products (such as K-Mart or Sears). Tracking selected items and imposing a special tax would be burdensome, especially for smaller businesses. Many stores might decide to reduce or eliminate their sale of recreation equipment.

Audit and compliance programs for such taxes are rarely cost effective.

The selective imposition of the sales tax, related to current exemptions, has been identified by retailers as a major administrative problem. This proposal would further reduce sales tax uniformity.

State Lands Recreational Use Permit

Description:

Impose a fee for the recreational use of state-owned wildlife and recreation lands and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Estimated Biennial Revenue:

An annual permit fee of twenty dollars per vehicle, and a short-term permit available for five dollars (for infrequent users or out-of-state visitors), would generate between \$3.4 million and \$6.8 million per biennium (assuming five to ten percent of the 1.7 million Washington households with motor vehicles paid the fee).

Background:

In general, state agencies are currently imposing user fees on services that lend themselves to cost effective fee collection, such as overnight camping at state parks. Although significant management costs are associated with providing opportunities for picnicking, hiking, wildlife observation and other activities, these opportunities have generally been available free of charge on state-lands because of high on-site fee collection costs.

Requiring a permit for recreational use of state-owned habitat and recreation lands would provide a mechanism to target additional users while minimizing administrative costs. State-owned wildlife and recreation lands requiring the interagency permit would include parks, recreation sites, boat launches, trailheads, and wildlife areas. Sites requiring permits would need to be clearly defined and easily identifiable through appropriate signing.

Permit stickers would be required on the user's vehicle. The sticker would be displayed on license plates, similar to the veterans remembrance emblems or the special emblems for institutions of higher education. Short-duration permits would be displayed in windows. Additional permits could be required and available at lesser cost for vehicles such as boats, off-road vehicles, or bicycles. All permits would need to be numerically assigned and managed to facilitate auditing and compliance enforcement.

Ideally, the bulk of permit distribution would be accomplished in conjunction with an already established and scheduled government contact, such as the annual motor vehicle registration. Other distribution mechanisms also would need to be established to provide users with convenient, alternative opportunities to comply with permit requirements. These mechanisms would include sale of permits at stores, many of which already sell hunting and fishing licenses or Sno-Park permits. The nearest permit vendors could be posted at site entrances.

Active enforcement and adequate noncompliance penalties would be necessary for maximum revenue generation. Although enforcement by local government could be encouraged, high compliance would probably be the result of state agency enforcement efforts. Mechanisms to reduce the need for issuing officers to appear in court, such as submission of written reports, would lessen the burden on agencies. Even with these mechanisms, however, considerable time would still be required to prepare, notarize and submit reports. Attaching non-compliance penalties to the recipients' ability to re-register their motor vehicles would increase compliance.

Enforcement of a use permit by the Departments of Wildlife and Fisheries and the State Parks and Recreation Commission could be added to existing law enforcement programs. Enforcement at sites managed by the Department of Natural Resources would require new law enforcement capabilities. In total, a program with 25 percent enforcement, that is covering all applicable sites once every four days (on average), would cost about \$1.5 million during the first year. Enforcement costs would be expected to decrease substantially over time as public awareness and compliance increased.

An extensive, effective public relations campaign would be critical to the success of a state lands user permit. The permit program's requirements and benefits would need to be clearly communicated. Many users of state-owned lands already pay fees for services or opportunities such as hunting, fishing, and camping. Many of these users perceive that these fees already allow them the right to access state-owned lands. The concept that the use permit is for stewardship, separate from other, often site-specific services, would need to be effectively conveyed.

The ultimate success of such a program would be dependent on voluntary compliance based on the desire of users to pay a nominal fee for programs that benefit their activities. A similar Conservation License program, instituted by the Department of Wildlife in 1981, was never widely advertised or enforced and failed to generate significant revenue.

Requiring users to pay a permit fee might increase agency exposure to liability. It appears, however, that the legislature could limit the liability as it did with State Parks' Winter Recreation Program (43.51.290 RCW).

Requiring a permit for access to state-owned wildlife and recreation lands is contrary to existing Department of Wildlife policies that encourage private land owners to open their lands free-of-charge. Also, the State Parks and Recreation Commission is considering an enhanced

fee system to offset planned funding reductions. The use permit concept should be structured so that it does not diminish State Parks' ability to implement its revenue enhancements.

Stakeholders:

All recreational users of state-owned wildlife and recreation lands would be affected. Users who are already paying fees (for hunting and fishing for example) might be especially opposed. In general, however, recreationists are inclined to support fees if they can be assured that the revenue will directly support the sites and programs they use.

