

Natural Resources Committee

HB 1060

Brief Description: *Allowing for the conveyance of certain forest board transfer lands to protect municipal drinking water supplies.*

Sponsors: *Representatives Rockefeller, Ericksen, Barlean, Jackley, Doumit, Eickmeyer, Linville, Haigh and Esser.*

Brief Summary of Bill

- *Allows counties to request that Forest Board Transfer lands be reconveyed from the Department of Natural Resources to a county for the protection of the source of drinking water within or adjacent to municipal watershed boundaries.*

Hearing Date: *2/19/01*

Staff: *Jason Callahan (786-7117).*

Background:

If a county acquires land that may be used as state forest land through the foreclosure of tax liens, the Department of Natural Resources (DNR) may demand that the deed to such land be conveyed to the DNR. Any land deeded to the DNR in this manner becomes part of the state forest lands and is held in trust, administered, and protected in the same manner as other state forest lands. Any revenue generated by the lease of, or removal of valuable materials from lands transferred from the county to the DNR is shared by both the county and the DNR.

According to the DNR, there are currently 543,563 acres of state forest land held in a transfer trust. These acres are spread throughout 21 counties. Approximately 98 percent of the transfer lands are currently forested.

In 1969, the Legislature granted counties the authority to apply to the DNR for the reconveyance of transfer lands that are needed by the county for public park use. The DNR reconveys transfer land back to the county if it determines that the county's proposed

park use is consistent with the state outdoor recreation plan. Once reconveyed, the deed remains with the county for as long as the lands are used for the proposed public park purpose. The DNR may condition the reconveyance of the lands so as to allow the DNR to management adjacent state-owned lands in a way that maximizes multiple use.

Summary of Bill:

The legislative authority in a county has the authority to determine that Forest Board Transfer lands are needed for the protection of source drinking water within or adjacent to municipal watershed boundaries. If such a determination is made, the county may request that the Department of Natural Resources (DNR) transfer the deed of the lands back to the county. Any reasonable administrative costs associated with the transfer is to be paid by the requesting county.

The DNR must transfer the deed of the forest lands back to the county if it determines that removing the lands from timber production will result in significantly greater protection for the source of municipal drinking water. The request will be denied if the DNR finds that a reconveyance would not significantly contribute to the protection of drinking water. The forest lands will remain conveyed to the county for as long as the lands are used for the protection of municipal drinking water. The reconveyance of the forest lands may contain conditions that allow the DNR to coordinate management of any adjacent state-owned lands to encourage maximum multiple use management. The DNR may also reserve rights-of-way through the reconveyed land as needed to manage other state-owned lands in the area. Upon request of the DNR, the land will be conveyed back to the DNR if at any time the forest land is not used for the protection of municipal drinking water.

Timber resources reconveyed to a county is not included for the purposes of calculating the sustainable harvest.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.