
SUBSTITUTE HOUSE BILL 1060

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Rockefeller, Ericksen, Barlean, Jackley, Doumit, Eickmeyer, Linville, Haigh and Esser)

Read first time . Referred to Committee on .

1 AN ACT Relating to reconveyance of state forest board transfer
2 lands for drinking water protection; amending RCW 76.12.072, 76.12.073,
3 and 76.12.074; adding a new section to chapter 76.12 RCW; and creating
4 a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that as the population
7 of the state continues to grow, there are increasing demands for state
8 forest lands to provide open space, wildlife habitat, recreational
9 opportunities, and the protection of watersheds and other public
10 resources. In some parts of the state, it is becoming increasingly
11 difficult for the department of natural resources to harvest timber on
12 lands that are within or abut municipal watersheds. The legislature
13 further finds that while it is the policy of the state to maintain and
14 promote reforestation and development of forest resources, the
15 harvesting of timber within or near a municipal watershed can result in
16 significant costs to the municipal drinking water purveyor to
17 adequately protect the drinking water. The legislature therefore finds
18 that it is in the public interest to allow certain forest board
19 transfer lands to be reconveyed to a county if the county can

1 demonstrate that such a reconveyance will result in enhanced protection
2 of the source of municipal drinking water within their county.

3 **Sec. 2.** RCW 76.12.072 and 1983 c 3 s 195 are each amended to read
4 as follows:

5 Whenever the ~~((board of))~~ county ~~((commissioners))~~ legislative
6 authority of any county ~~((shall))~~ determines that forest lands, that
7 were acquired from such county by the state pursuant to RCW 76.12.030
8 and that are under the administration of the department of natural
9 resources, are needed by the county for public park use in accordance
10 with the county and the state outdoor recreation plans or for the
11 protection of the source of drinking water within municipal watershed
12 boundaries, the ~~((board of))~~ county ~~((commissioners))~~ legislative
13 authority may file an application with the board of natural resources
14 for the transfer of such forest lands.

15 Upon the filing of an application by the ~~((board of))~~ county
16 ~~((commissioners))~~ legislative authority, the department of natural
17 resources shall ~~((cause))~~ provide notice of the impending transfer ~~((to~~
18 ~~be given))~~ in the manner ~~((provided))~~ specified by RCW 42.30.060. If
19 the department of natural resources determines that the proposed use is
20 in accordance with the state outdoor recreation plan or that through
21 reconveyance the lands taken out of timber production will result in
22 significantly greater protection of the source of municipal drinking
23 water, it shall reconvey ~~((said))~~ the forest lands to the requesting
24 county ~~((to have and to hold))~~ for so long as the forest lands are
25 developed, maintained, and used for the proposed public park purpose or
26 for protection of the source of municipal drinking water. This
27 reconveyance may contain conditions to allow the department of natural
28 resources to coordinate the management of any adjacent state owned
29 lands with the proposed park activity or management within the
30 municipal watershed boundaries to encourage maximum multiple use
31 management and may reserve rights of way needed to manage other state
32 owned lands in the area. The application shall be denied if the
33 department of natural resources finds that the proposed use is not in
34 accord with the state outdoor recreation plan or if reconveyance will
35 not significantly contribute to the protection of the source of
36 municipal drinking water. The applying county must pay the
37 department's reasonable administrative costs associated with the
38 reconveyance.

1 If the land is not, or ceases to be, used for public park purposes
2 or the protection of the source of municipal drinking water, the land
3 shall be conveyed back to the department of natural resources upon
4 request of the department.

5 **Sec. 3.** RCW 76.12.073 and 1969 ex.s. c 47 s 2 are each amended to
6 read as follows:

7 The timber resources on any such state forest land transferred to
8 the counties under RCW 76.12.072 shall be managed by the department of
9 natural resources to the extent that this is consistent with ~~((park))~~
10 the purposes of the reconveyance and meets with the approval of the
11 ~~((board of))~~ county ~~((commissioners))~~ legislative authority. Whenever
12 the department of natural resources does manage the timber resources of
13 such lands, it will do so in accordance with the adopted and approved
14 watershed management plan and the general statutes relative to the
15 management of all other state forest lands. Timber resources on any
16 such state forest land transferred to the counties under RCW 76.12.072
17 will not be included for purposes of calculating the sustainable
18 harvest.

19 **Sec. 4.** RCW 76.12.074 and 1969 ex.s. c 47 s 3 are each amended to
20 read as follows:

21 Under provisions mutually agreeable to the ~~((board of))~~ county
22 ~~((commissioners))~~ legislative authority and the board of natural
23 resources, lands approved for transfer to a county for public park
24 purposes or protection of the source of municipal drinking water under
25 the provisions of RCW 76.12.072 shall be transferred to the county by
26 deed.

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

29 (1) All lands reconveyed under RCW 76.12.072 for the protection of
30 the municipal drinking water source shall be managed under watershed-
31 specific forest management plans that are adopted by affected
32 municipalities and approved by the department of health under chapter
33 246-290 WAC. These plans shall be developed by a committee made up of
34 representatives from the department of health, the department of
35 natural resources, all municipalities acquiring drinking water from the
36 reconveyed lands, the requesting county, and local citizen

1 representatives. The requesting county shall coordinate the
2 development of the plan.

3 (2) An advisory committee is established to develop standards for
4 the development of watershed-specific forest management plans that are
5 designed to protect sources of municipal drinking water. The committee
6 shall be composed of the following members or their designees: The
7 secretary of the department of health; the director of the department
8 of fish and wildlife; the director of the department of ecology; the
9 commissioner of public lands; a representative of an Indian tribe
10 potentially affected by a reconveyance, selected by the governor; and
11 three members of the public interested in these issues, selected by the
12 governor.

13 (3) The committee shall report its recommendations to the
14 appropriate legislative committees by January 1, 2002.

--- END ---