Goals/Criteria Evaluation:

Users that receive direct benefits from state-owned lands are targeted. Many of these users are difficult or impossible to collect fees from through other mechanisms.

The program would take time to implement and enforce. Administrative costs could, at least initially, be relatively high (because of the need for an extensive public relations campaign, signing, establishment of fee collection mechanisms, etc.). Cooperation would be needed among all agencies with applicable lands.

Because of the relatively controlled nature of the settings they manage, State Parks personnel would be the most likely to come in contact with users, and thus be disproportionately burdened with education and enforcement.

The permit fee would be regressive and could discriminate against the relatively poor, the elderly or the very young.

Use of Appropriations Under Chapter 43.98A RCW for O&M

The Task Force was directed, under SHB 2594, to investigate opportunities for the use of appropriations for habitat conservation and outdoor recreation lands under Chapter 43.98A RCW in meeting major O&M funding needs. Chapter 43.98A RCW established the Washington Wildlife and Recreation Program (WWRP). The WWRP, administered by IAC, provides funding to local and state agencies for various types of wildlife and recreation projects.

Use of WWRP funds for O&M is currently prohibited by statute. According to RCW 43.98A.060(2), "Moneys appropriated for this chapter may not be used ...by a state, regional or local agency to fund operation and maintenance of areas acquired under this chapter."

Even if it were decided to change the existing statute, the use of bond proceeds to fund operating expenses is contrary to current state policy regarding the use of these funds. Generally, it does not make sense to use bonds that may take 20 years to retire to pay for items that have short useful lives.

While the option does exist of using a portion of each acquisition under the WWRP to establish a trust fund for O&M, federal arbitrage rules prevent the use of bond funds for this purpose.

In sum, use of WWRP funds is currently limited to bondable, capital-type projects. Although the state has a backlog of major renovation projects that contribute to the O&M problem (see one-time, capital catch-up, later in this report), the WWRP statute prevents the use of those funds for state agency renovation projects.

Funding Needed To Assist Counties with Local Services Provided to Protect State-Owned Wildlife and Recreation Lands

Substitute House Bill 2594 directed the Task Force to report on funding needed to assist counties with local services, such as police and fire protection, which help maintain the integrity of state resources and the safety of users of state lands.

The Task Force acknowledges that there are significant and legitimate costs related to these services and recognizes the counties' interests in payments related to state-owned lands.⁷ However, because of the complexity of the issue and the limited time given to thoroughly explore it, the Task Force was unable to make recommendations regarding the funding needed to assist counties with local services provided to protect state-owned lands. Instead, the Task Force recommends that the entire issue of payments to counties be comprehensively addressed by another forum, which should include representatives of county government, state wildlife and recreation agencies, community organizations, and citizens.

If it is determined that different or further payments should be made to counties for services related to the protection of state-owned wildlife and recreation lands, the Task Force recommends that the State Wildlife and Recreation Lands Management Account be examined as a possible source of this funding.

⁷ Counties already receive payments from the Department of Wildlife through payments in-lieu of taxes (PILT) or through the optional local collection of fines.

Other Task Force Recommendations

General Fund Support of Operation and Maintenance

The Task Force would like to emphasize the continued responsibility of the general public to support management of state-owned wildlife and recreation lands. As clearly stated in SHB 2594, the intent of the State Wildlife and Recreation Lands Management Account is to augment current funding. Monies disbursed from the account should not replace existing operation and maintenance funding levels from other state sources.

One-Time, Capital Catch-Up

As discussed earlier in this report, the state has a backlog of one-time catch-up projects related to its wildlife and recreation facilities. In many cases, these projects are the result of decisions to defer needed maintenance. Maintenance projects are usually postponed under the assumption that they will be accomplished in future years under improved budgetary conditions.

Deferring needed maintenance is costly to the state. When finally addressed, the ultimate cost is usually much greater than if adequate, scheduled maintenance had been performed. Deferring maintenance often causes shortened facility life, resulting in the need for premature capital reinvestment. Over the years, hundreds of maintenance projects have been deferred. The result has been a growing backlog of facility, infrastructure and equipment fleet repair and replacement needs.

The problems associated with one-time catch-up needs are intimately associated with O&M. Quite simply, facilities need to be brought up to a standard that

can be sustained through routine, planned maintenance. Otherwise, scarce maintenance dollars are spent on "band-aid solutions" to emergent crises.

The Task Force has recommended that the State Wildlife and Recreation Lands Management Account fund a portion of the needed catch-up. That is, those catch-up activities that are defined as eligible for account funding in SHB 2594 and which are normally associated with an agency's operating budget.

