

SENATE BILL REPORT

SB 5271

As of May 11, 2006

Title: An act relating to the purchase of tidelands and shorelands and authorizing the sale of nonriparian state-owned filled tidelands or shorelands, that are currently upland in nature and no longer provide the ecological functions and public benefits normally intrinsic to functioning aquatic lands as described in RCW 79.90.450 and 79.90.455.

Brief Description: Allowing certain state-owned filled tidelands and shorelands to be designated as aquatic investment properties.

Sponsors: Senators Jacobsen, Oke, Rockefeller, Morton, Swecker, Doumit, Rasmussen and Shin; by request of Commissioner of Public Lands.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/26/05.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Staff: Vic Moon (786-7469)

Background: The Department of Natural Resources (Department) manages 2.4 million acres of state owned aquatic lands. Some aquatic lands have been filled but are still subject to the aquatic lease provisions and under a 1971 law cannot be sold. The filled aquatic land is not used for public access, navigation, or habitat. The Department lacks authority to sell these lands and authority to buy replacement lands.

Summary of Bill: The Board of Natural Resources is given authority to designate aquatic investment properties which could be managed for investment value or sold and money placed in a new account to pay for purchase of replacement tidelands and shorelands. The Department must sustain or increase the aquatic land base for state owned lands. The Department will report to the Board of Natural Resources each year. The sale of filled tidelands must demonstrate a clear economic benefit to the state.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill will provide more flexibility for the Department when managing filled aquatic lands, which will provide a greater return to the state from its state lands.

Testimony Against: None.

Who Testified: PRO: Fran McNair, DNR; Eric Johnson, Washington Public Ports.