

SHB 1885 - H AMD 172

By Representative Taylor

WITHDRAWN 03/01/2011

1 Beginning on page 36, line 27, strike all of section 604 and insert
2 the following:

3 "Sec. 604. RCW 79.17.010 and 2009 c 497 s 6024 are each amended to
4 read as follows:

5 (1) The department, with the approval of the board, may exchange
6 any state land and any timber thereon for any land of equal value in
7 order to:

8 (a) Facilitate the marketing of forest products of state lands; and

9 (b) ~~((Consolidate and block up state lands;~~

10 ~~(c))) Acquire lands having commercial recreational leasing
11 potential((+~~

12 ~~(d) Acquire county owned lands;~~

13 ~~(e) Acquire urban property which has greater income potential or
14 which could be more efficiently managed by the department in exchange
15 for state urban lands as defined in RCW 79.19.100; or~~

16 ~~(f) Acquire any other lands when such exchange is determined by the
17 board to be in the best interest of the trust for which the state land
18 is held)).~~

19 (2) Land exchanged under this section shall not be used to reduce
20 the publicly owned forest land base.

21 (3) The board shall determine that each land exchange is in the
22 best interest of the trust for which the land is held prior to
23 authorizing the land exchange.

24 (4) ~~((During the biennium ending June 30, 2011,))~~ For the purposes
25 of maintaining working farm and forest landscapes or acquiring natural
26 resource lands at risk of development, the department, with approval of
27 the board of natural resources, may exchange any state land and any
28 timber thereon for any land and proceeds of equal value, when it can be
29 demonstrated that the trust fiduciary obligations can be better
30 fulfilled after an exchange is completed. Proceeds may be in the form

1 of cash or services in order to achieve the purposes established in
2 this section. Any cash received as part of an exchange transaction
3 shall be deposited in the resource management cost account to pay for
4 administrative expenses incurred in carrying out an exchange
5 transaction. These administrative expenses include road maintenance
6 and abandonment expenses. The amount of proceeds received from the
7 exchange partner may not exceed five percent of the total value of the
8 exchange. The receipt of proceeds shall not change the character of
9 the transaction from an exchange to a sale.

10 (5) Prior to executing an exchange under this section, and in
11 addition to the public notice requirements set forth in RCW 79.17.050,
12 the department shall consult with legislative members, other state and
13 federal agencies, local governments, tribes, local stakeholders,
14 conservation groups, and any other interested parties to identify and
15 address cultural resource issues and the potential of the state lands
16 proposed for exchange to be used for open space, park, school, or
17 critical habitat purposes."

EFFECT: Removes from the purposes for which the department of
natural resources can exchange state land the following: (1) The
consolidation of state lands; (2) the acquisition of county-owned
lands; (3) the acquisition of urban properties with greater income
potential than existing lands; and (4) the acquisition of any lands
when in the best interest of the trusts.

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