Another one-time catch-up expenditure, for activities such as major renovation, improvement, or rehabilitation normally funded through the capital budget, is also critically needed. The Task Force strongly urges the state to address this one-time, capital catch-up.

Nonhighway Portion of Future Motor Vehicle Fuel Tax Increases

Traditionally, many outdoor recreation programs receive revenue from refunds of motor vehicle fuel taxes. The rationale for the use of these monies is that recreationists pay significant amounts of tax on fuel that is consumed through their boating, off-road vehicle, and nonhighway oriented recreation activities. Since these activities do not impact local or state highways supported by fuel taxes, portions of the tax are refunded to programs that directly benefit those forms of recreation. These monies come from two sources:

- *Initiative 215* funds come from unrefunded marine fuel taxes (Chapter 43.99 RCW). Currently, this is about 1.2 percent of the motor vehicle fuel tax less marine fuel tax refunds. Since 1965, these funds have allowed the acquisition and development of numerous boating-related recreation opportunities throughout the state. Initiative 215 funds are distributed to local and state agency project sponsors through an IAC grant program.
- *Off-Road Vehicle and Nonhighway* funds come from one percent of the motor vehicle fuel tax earmarked for ORV and nonhighway road recreation (Chapter 46.09 RCW). These funds are distributed to public agencies for planning, acquisition, development, maintenance and management of ORV recreation facilities, nonhighway roads, and nonhighway road recreation facilities; and ORV education, information and enforcement.

In 1990, the legislature imposed a \$0.05 per gallon tax increase on motor vehicle fuel (Chapter 42, Laws of 1990). This tax is distributed for various highway construction purposes. Unlike the previous motor vehicle fuel tax, however, provisions were added that disallow the refund of taxes paid by boaters, ORV enthusiasts, or other nonhighway recreationists. In effect, a cap was placed on these refunds.

The Task Force strongly recommends that the state return the nonhighway portion of future motor vehicle fuel tax increases to programs that benefit boaters, nonhighway road recreationists, and ORV enthusiasts. State agencies often use these monies for O&M, and therefore reduce their dependency on sources such as the State Wildlife and Recreation Lands Management Account.

State Wildlife and Recreation Lands Management Account's Funding Distribution Formulas

As noted in the Introduction, the State Wildlife and Recreation Lands Management Act contains two sets of distribution formulas. One set allocates funding based on categories of O&M responsibilities. Another set guarantees minimum amounts of funding to three state agencies.

While the Task Force recognizes the desirability of this framework, recent needs assessments indicate that these formulas might not effectively meet agency requirements. This may be especially true with the agency distribution formulas when the account receives full funding. Consequently, the Task Force recommends that the distribution formulas be examined after the account has had time to function and needed adjustments become readily apparent.

Future Land Acquisitions

Although the issue of additional state land acquisitions was not within its purview, the Task Force was mindful of the need to provide agencies with funding for "basic stewardship," as that term is defined in SHB 2594, when new lands are acquired. The Task Force found that the basic stewardship cost associated with state-owned fish and wildlife habitat, natural areas, parks, and other recreation sites is quite low relative to the cost of managing such lands for active public use.

Use of Volunteers

As the search for creative stewardship solutions continues, one option that deserves further consideration is greater use of volunteers on state lands. While not a panacea for the crisis in lands management, use of volunteers offers intriguing possibilities for handling key aspects of the problem.

Volunteers can accomplish many necessary jobs—often making the difference between a poorly maintained site and one that meets the dual objectives of resource protection and quality visitor experiences. Volunteers often can supplement the efforts of regular agency staff, allowing them to concentrate on tasks requiring special expertise or use of equipment.

The Task Force acknowledges and commends the Department of Wildlife, Department of Natural Resources, and State Parks for the progress already made in this arena. State Parks, for example, reports 89,000 hours of volunteer contributions in 1990. Volunteers conducted interpretive walks, constructed picnic shelters, provided campground services, and performed a variety of other tasks.

The Task Force encourages the state wildlife and recreation agencies to work together to identify new opportunities for expanding the role of volunteers. Because of the enormous leveraging effect of dollars spent on volunteer programs, the Task Force recommends that the legislature consider funding for expanding this approach to state lands stewardship.

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Appendix B: Revenue Options Considered and Rejected

Increase Hotel/Motel and RV Park Rental Tax

Description:

Levy an additional tax on accommodations of less than 30 consecutive days at facilities such as hotels, motels, and private campgrounds, and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

There are already three types of special taxes that apply to accommodations (in addition to the state and local retail sales tax that ranges from 7.0 - 8.2 percent). The combined tax on accommodations is already relatively high. In Seattle, for example, the sales and hotel/motel tax rate (at businesses with 60 or more units) is now 14.2 percent (15.2 percent in 1993).

