

RCW 79.02.010 Definitions. The definitions in this section apply throughout this title unless the context clearly requires otherwise.

- (1) "Aquatic lands" means all state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters as defined in RCW 79.105.060 that are administered by the department.
- (2) "Board" means the board of natural resources.
- (3) "Commissioner" means the commissioner of public lands.
- (4) "Community and technical college forest reserve lands" means lands managed under RCW 79.02.420.
- (5) "Community forest trust lands" means those lands acquired and managed under the provisions of chapter 79.155 RCW.
- (6) "Department" means the department of natural resources.
- (7) (a) "Forest biomass" means the by-products of: Current forest management activities; current forest protection treatments prescribed or permitted under chapter 76.04 RCW; or the by-products of forest health treatment prescribed or permitted under chapter 76.06 RCW.
(b) "Forest biomass" does not include wood pieces that have been treated with chemical preservatives such as: Creosote, pentachlorophenol, or copper-chrome-arsenic; wood from existing old growth forests; wood required to be left on-site under chapter 76.09 RCW, the state forest practices act; and implementing rules, and other legal and contractual requirements; or municipal solid waste.
- (8) "Good neighbor agreement" means an agreement entered into between the state and the United States forest service or United States bureau of land management to conduct forestland, watershed, and rangeland restoration activities on federal lands, as originally authorized by the 2014 farm bill (P.L. 113-79).
- (9) "Improvements" means anything considered a fixture in law placed upon or attached to lands administered by the department that has changed the value of the lands or any changes in the previous condition of the fixtures that changes the value of the lands.
- (10) "Land bank lands" means lands acquired under RCW 79.19.020.
- (11) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of a federal, state, or local governmental unit, however designated.
- (12) "Public lands" means lands of the state of Washington administered by the department including but not limited to state lands, state forestlands, lands included in a state forestland pool, and aquatic lands.
- (13) "State forestland pool" or "land pool" means state forestlands acquired and managed under RCW 79.22.140.
- (14) "State forestlands" means lands acquired under RCW 79.22.010, 79.22.040, and 79.22.020.
- (15) "State lands" includes:
 - (a) School lands, that is, lands held in trust for the support of the common schools;
 - (b) University lands, that is, lands held in trust for university purposes;
 - (c) Agricultural college lands, that is, lands held in trust for the use and support of agricultural colleges;
 - (d) Scientific school lands, that is, lands held in trust for the establishment and maintenance of a scientific school;
 - (e) Normal school lands, that is, lands held in trust for state normal schools;

(f) Capitol building lands, that is, lands held in trust for the purpose of erecting public buildings at the state capital for legislative, executive, and judicial purposes;

(g) Institutional lands, that is, lands held in trust for state charitable, educational, penal, and reformatory institutions; and

(h) Land bank, escheat, donations, and all other lands, except aquatic lands, administered by the department that are not devoted to or reserved for a particular use by law.

(16) "Valuable materials" means any product or material on the lands, such as forest products, forage or agricultural crops, stone, gravel, sand, peat, and all other materials of value except: (a) Mineral, coal, petroleum, and gas as provided for under chapter 79.14 RCW; and (b) forest biomass as provided for under chapter 79.150 RCW. [2018 c 258 § 1. Prior: 2012 c 166 § 2; 2011 c 216 § 17; prior: 2010 c 126 § 6; 2004 c 199 § 201; 2003 c 334 § 301; 1927 c 255 § 1; RRS § 7797-1; prior: 1911 c 36 § 1; 1907 c 256 § 1; 1897 c 89 §§ 4, 5; 1895 c 178 §§ 1, 2. Formerly RCW 79.01.004, 79.04.010.]

Effective date—2018 c 258: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 23, 2018]." [2018 c 258 § 5.]

Findings—Intent—2012 c 166: "(1) The legislature finds:

(a) Compliance with the federal endangered species act on state forestlands within small, timber-dependent counties in southwest Washington is disproportionately burdensome when compared to the total budget in these counties;

(b) When compared to other forested parts of the state, there is a relatively small federal land base in these counties, which has resulted in substantial responsibility for endangered species act-related habitat conservation being borne by state forestlands;

(c) Within these counties, there is limited availability of private working forestland available for use as a replacement for encumbered state forestlands;

(d) Currently, county beneficiaries may not receive revenue derived from state forestlands located in any counties other than their own;

(e) Through the passing of chapter 354, Laws of 2009, the legislature established the need to relieve the impact of long-term endangered species-related encumbrances on state forestlands in small, timber-dependent counties in Washington;

(f) As a result of the implementation of chapter 354, Laws of 2009, replacement lands are to be purchased to maintain the land base and productivity of state forestlands in these counties;

(g) There is a need for timely reinvestment in the land base of state forestlands by replacing those transferred encumbered lands with new, productive, unencumbered forestland;

(h) The maintenance of a productive state forestland base in these counties is vital to maintaining a stable, viable natural resource economy that supports rural communities and creates local natural resource-based jobs; and

(i) These counties have articulated the need to reestablish sustainable long-term revenue from state forestlands through the acquisition of productive timberland beyond what will be funded by the

land value of transferred encumbered lands under chapter 354, Laws of 2009.

(2) It is the intent of the legislature to authorize the board of natural resources to establish a state forestland pool for small, timber-dependent southwest Washington counties. This action allows the board of natural resources, if deemed appropriate after a required analysis, to use revenue designated for replacement of encumbered state forestland in one county to be pooled with other counties' land replacement funds to purchase forestland within any of the participating counties. This forestland would be managed as state forestland for the benefit of all counties participating in the pool, proportionate to their contribution of asset value to the land pool, according to a set of policy, administrative, and financial structures developed by the department of natural resources and adopted by the board of natural resources.

(3) It is the further intent of the legislature that the replacement forestlands purchased to be part of the land pool are to be maintained as working forestlands. For purposes of the land pool, the department of natural resources should seek out land threatened by encroaching development and land not likely to become further encumbered in an effort to preserve working forestland to the maximum extent possible." [2012 c 166 § 1.]

Part headings not law—2004 c 199: "Part headings used in this act are not any part of the law." [2004 c 199 § 302.]

Intent—2003 c 334: "This act is intended to make technical amendments to certain codified statutes that deal with the department of natural resources. Any statutory changes made by this act should be interpreted as technical in nature and not be interpreted to have any substantive, policy implications." [2003 c 334 § 616.]