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**SHB 1299** - H AMD **357**

By Representative Hawkins

**ADOPTED 04/09/2015**

 On page 21, beginning on line 7, after "(4)" strike the remainder of the subsection and insert the following:

 "The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

 (a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

 (b) Prior to completing the transfer in (a) of this subsection, the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

 (c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes."

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|  |  EFFECT:   Removes the requirement that the Washington State Department of Transportation (WSDOT) sell the Rocky Reach Trail and instead requires the Department to transfer trail-related surplus property to the Washington State Parks and Recreation Commission. FISCAL IMPACT: No net change to appropriated levels. |

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