There could be an adverse impact on existing sales and hotel/motel tax revenues that benefit the state general fund, financing of stadiums and convention centers, and local tourism promotion programs. Tourism and convention interests and the hotel and restaurant industry could be adversely impacted.

Revenue collections might be volatile, as tourism and accommodation expenditures largely represent discretionary spending that may be curtailed during recessionary periods.

Remove Motor Vehicle Fuel Tax Cap

Description:

Allow the portion of the 1990 five cent per gallon motor fuel tax increase paid on fuel used for boating, off-road vehicle riding, and nonhighway oriented recreation activities to be earmarked for the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Transportation interests, which have received exclusive use of the entire \$0.05 per gallon tax increase, would be strongly opposed.

Increase Recreational Vehicle Excise Tax

Description:

Increase the excise tax levied on campers, travel trailers and motor homes and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Recreational users of these vehicles often support their activities on public lands through payment of overnight use fees. Many of these vehicles are used for activities that have no connection to state-owned lands. Because motor homes pay the motor vehicle excise tax, the tax rate is already quite high as compared to the tax on most other kinds of taxable property.

Increase Boat Excise Tax

Description:

Increase the annual excise tax paid on certain pleasure boats and earmark the revenue to the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Boaters are already subject to many taxes and fees. Certain pleasure boats (generally, registered vessels 16' or more in length) are already subject to a state excise tax imposed annually at a 0.5 percent rate,

imposed in lieu of the general property tax (Chapter 82.49 RCW). Counties are authorized to impose an additional local option tax of up to 50 cents per foot of boat length. In addition, boaters with vessels valued at \$100,000 or greater must also pay a federal luxury (one-time sales) tax.

Boaters are also subject to a new, annual federal "user fee." Boaters also pay various state and federal fuel taxes; many of these monies are returned to programs that benefit boaters. In addition to those already mentioned above, user fees are often levied on boaters who use public moorage or launch facilities.

Retail Sales Tax on Newspapers

Description:

Levy a retail sales tax, or tax in-lieu of a retail sales tax, on newspapers and earmark the revenue for the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Administering a sales tax on newspapers, or a special tax in-lieu of the retail sales tax, could be difficult. Although a retail sales tax is imposed on other printed materials, imposing the tax on newspapers would be a change in policy and would be met with significant opposition.

Retail Sales Tax on Cable TV

Description:

Impose a retail sales tax on cable television and earmark the revenue for the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Under current Washington State law, many services, such as cable TV, are excluded from the retail sales tax. Imposing the tax on cable television would be difficult. Cable TV companies would be negatively impacted by increased consumer costs. The industry has recently been subject to increased federal regulation.

Increase Existing User Fees

Description:

Increase the cost of existing fees for such activities as camping, hunting, fishing, and snowmobiling, and earmark the revenue for the State Wildlife and Recreation Lands Management Account.

Reasons for Rejection:

Fees charged by the State Parks and Recreation Commission for overnight use of campsites and moorage facilities, concession operations, and communication site rentals, provided \$7.8 million to the general fund in fiscal year 1992. The Commission is currently considering the imposition of new fees or increasing existing fees to offset further planned budget reductions.

License fees charged by the Department of Wildlife for hunting, fishing, and other activities, provided \$22.7 million to the Wildlife Account in fiscal year 1992. These fees were increased in the 1991 legislative session.

Appendix C:

Substitute House Bill 2594

AN ACT Relating to the establishment of an account for the operation and maintenance of state-owned fish and wildlife habitat, natural areas such as natural area preserves and natural resource conservation areas, parks, and other recreation lands; adding a new chapter to Title 43 RCW; and creating new sections.

“NEW SECTION. Sec. 1. SHORT TITLE. This chapter shall be known as the state wildlife and recreation lands management act.”

