
**Agriculture & Natural
Resources Committee**

HB 1246

Brief Description: Authorizing the department of natural resources to accept gifts of aquatic land.

Sponsors: Representatives Linville, Schoesler, Rockefeller, Sump, Orcutt, Quall, Upthegrove and Mielke; by request of Commissioner of Public Lands.

Brief Summary of Bill

- Authorizes the Department of Natural Resources to accept gifts of aquatic lands.

Hearing Date: 1/31/03

Staff: Jason Callahan (786-7117).

Background:

The Legislature has delegated to the Department of Natural Resources (Department) the responsibility for managing the state's aquatic lands for the benefit of the public (RCW 79.90.450). The management of aquatic lands must support a balance of goals, including the encouragement of public access, the fostering of water-dependent uses, the utilization of renewable resources, and the generation of revenue (RCW 79.90.455). Revenues generated from the state's aquatic lands are generally directed to be used for public benefits, such as shoreline access, environmental protection, and recreational opportunities (RCW 79.90.450). Under current law, the Department may lease aquatic lands (RCW 79.90.460), and exchange state-owned aquatic lands for privately owned lands (RCW 79.90.457).

The Department is expressly authorized to accept several types of lands as gifts or bequests. These include gifts of land used for mining (RCW 43.30.141), and gifts of land that promote reforestation (RCW 76.12.020). The Department also has a general authority to accept land on behalf of the state (RCW 79.01.074). Land accepted under this provision is subject to approval by the Attorney General, and any revenue generated from these lands is added to the Department's trust holdings.

Summary of Bill:

The Department of Natural Resources (Department) is authorized to accept gifts of aquatic lands. All gifts received will become part of the state's aquatic land base.

The Department is required to develop procedures and criteria that state the manner in which aquatic land gifts may occur. No individual aquatic parcel may be accepted by the department until four events occur:

1. An appraisal of the land's value has been prepared.
2. An environmental site assessment has been prepared.
3. The Attorney General has examined and approved the property's title report
4. The appraisal, site assessment, and title report are submitted to the Board of Natural Resources.

The authority to accept aquatic lands retroactively applies to lands accepted prior to the effective date of this act.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.