

SENATE BILL REPORT

SB 6103

As Reported by Senate Committee On:
Agriculture, Water, Natural Resources & Parks, January 25, 2018

Title: An act relating to conveyances of federal public lands in the state of Washington.

Brief Description: Concerning conveyances of federal public lands in the state of Washington.

Sponsors: Senators Ranker, Palumbo, Carlyle, Wellman, McCoy, Nelson, Billig, Van De Wege, Rolfes, Kuderer and Hasegawa.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/16/18, 1/25/18 [DP-WM, DNP].

Brief Summary of Bill

- Establishes the state's policy as generally discouraging transfers of federal public lands in Washington.
- Creates a process requiring that the Board of Natural Resources (Board) receive a right of first refusal or a right to arrange for the transfer of land to another entity prior to certain federal land transfers.
- Directs action by specified state agencies relating to certain land conveyances or changes to federal land designations, including federal monument designations.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Nelson.

Minority Report: Do not pass.
Signed by Senators Warnick, Ranking Member; Honeyford.

Staff: Curt Gavigan (786-7437)

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.

Background: According to the Washington Public Lands Inventory completed by the Recreation and Conservation Office in 2014, there are approximately 45.7 million acres in the state. Of those lands, approximately:

- 12.7 million acres are in federal ownership;
- 6.5 million acres are in state natural resource ownership; and
- 622,000 are in county and city ownership.

Of the federal acreage, a congressional study using information from 2015 identified approximately:

- 9.3 million acres managed by the United States Forest Service;
- 1.8 million acres managed by the National Park Service;
- 163,000 acres managed by the United States Fish and Wildlife Service; and
- 429,000 acres managed by the Bureau of Land Management.

Summary of Bill: In general, state policy is established against the federal transfer of lands in Washington. Conveyances of federal lands in Washington are invalid unless the Board is provided with the right of first refusal to the conveyance; or to arrange for the transfer of the property to another entity.

In situations where the Board is provided a right of first refusal or to arrange for a transfer of land, the Board must hold a public hearing and provide an opportunity for comment on the proposal. The Board must issue a certificate of compliance when these procedural requirements have been met. The Board may contest conveyances made that do not meet these requirements, and a person may not knowingly record or file a deed relating to a federal conveyance without a certificate of compliance.

In certain situations, the Board may issue a certificate of compliance for routine transactions such as an exchange of lands of equal value. The bill also provides exemptions for actions such as existing leases, certain conservation plans, and certain transfers to tribes.

Specified state agencies must seek to prevent certain federal conveyances or the repeal of a federal public land designation, including relating to lands designated as federal monuments.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This is similar to a bill that passed in California. Efforts have arisen after federal efforts to change designations for national monuments and federal areas. These areas provide valuable visitor and tourist dollars, and need to be protected.

CON: There is support for transferring federal lands to the state. A great deal of federal lands are held in the west, and this bill could be short-sighted in that it could make it harder to achieve transfers of federal lands to the states in the future.

Persons Testifying: PRO: Senator Kevin Ranker, Prime Sponsor.

CON: Tom Davis, Washington Farm Bureau.

Persons Signed In To Testify But Not Testifying: No one.