
SUBSTITUTE HOUSE BILL 2485

State of Washington 61st Legislature 2010 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Kretz and Taylor)

READ FIRST TIME 02/01/10.

1 AN ACT Relating to purchase of land by the department of fish and
2 wildlife; amending RCW 77.12.037; adding a new section to chapter 77.12
3 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12 RCW
6 to read as follows:

7 (1) The department shall seek to minimize any disproportionate
8 geographic impacts when planning to acquire any new real estate to be
9 owned in fee by the department or managed directly by the department.
10 This duty applies to all land purchases not otherwise exempted by this
11 section regardless of the source of funding, including state, private,
12 and federal money.

13 (2) The duty to minimize disproportionate geographic impacts is
14 considered fulfilled if, in any five-year period, an average of no more
15 than ten percent of the total acres purchased by the department is
16 located in any one county. The department may only pursue a land
17 acquisition strategy that will result in an average of more than ten
18 percent of the total acres purchased by the department in any five-year
19 period being located in any one county if the legislative authority of

1 the affected county has adopted a resolution granting permission for
2 the department to pursue real estate acquisitions that may result in
3 more than ten percent of the department's purchased acres being located
4 in that county. Any permission granted under this subsection is
5 applicable for the time period during which the county resolution is
6 effective.

7 (3) This section only applies to the purchase of privately owned
8 parcels of land in excess of five contiguous acres, or multiple parcels
9 that together exceed five contiguous acres in size, and does not affect
10 the ability of the department to enter into a long-term lease or a
11 temporally-limited easement.

12 **Sec. 2.** RCW 77.12.037 and 2000 c 107 s 4 are each amended to read
13 as follows:

14 (1) Consistent with section 1 of this act, the commission may
15 acquire by gift, easement, purchase, lease, or condemnation lands,
16 buildings, water rights, rights-of-way, or other necessary property,
17 and construct and maintain necessary facilities for purposes consistent
18 with this title. The commission may authorize the director to acquire
19 property (~~under~~) consistent with section 1 of this act and this
20 section, but the power of condemnation may only be exercised by the
21 director when an appropriation has been made by the legislature for the
22 acquisition of a specific property, except to clear title and acquire
23 access rights-of-way.

24 (2) The commission may sell, lease, convey, or grant concessions
25 upon real or personal property under the control of the department.

26 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2011.

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