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**SENATE BILL 5325**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senators Hargrove, Morton, Stevens, Rossi, Snyder and Loveland

Read first time 01/23/97. Referred to Committee on Natural Resources & Parks.

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 forest lands that were  
8 acquired from the county by the state pursuant to RCW 76.12.030 and  
9 that are under the administration of the department of natural  
10 resources. Upon the filing of an application by the county legislative  
11 authority, the board of natural resources shall direct the department  
12 of natural resources to reconvey the forest lands to the requesting  
13 county.

14 (2) Once land has been reconveyed to a county, it must be kept in  
15 commercial forest status, and may not be sold. The land must be  
16 managed on a sustained yield basis and consistent with, but not in  
17 excess of, current forest practices board rules.

18 (3) The lands must be managed to maximize the financial benefit to  
19 the trust beneficiaries in the respective counties.

1 (4) Upon formal notification to the department by the respective  
2 county that they desire their state forest board transfer lands  
3 reconveyed, the department must transfer all data and documents  
4 concerning those lands back to the respective county within ninety  
5 days.

6 (5) Upon formal notification by the county to the department for  
7 the reconveyance of the land, the department must halt all proposed  
8 sale activity on the state forest board transfer land within the  
9 respective county.

10 (6) The reconveyance of the state forest board transfer land within  
11 the county must be done by quitclaim deed, and the term of the  
12 reconveyance must be for a period of not less than twenty years.  
13 Revenues from the land will continue to be dispersed as it currently is  
14 done, unless altered by the Washington state legislature. A maximum  
15 management fee of twenty percent may be charged by the counties. The  
16 department is required to replant all lands where there is an active  
17 sale occurring at the time a county gives formal notice to the  
18 department for reconveyance of the land.

19 (7) All existing contracts for state forest board transfer land  
20 will be honored until the completion of the contract, but no extensions  
21 may be granted. Existing memorandum of agreement, memorandum of  
22 understanding, landscape plans, habitat conservation plans, and similar  
23 agreements may be continued at the discretion of the respective county.  
24 Any proposed habitat conservation plan use of transferred lands is not  
25 permitted unless the county legislative authority agrees to the use by  
26 resolution after public hearings and a full fiscal analysis. Public  
27 access to the land must be allowed whenever possible, subject to the  
28 discretion of the local legislative authority.

29 (8) The respective county assumes liability for those lands not  
30 under contract for harvest by the purchaser at the date of the transfer  
31 of the quitclaim deed. Those lands under contract transfer to the  
32 county on the expiration date of the original contract. No extensions  
33 shall be granted. The respective county will have the option of either  
34 having the department replanting those lands, or having the lands  
35 replanted, and billing the department for that activity. When billed,  
36 the department must make payment within sixty days.

37 (9) Lands shall be open for public recreation consistent with  
38 timber management goals. Lands that have recreational use funded by  
39 the interagency committee for outdoor recreation, or other similar

1 source, shall remain in recreational use as dictated by agreement,  
2 contract, rule, or statute.

3 (10) All counties that exercise their option of reconveyance must  
4 make an annual report to the senate and house of representatives  
5 natural resources committees, or their successor committees, and to the  
6 board of natural resources, by February 1st of each year, as to the  
7 activities on those lands. The report must include, but is not limited  
8 to: The number of acres harvested; the volume of the harvest from  
9 those acres; the number of acres replanted; the number of acres  
10 precommercially thinned; the annual cost on a per acre basis; the age  
11 of those acres harvested; and the number of acres not designated for  
12 harvest, and the reason why such a designation was made.

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