

FINAL BILL REPORT

SSB 5325

FULL VETO

As Passed Legislature

Brief Description: Allowing counties to have certain lands transferred from the state back to the county.

Sponsors: Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Morton, Stevens, Rossi, Snyder and Loveland).

Senate Committee on Natural Resources & Parks

Senate Committee on Ways & Means

House Committee on Natural Resources

Background: The Forest Board Transfer Lands consist of approximately 530,000 acres of state forest lands. The lands were conveyed to the state by 21 counties during the 1920s, 1930s and early 1940s. The counties originally acquired these lands through tax foreclosure. The revenue from the lands is generated by timber sales and is distributed back to the counties.

The Forest Board Transfer Lands are administered by the Department of Natural Resources and are included in the overall sustained yield calculations that the department uses. However, the Forest Board Transfer Lands do not have the same legal status as those lands that were granted to the state by the United States Congress to support beneficiaries, such as the public schools and the universities.

Some counties have requested that the lands that they transferred to the department be transferred back to the counties for timber management purposes. Existing statutes allow transfer of parts of these lands back for specific purposes, such as the development of county parks.

At the present time, one county, Grays Harbor County, manages its own county forest lands employing a forester and working under county regulatory authority, as well as the authority of the state Forest Practices Act.

Summary: The county legislative authority in counties with a population less than 1.5 million persons may apply to the Board of Natural Resources to transfer forest lands back to the county until the year 2017. The Board of Natural Resources must direct the Department of Natural Resources to reconvey the forest lands to the requesting county. Once the land has been reconveyed to a county, it must be kept in forest status and may not be sold. The lands must be managed to maximize the financial benefit to the counties.

All data and documents concerning the lands are transferred to the counties by the department. The department is required to stop all proposed sale activity on the state Forest Board lands when the transfer takes place. Reconveyance of the lands is done by a quitclaim deed and the term of the reconveyance must be for not less than 20 years. Revenues from

the land are dispersed as currently required by law, unless the distribution formula is changed by the Washington State Legislature. The county's administrative authority may charge a 20 percent management fee, and reporting requirements are included for the use of management fees. Existing contracts for the state Forest Board Transfer Lands are honored until the completion of the contract.

Existing memorandums of agreement, landscape plans, habitat conservation plans and similar agreements may be continued at the discretion of the respective county. Public access to the land must be allowed, subject to the discretion of the local legislative authority. Lands are open for public recreation consistent with timber management goals. Lands that have recreational uses funded by the Interagency Committee for Outdoor Recreation or other similar source must remain in recreational use as directed by agreement, contract, rule or statute.

Counties may contract with the Department of Natural Resources for management. County employees managing the lands must be trained to the same standards as the department employees.

Counties that exercise their option of reconveyance must make an annual report to the Legislature, by February 1 each year, concerning activities on those lands. The report must include acres harvested, the volume of harvest from those acres, the number of acres replanted, pre-commercially thinned acres and the annual cost on a per acre basis.

Votes on Final Passage:

Senate	32	17
House	59	36