

# SENATE BILL REPORT

## SB 5004

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As of January 20, 1997

**Title:** An act relating to exchanges of state-owned aquatic lands with privately owned lands under the public interest standard.

**Brief Description:** Exchanging state-owned aquatic lands with privately owned lands.

**Sponsors:** Senators Haugen, Oke, Spanel and Rasmussen.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 1/16/97.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Staff:** Vic Moon (786-7469)

**Background:** In 1995, the Twin City Foods Corporation in Stanwood, Washington had a major forest fire. It received all the necessary permits to rebuild its shipping facilities and warehouse. During the latter part of the construction process, it was found that part of the land that it had occupied over the last 50 years might be state tidelands. The Department of Natural Resources has required Twin City Foods to enter into a lease for these tidelands, although the lands were never assessed as tidelands nor was any lease paid prior to the Department of Natural Resources' discovery of potential ownership in 1996.

Twin City Foods has some valuable recreational property which it could trade the state for the tidelands if the tidelands are, in fact, state-owned tidelands.

**Summary of Bill:** The Legislature intends to expedite exchanges of state-owned aquatic lands when those aquatic lands benefit commerce and an exchange would foster improved public use and access to aquatic lands. An exchange of state-owned aquatic lands located within a city of a population less than 10,000 and occupied by a firm employing more than 100 employees may trade its aquatic lands to the state of Washington and the trade of those lands is declared to be in the best public interest of the state.

The department must work cooperatively with private landowners to expedite the exchange of tidelands and recreational lands. The department must consider the public interest value of assisting the firm in continuing its commercial operations at its current site and is not to make reference to adjacent upland uses or zoning when valuing the state-owned aquatic lands.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