“NEW SECTION. Sec. 2. FINDINGS AND PURPOSE. (1) The legislature finds that:

(a) The state of Washington owns and maintains a wide variety of fish and wildlife habitat, natural areas, parks, and other recreation lands;

(b) The state of Washington is responsible for managing these lands for the benefit of the citizens, wildlife, and other natural resources of the state;

(c) The state of Washington has recently significantly enhanced its efforts to acquire critical habitat, natural areas, parks, and other recreation lands and to transfer suitable lands from school trust to conservation and park purposes;

(d) Recent unprecedented population growth has greatly increased the threat to the state’s fish and wildlife habitat and the demands placed on the lands under (a) of this subsection;

(e) The importance of this habitat and these lands to the state is continuing to increase as more people depend on them to satisfy their needs and more plant and animal species require state-owned lands for their survival;

(f) By itself, public ownership cannot guarantee that resources will be protected, or that appropriate recreational opportunities will be provided;

(g) Only through ongoing, responsible management can fish and wildlife

habitat, sensitive ecosystems, and recreational values be protected;

(h) The operation and maintenance funding for state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands has not kept pace with increasing demands placed upon such lands;

(i) Many needed operation and maintenance projects have been deferred due to insufficient funding, resulting in increased costs when the projects are finally undertaken; and

(j) An increase in operation and maintenance funding is necessary to bring state-owned lands and facilities up to acceptable standards and to protect the state's investment in its fish and wildlife habitat, natural areas, parks, and other recreation lands.

(2) Therefore, it is the policy of the state to provide adequate and continuing funding for operation and maintenance needs of state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands to protect the state's investment in such lands, and it is the purpose of this chapter to create a mechanism for doing so."

NEW SECTION. Sec. 3. DEFINITIONS. The definitions set forth in this section apply throughout this chapter.

(1) "Basic stewardship" means the costs associated with holding and protecting property to maintain the functions for which the property was acquired. It includes, but is not limited to, costs associated with statutorily required in-lieu property taxes, weed and pest control, fire protection, fence maintenance, cultural and archaeological site protection, basic research related to maintenance of natural area preserves and natural resource conservation areas, basic resource and environmental protection, and meeting applicable legal requirements.

(2) "Improved or developed resources" means the costs associated with the built or manipulated environment. It includes, but is not limited to, costs associated with maintaining buildings, grounds, roads, trails, water access sites, and utility systems. Also included are improvements to habitat such as bank stabilization, range rehabilitation, and food and water sources.

(3) "Human use management" means the costs associated with visitor management, education, and protection.

(4) "Administration" means state agency costs necessary to support subsections (1) through (3) of this section. It includes, but is not limited to, budget and accounting, personnel support services, volunteer programs, and training."

NEW SECTION. Sec. 4. STATE WILDLIFE AND RECREATION LANDS MANAGEMENT ACCOUNT. There is created the state wildlife and recreation lands management account in the state treasury.

(1) Moneys accumulated under this chapter shall be used exclusively for

the purposes specified in this chapter. Those purposes are to support operation and maintenance activities and costs associated with owning and managing state fish and wildlife habitat, natural areas such as natural area preserves and natural resource conservation areas, parks, and other recreation lands and include:

- (a) Basic stewardship;
- (b) Improved or developed resources;
- (c) Human use management; and
- (d) Administration.

Land acquisition, facility development or replacement, major renovation projects, improvement or rehabilitation projects normally funded through the capital budget, and operation and maintenance of state fish hatcheries are excluded.

(2) No expenditures may be made from this account without legislative appropriation.”

“NEW SECTION. Sec. 5. ALLOCATION AND DISTRIBUTION OF MONEYS. (1) Moneys appropriated for this chapter from the state wildlife and recreation lands management account shall be expended in the following manner:

- (a) Not less than thirty percent for basic stewardship;
- (b) Not less than twenty percent for improved or developed resources;
- (c) Not less than fifteen percent for human use management; and
- (d) Not more than fifteen percent for administration.
- (e) The remaining twenty to thirty-five percent shall be considered unallocated.

(2) In the event that moneys appropriated for this chapter to the state wildlife and recreation lands management account under the initial allocation prove insufficient to meet basic stewardship needs, the unallocated amount shall be used to fund basic stewardship needs.

(3) Each eligible agency is not required to meet this specific percentage distribution. However, funding across agencies should meet these percentages during each biennium.

(4) It is intended that moneys disbursed from this account not replace existing operation and maintenance funding levels from other state sources.

(5) Agencies eligible to receive funds from this account are the departments of fisheries, natural resources, and wildlife, and the state parks and recreation commission.

(6) Moneys appropriated for this chapter from the state wildlife and recreation lands management account shall be distributed in the following manner:

- (a) Not less than twenty-five percent to the state parks and recreation commission.

(b) Not less than twenty-five percent to the department of natural resources.

(c) Not less than twenty-five percent to the department of wildlife.

(d) The remaining funds shall be allocated to eligible agencies based upon an evaluation of remaining unfunded needs.

(7) The office of financial management shall review eligible state agency requests and make recommendations on the allocation of funds provided under this chapter as part of the governor's operating budget request to the legislature."

