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**SUBSTITUTE HOUSE BILL 1630**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Natural Resources (originally sponsored by Representatives DeBolt, Sheldon, Alexander, Pennington, Mielke, Thompson, McMorris and Dunn)

Read first time 03/3/97.

1 AN ACT Relating to transfer of state forest lands back to counties;  
2 and adding a new section to chapter 76.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 76.12 RCW  
5 to read as follows:

6 (1) A county legislative authority may file an application with the  
7 board of natural resources for the transfer of all of the forest lands  
8 that were acquired from the county by the state pursuant to RCW  
9 76.12.030 and that are under the administration of the department of  
10 natural resources. Upon the filing of an application by the county  
11 legislative authority, the board of natural resources shall direct the  
12 department of natural resources to reconvey the forest lands to the  
13 requesting county. The reconveyance must be done by quitclaim deed.  
14 Once these forest lands have been reconveyed to the requesting county,  
15 the lands may not be reconveyed to the state in the future.

16 (2) Upon formal notification to the department by the respective  
17 county that it desires its forest board transfer lands reconveyed, the  
18 department must transfer all data and documents concerning these lands  
19 to the respective county within ninety days of the notification. Upon

1 this formal notification by the county, the department must halt all  
2 proposed sale activity on the forest board transfer land within the  
3 respective county.

4 (3) The following provisions apply to any county that requests  
5 reconveyance of its forest board transfer lands:

6 (a) Once the land has been reconveyed to a county, it must be kept  
7 in commercial forest status and may not be sold. The lands must be  
8 managed on a sustained yield basis and in a manner that maximizes the  
9 financial benefit to the trust beneficiaries in the county.

10 (b) Except as provided in this subsection, the lands must be  
11 managed in compliance with, but not in excess of, state forest  
12 practices rules. However, a county may manage its lands beyond the  
13 requirements of the state rules if the county must do so in order to be  
14 in compliance with federal laws or rules or if this is required as part  
15 of participating in agreements or plans as provided in (d) of this  
16 subsection.

17 (c) The county may deduct no more than twenty percent of the moneys  
18 derived from the lease of these lands or from the sale of timber or  
19 other products from these lands for administration, reforestation, and  
20 protection of the lands. The balance of these revenues will continue  
21 to be dispersed as those revenues were distributed under state  
22 management of these lands, unless the distribution is altered by the  
23 legislature.

24 (d) Existing memorandums of agreement, memorandums of  
25 understanding, landscape plans, habitat conservation plans, and similar  
26 agreements may be continued at the discretion of the county. Any  
27 proposed habitat conservation plan use of these lands is not permitted  
28 unless the county legislative authority agrees to the use by resolution  
29 after public hearings and a full fiscal analysis.

30 (e) Public access to the land must be allowed whenever possible,  
31 subject to the discretion of the local legislative authority. Lands  
32 shall be open for public recreation consistent with timber management  
33 goals. Lands that have recreational use funded by the interagency  
34 committee for outdoor recreation, or other similar source, shall remain  
35 in recreational use as dictated by agreement, contract, rule, or  
36 statute.

37 (4) All existing contracts for forest board transfer lands will be  
38 honored until the completion of the contract, but no extensions will be  
39 granted. The department must replant all lands where there is an

1 active sale occurring at the time the county gives formal notice to the  
2 department for reconveyance of the land. The county assumes liability  
3 for those lands not under contract for harvest by the purchaser at the  
4 date of the transfer of the quitclaim deed. Those lands under contract  
5 transfer to the county on the expiration date of the original contract.  
6 No extensions will be granted. The county will have the option of  
7 either having the department replant those lands, or having the lands  
8 replanted and billing the department for that activity. When billed,  
9 the department must make payment within sixty days.

10 (5) All counties that exercise their option of reconveyance must  
11 make an annual report to the senate and house of representatives  
12 natural resources committees, or their successor committees, and to the  
13 board of natural resources, by February 1st of each year, as to the  
14 activities on the reconveyed lands. The report must include, but is  
15 not limited to: The number of acres harvested; the volume of harvest  
16 from those acres; the number of acres replanted; the number of acres  
17 precommercially thinned; the annual cost on a per acre basis; the age  
18 of the timber on the acres harvested; the number of acres not  
19 designated for harvest and the reason why such a designation was made;  
20 and the number of acres closed to public recreation and the reason for  
21 the closure.

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