

HOUSE BILL REPORT

HB 2485

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to purchase of land by the department of fish and wildlife.

Brief Description: Regarding the purchase of land by the department of fish and wildlife.

Sponsors: Representatives Kretz and Taylor.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/12/10, 1/28/10 [DPS].

Brief Summary of Substitute Bill

- Directs the Department of Fish and Wildlife to minimize any disproportionate geographic impacts when planning real estate acquisitions by ensuring, on average, that no more than 10 percent of the acres purchased over a five-year period is located in any one county unless the county consents to additional land purchases.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Blake, Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Nelson, Pearson, Rolfes and Warnick.

Minority Report: Do not pass. Signed by 4 members: Representatives Ormsby, Vice Chair; Liias, McCoy and Van De Wege.

Staff: Jason Callahan (786-7117).

Background:

The Fish and Wildlife Commission (Commission) has the authority to acquire various property rights in the name of the state for purposes consistent with the other legislative

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authorities of the Commission. The Commission may acquire lands, buildings, water rights, rights-of-way, and other property through gift, lease, condemnation, or purchase from a willing seller.

Summary of Substitute Bill:

The Washington Department of Fish and Wildlife (WDFW) is directed to minimize any disproportionate geographic impacts when planning real estate acquisitions. This duty is considered fulfilled if, on average, no more than 10 percent of the acres purchased over a five-year period by the WDFW is located in any one county. The WDFW is only allowed to exceed the per county percentage if the legislative authority of a county passes a resolution authorizing additional land purchases.

The duty to minimize disproportionate geographic impacts only applies to land that is greater than five acres in size and is being purchased from a private seller to be owned or managed by the WDFW. The duty applies to all land purchases, regardless of the funding source.

Substitute Bill Compared to Original Bill:

The original bill prohibited the WDFW from purchasing any real estate from a private seller that is greater than five acres in size, or multiple parcels that add up to five acres, in any county that has a combined ownership of public and tribal land that exceeds 70 percent of the county's land base unless the purchase has been specifically directed by the Legislature and the local county authority consents to the transaction.

The original bill also required any new land purchased by the WDFW to be accompanied with a bond or other financial guarantee that assures the land will be managed for the control of noxious weeds and the maintenance of forest health.

Appropriation: None.

Fiscal Note: Requested on substitute bill on January 28, 2010.

Effective Date of Substitute Bill: The bill takes effect July 1, 2011.

Staff Summary of Public Testimony:

(In support) Thousands of acres have gone out of public ownership in the last 25 years. Public land ownership increases have not occurred with geographic equality and some areas have seen more public land purchases than others. The last thing that local counties need is to have more private land come off of the tax rolls. The state is able to enter into a sale with deep pockets and outbid other potential private buyers of the land.

(Opposed) This bill does not represent a new idea. The concept has been debated and past legislative acts have developed processes to help coordinate public land purchases. It is inconsistent with current legislative policy and recent budget decisions.

The WDFW only purchases land from willing sellers and the sales are based on the appraised market value of the property in question. The WDFW plans purchases by looking into the future and focusing at the last few places where wildlife can be enjoyed. Public land creates billions of dollars of revenue for local economies in fish and wildlife related recreation.

It is inappropriate for local governments to determine what level of financial commitment the state has to make in weed control. If the WDFW purchases land, it still makes payments to the county in lieu of taxes.

Persons Testifying: (In support) Representative Kretz, prime sponsor; and Jack Field, Washington State Cattlemen's Association.

(Opposed) Bill Robinson, The Nature Conservancy; Steve Pozzanghera, Washington Department of Fish and Wildlife; and Bill Clarke, Trust for Public Land.

Persons Signed In To Testify But Not Testifying: None.