"NEW SECTION. Sec. 6. STATE WILDLIFE AND RECREATION LANDS MANAGEMENT TASK FORCE. (1) A state wildlife and recreation lands management task force is hereby created to develop recommendations regarding a new long-term funding source or sources to meet the requirements of this chapter. The task force shall investigate possible opportunities for the use of future appropriations for habitat conservation and outdoor recreation lands under chapter 43.98A RCW in meeting major operation and maintenance funding needs. The task force shall also report on funding needed to assist counties with the required police, fire protection, and other local services provided to protect state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands.

(2) (a) The task force shall be composed of seven voting members, appointed by the governor, representing different regions of the state.

(b) The task force shall include as ex officio, nonvoting members, one member from each of the departments of fisheries, wildlife, and natural resources, the state parks and recreation commission, and the office of financial management appointed by the respective directors. The president of the senate and the speaker of the house of representatives shall each appoint one nonvoting member from each caucus of their respective legislative bodies.

(3) The chair of the task force shall be a citizen member and shall be chosen by the governor.

(4) The task force appointments shall be made by May 15, 1992.

(5) The task force shall provide for public involvement in the development of the recommendations.

(6) The interagency committee for outdoor recreation and the office of financial management shall provide staff support and technical assistance to the task force. All participant agencies and the department of revenue shall cooperate in the development of the recommendations and shall provide relevant information as needed.

(7) A report and recommendations shall be submitted to the governor and standing committees of the legislature by September 15, 1992."

“NEW SECTION. Sec. 7. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.”

“NEW SECTION. Sec. 8. CAPTIONS NOT LAW. Section headings as used in this act do not constitute any part of the law.”

“NEW SECTION. Sec. 9. Sections 1 through 5 and 7 of this act shall constitute a new chapter in Title 43 RCW.”

Appendix D: Agency Program Summaries

State Parks and Recreation Commission

Parks Management Program

In 1913 the Washington State Parks Board was created to set aside and manage lands for public recreation. In 1947 the present seven-member Washington State Parks and Recreation Commission was formed by Chapter 43.51 RCW. Commissioners are appointed by the governor with the advice and consent of the senate and serve for staggered terms of six years.

The mission of the Washington State Parks and Recreation Commission is to acquire, operate, enhance and protect a diverse system of recreational, cultural, historical and natural sites... and foster outdoor recreation and education statewide to provide enjoyment and enrichment for all and a valued legacy to future generations.

Although best known for its parks system, State Parks also administers important recreation and resource management programs, including Snowmobile, Winter Recreation, Scenic Rivers, Boating Environmental and Safety Education, and Historical and Environmental Interpretation.

State Parks, as a resource and people manager, provides a wide range of outdoor recreation opportunities in a variety of natural settings. Many of the state's most popular outdoor recreation activities are available at state parks, including: walking and day hiking, beach-combing, bicycling, swimming, picnicking, fishing, nature study, camping, boating, skiing, snowmobiling, and off-road vehicle driving.

In 1965, there were 13 million visits to state parks. In 1989, there were 41 million visits—an increase of over 300 percent in fewer than 25 years.

State Parks operates 107 developed areas with on-site staff, several small satellite properties, and approximately 20 sites preserved in their natural state or held for future development. These areas are located throughout the state and total over 232,000 acres. Approximately 144,000 acres of this property are within the Columbia River Basin and are managed in conjunction with the Department of Wildlife.

State Park campgrounds typically have restrooms with running water, flush toilets and hot showers. The campgrounds are suitable for tent campers, large recreational vehicles, and frequently include some sites with utility hookups. In many areas, walk-in sites are provided that are popular with bicyclists as well as tent campers seeking additional privacy. Many parks have separate, developed group-camp facilities suitable for organizations and schools.

Parks also have a variety of day-use facilities, ranging from developed picnic areas to interpretive trails and day hiking opportunities. Many provide some form of water access ranging from developed swim beaches, to boat launch ramps for both salt and fresh-water access.

Some parks are quite specialized, such as the Iron Horse State Park, which is a converted railroad right-of-way for hikers, horseback riders, mountain bicyclists and cross-country skiers. Another is Bridle Trails State Park, which is used heavily for equestrian trail riding and shows. Eagle Island, Sucia, Patos, Matia and Blake Island State Park are examples of Marine Parks accessible only by boat.

State Parks are land and water areas operated and maintained to provide recreation opportunities for visitors while protecting the integrity of the area's resources. Approximately 70 percent of all state parks are considered full-service facilities. These parks generally offer both a range of day-use activities and overnight camping. Many of these parks also offer a limited range of special activities such as boating, interpretation, historic preservation and so forth.

