
SENATE BILL 6204

State of Washington

58th Legislature

2004 Regular Session

By Senators Doumit, Oke, Hargrove, Swecker, Rasmussen, Morton and Winsley

Read first time 01/14/2004. Referred to Committee on Parks, Fish & Wildlife.

1 AN ACT Relating to revenue generation on state lands; amending RCW
2 77.12.210 and 79A.05.035; adding a new section to chapter 79A.05 RCW;
3 and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that significant
6 opportunities exist on state-owned lands to generate revenue to benefit
7 land management. Both the state parks and recreation commission and
8 the department of fish and wildlife hold undeveloped lands that could
9 be managed for resource use without impairing the purposes for which
10 the lands are held. It is therefore the intent of the legislature to
11 require the department of fish and wildlife and the state parks and
12 recreation commission to evaluate and expand revenue-generating
13 activities on state-owned lands.

14 **Sec. 2.** RCW 77.12.210 and 2000 c 107 s 218 are each amended to
15 read as follows:

16 (1) The director shall maintain and manage real or personal
17 property owned, leased, or held by the department and shall control the

1 construction of buildings, structures, and improvements in or on the
2 property. The director may adopt rules for the operation and
3 maintenance of the property.

4 (2) The commission may authorize the director to sell, lease,
5 convey, or grant concessions upon real or personal property under the
6 control of the department. This includes the authority to sell timber,
7 gravel, sand, and other materials or products from real property held
8 by the department, and to sell or lease the department's real or
9 personal property or grant concessions or rights of way for roads or
10 utilities in the property. Net proceeds from all resource management
11 activities must be deposited in the state wildlife fund for the
12 purposes of department land management. Oil and gas resources owned by
13 the state which lie below lands owned, leased, or held by the
14 department shall be offered for lease by the commissioner of public
15 lands pursuant to chapter 79.14 RCW with the proceeds being deposited
16 in the state wildlife fund: PROVIDED, That the commissioner of public
17 lands shall condition such leases at the request of the department to
18 protect wildlife and its habitat.

19 (3) By December 1, 2004, and at least every five years thereafter,
20 the department must evaluate the opportunities and develop a plan for
21 revenue generation from department lands through the resource
22 management activities identified in subsection (2) of this section.
23 Any resource management activities must be consistent with the purposes
24 of this title. The department may contract with the department of
25 natural resources or a private contractor for the evaluation and
26 subsequent resource management activities.

27 (4) If the commission determines that real or personal property
28 held by the department cannot be used advantageously by the department,
29 the director may dispose of that property if it is in the public
30 interest.

31 (5) If the state acquired real property with use limited to
32 specific purposes, the director may negotiate terms for the return of
33 the property to the donor or grantor. Other real property shall be
34 sold to the highest bidder at public auction. After appraisal, notice
35 of the auction shall be published at least once a week for two
36 successive weeks in a newspaper of general circulation within the
37 county where the property is located at least twenty days prior to
38 sale.

1 (6) Proceeds from the sales shall be deposited in the state
2 wildlife fund.

3 **Sec. 3.** RCW 79A.05.035 and 1999 c 249 s 303 are each amended to
4 read as follows:

5 (1) The commission shall:
6 (a) Manage timber and land under its jurisdiction to maintain and
7 enhance aesthetic and recreational values;

8 (b) Apply modern conservation practices to maintain and enhance
9 aesthetic, recreational, and ecological resources; (~~and~~)

10 (c) Enhance revenue generation through timber harvest when harvest
11 is consistent with this section and the purposes identified in RCW
12 79A.05.305; and

13 (d) Designate and preserve certain forest areas throughout the
14 state as natural forests or natural areas for interpretation, study,
15 and preservation purposes.

16 (2) Trees may be removed from state parks:

17 (a) When hazardous to persons, property, or facilities;

18 (b) As part of a park maintenance or development project, or
19 conservation practice;

20 (c) As part of a road or utility easement; (~~or~~)

21 (d) To generate revenue for state park purposes when consistent
22 with RCW 79A.05.305; or

23 (e) When damaged by a catastrophic forest event.

24 (3) Tree removal under subsection (2) of this section shall be done
25 by commission personnel(~~(, unless the personnel lack necessary~~
26 ~~expertise)) or through a contract with the department of natural
27 resources or a professional forester. Except in emergencies and when
28 feasible, significant trees shall be removed only after they have been
29 marked or appraised by a professional forester. The removal of
30 significant trees from a natural forest may take place only after a
31 public hearing has been held, except in emergencies.~~

32 (4) When feasible, felled timber shall be left on the ground for
33 natural purposes or used for park purposes including, but not limited
34 to, building projects, trail mulching, and firewood. In natural forest
35 areas, first consideration shall be given to leaving timber on the
36 ground for natural purposes.

1 (5) The commission may issue permits to individuals under RCW
2 4.24.210 and 79A.05.090 for the removal of wood debris from state parks
3 for personal firewood use.

4 (6) Only timber that qualifies for cutting or removal under
5 subsection (2) of this section may be sold. Timber shall be sold only
6 when surplus to the needs of the park.

7 (7) Net revenue derived from timber sales shall be deposited in the
8 state parks renewal and stewardship account created in RCW 79A.05.215.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 79A.05 RCW
10 to read as follows:

11 By December 1, 2004, and at least every five years thereafter, the
12 commission must evaluate the opportunities and develop a plan for
13 revenue generation from commission lands through the resource
14 management activities identified in RCW 79A.05.035 and 79A.05.070(7).
15 Any resource management activities must be consistent with the purposes
16 identified in RCW 79A.05.305. Net revenue derived from resource
17 management activities on park lands must be deposited in the state
18 parks renewal and stewardship account to be used for park maintenance
19 and improvements. The commission may contract with the department of
20 natural resources or a private contractor for the evaluation and
21 subsequent resource management activities.

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