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**Ecology & Parks Committee**

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**HB 2509**

**Brief Description:** Authorizing the department of natural resources to purchase aquatic lands.

**Sponsors:** Representative Rolfes.

**Brief Summary of Bill**

- Authorizes the Department of Natural Resources to purchase aquatic lands.
- Changes the due process that the Department of Natural Resources must engage in before accepting gifts of aquatic lands.

**Hearing Date:** 1/15/08

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

**Background:**

The Legislature has delegated to the Department of Natural Resources (DNR) the responsibility for managing the state's nearly 2.4 million acres of aquatic lands for the benefit of the public. The management of aquatic lands must support a balance of goals, including the encouragement of public access, the fostering of water-dependent uses, the utilization of renewable resources, and the generation of revenue. Revenues generated from the state's aquatic lands are generally directed to be used for public benefits, such as shoreline access, environmental protection, and recreational opportunities. Under current law, the DNR may lease aquatic lands, and exchange state-owned aquatic lands for privately owned lands.

The DNR may also accept gifts of aquatic lands, which become part of the state's aquatic land base. No individual aquatic parcel may be accepted as a gift by the DNR until certain steps of due diligence are completed. These include the preparation of an appraisal of the land's value, the finalization of an environmental site assessment, the examination and approval of the property's title report by the Office of the Attorney General (AG), and the submission of the appraisal, site assessment, and title report to the Board of Natural Resources.

**Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The DNR is provided with the authority to purchase aquatic lands, including any adjacent uplands. All purchased aquatic lands must be managed by the DNR as part of its state-owned aquatic land base, but may not be leased to a private person or organization unless the lease is limited to the activities on the parcel at the time of purchase.

The authority to purchase aquatic lands is only available if the proposed purpose would further one of a set list of values. These values include the enhancement of public uses or access, habitat conservation, or habitat restoration.

The required due diligence on the part of the DNR is changed for both aquatic land purchases and gift receipts. These changes include allowing an estimate of the land's value instead of an appraisal, a risk assessment screening instead of an environmental risk analysis, and the examination of the chain of title by the AG instead of a full property report.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.