State Parks' objective in maintaining its natural and manmade resources is to provide visitor services and facility maintenance that is sufficient to minimize visitor conflict, prevent resource deterioration and ensure full facility life. This objective has not been fully met due to insufficient funding.

Department of Natural Resources

Natural Area Preserve Program

The primary purpose of the Natural Area Preserve (NAP) Program is to protect examples of undisturbed terrestrial and aquatic ecosystems, rare plant and animal species and unique geologic features; to serve as gene pool reserves; to serve as baselines against which the influences of human activities in similar, disturbed ecosystems may be compared; and to provide outdoor laboratories for scientific research and education.

The Natural Area Preserve Program was established in the Department in 1982. Prior to that date the preserve program was affiliated with the Nature Conservancy. Since the establishment of the state Natural Area Preserve and Natural Heritage Program 37 sites have been acquired totalling approximately 15,000 acres.

Since the purpose of the preserve program is to protect relatively undisturbed ecosystems, and not to provide for public use or outdoor recreation, these sites do not include many improvements (an exception is the Mima Mounds in Thurston County, which includes a trail and interpretive facility). The principal management activities include: 1) monitoring to ensure the protection purposes are maintained or enhanced, and 2) implementing programs that keep the sites relatively undisturbed from the invasion of exotic or inappropriate vegetation or from human use.

Conservation Area Program

The Natural Resource Conservation Area (NRCA) Program blends public use and natural resource protection goals. The primary purpose of the NRCA Program is to protect outstanding examples of native ecosystems, habitat for endangered, threatened, and sensitive plants and animals, and scenic landscapes. Conservation areas also provide opportunities for environmental education and low-impact public uses. Limited commodity-based activities also may be allowed.

A fundamental principle of the NRCA Program is that natural resource protection has the highest priority. All uses directly involving people (primitive recreation, low-impact public use) and management activities will be allowed only if consistent with the NRCA Act's conservation purposes. Specifically, they must:

- Not adversely affect the quality of the site's natural resources;
- Be appropriate to the site's maintenance as a relatively unmodified natural setting; and
- Not disrupt long-term ecological processes.

The Natural Resource Conservation Area Program was created in 1987. Using funds from a one-time increase of the real estate excise tax, transferring state trust lands, and using other state funds, 21 Conservation Area's totalling approximately 43,000 acres have been acquired. The NRCA Act (Chapter 79.71 RCW) requires DNR to develop individual management plans for each of these sites.

Recreation Program

The Department of Natural Resources manages approximately five million acres of public trust lands—three million upland acres and two million acres of aquatic lands. Management of these lands provides income to 11 different grants and trusts. In addition to supporting a variety of revenue generating activities, DNR managed lands are open to the public and offer a unique recreation opportunity to the citizens of Washington.

Outdoor recreation on these trust lands had a modest beginning in the 1950s as an obscure part of DNR's fire control program. The favorite camping spots of the public were loosely formalized into recreation sites by providing firepits, tables, toilets, and other amenities. This was done primarily to control the use of fire in the forest.

In the mid-1960s, funding from grant sources became available and legislation was passed that allowed DNR to apply for, and spend, those grant monies to acquire and develop primitive recreation sites, acquire rights-of-way, and develop public recreation access to state trust lands. The formal Recreation Program was born. From a handful of fire camps in 1965, it has grown to include 135 picnic sites, camp sites, and vistas, and over 400 miles of trail.

Recreation sites operated by DNR are small, semi-remote, semi-primitive, relatively uncrowded, and free. They are intended to provide the public with an alternative experience and setting from those offered by other public agencies. Campgrounds range in size from 2 to 29 units, with an average of 10 units. They offer picnic tables, fire pits, tent pads, toilets, and parking. Drinking water, garbage cans, and boat launches are provided at some sites. DNR does not charge a fee for use of its recreation facilities, nor does it take reservations; use is on a first-come, first-served basis.

Over 400 miles of official trails provide opportunities for equestrians, hikers, mountain bicyclists, and off-road vehicle enthusiasts. Trails tend to be concentrated in the large blocks of state ownership such as the Capitol State Forest or the Tahuya State Forest.

DNR also acts as custodian for 147 miles of Milwaukee Railroad corridor, beginning on the west bank of the Columbia River and running east to the

Idaho border. This corridor is open to the public for non-motorized trail travel, through a permit process, between October 1 and June 15 each year.

Department of Wildlife

Wildlife Areas Program

The Washington Department of Wildlife (WDW) is directed to preserve, protect, and perpetuate Washington's wildlife, and maximize recreational opportunity. Responsibilities of WDW are executed by four resource management divisions: Habitat, Fisheries, Land Resources, and Wildlife; and two support divisions: Enforcement, and Administrative Services. The Land Resources Division was recently formed to focus on land issues to manage the acquisition, development, and maintenance of land under state and federally funded programs and to develop standards and guidelines for management of WDW owned and managed lands.

The possession of land, either in fee or less than fee title ownership or through agreements with other landowners, is one of the variety of tools used by WDW to achieve its legislative mandate. WDW owns or controls over 840,000 acres. Approximately half of the acreage is owned in fee title and the remainder is managed under agreements with other land owners.

Wildlife Areas are one of two kinds of WDW lands assessed for purposes of work with the State Wildlife and Recreation Lands Management Task Force. Wildlife Areas occur throughout the state in almost every county. These lands are managed to maintain or enhance habitats for fish and wildlife and provide compatible wildlife-oriented recreation.

Over 840,000 acres are managed in units that range in size from only a few hundred to tens of thousands of acres. Approximately 430,000 acres are owned in fee title. The remainder are managed under agreements with other landowners, such as the Bureau of Reclamation, Department of Energy, the U.S. Fish and Wildlife Service and the Department of Natural Resources.

Wildlife Areas provide some of the best hunting in the state, while also supporting nongame species of concern such as the loon and bald eagle. Recent acquisitions have been aimed at state and federal species of concern, such as peregrine falcon, pond turtle, Oregon silverspot butterfly, and others; and at providing strategically located, permanent habitat plots of a few acres each scattered throughout eastern Washington agricultural areas to recover pheasant and farmland wildlife.

The network of Wildlife Areas provides more than two million recreation visitor days each year. Increasing numbers of people, shifting demographic

patterns, and changing recreational interests have resulted in increased use of Wildlife Areas for pursuits such as bird watching, photography, hiking, and rock climbing.

Current emphasis at most Wildlife Areas is to meet statutory requirements such as noxious weed control, fire protection, and where appropriate, in-lieu property tax payments. Maintenance of WDW's investment in capital developments such as buildings, fences, roads, and water developments consume much of the budgets for the areas.

Wildlife Access Areas Program

The Wildlife Access Areas Program provides public access to lands and waters of the state for fishing, hunting, and non-consumptive wildlife appreciation. Although geared toward the wildlife enthusiast, this program provides access for general recreation such as boating, swimming and water-skiing.

Public access is provided at 583 sites. They range from one to five acres, with a few exceptions in excess of one hundred acres. Development is generally limited to fencing, parking, a boat launch and toilet facilities. The sites are primarily limited to day use, although overnight camping is allowed in some areas.

Access areas were purchased and developed for fishing recreation. As the state continues to develop and urbanize, WDW Wildlife Access Areas are often, however, the only public access on a fresh water lake. As demand and variety of use has increased, so has the public's expectation for parking, picnicking, swimming, and sanitary facilities.

Department of Fisheries

Habitat and Recreation Program

The duties of the Department of Fisheries (WDF) are to: "...preserve, protect, perpetuate and manage the food fish and shellfish in state waters and offshore waters. The Department shall conserve the food fish and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the Department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The Department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state."

The Department of Fisheries helps carry out its mission through habitat maintenance and enhancement and through provision of lands and facilities for public fishing access. The Department of Fisheries owns about 8,000 acres of

lands statewide and is responsible for operation of approximately 100 major facilities, the majority of which are salmon hatcheries. In addition there are over 300 various other structures associated with resource protection that have been installed by WDF on lands controlled by others.

The Department of Fisheries has relied on transferring to local government as much O&M responsibility as possible for recreation lands and facilities. This approach to addressing public recreation needs, given local government's increasing burdens, is becoming less feasible. Thus, the prospect of sharply increased operating funding shortfalls looms large in the near future.

The bulk of the inventory of habitat facilities to which SHB 2595 applies can be categorized as: resource enhancement facilities, habitat structures, and salmon screens. These facilities are composed principally of natural salmon rearing and spawning sites, fish passage, adult fish collection, and screening facilities for the prevention of juvenile salmon mortality by water diversion projects, typically for irrigation.

Much habitat protection and enhancement work has taken place without the outright acquisition of lands. Hundreds of fish passage developments and riparian habitat enhancements have been constructed on less than fee land interests. There is no identified source of maintenance funding for these developments, other than future capital programs or the willingness of beneficent landowners to donate their efforts.

