

26 NEW SECTION. **Sec. 12.** A new section is added to chapter 90.38 RCW
27 to read as follows:

28 (1) Subject to the availability of amounts appropriated for this
29 specific purpose, the department of natural resources is authorized to
30 purchase land to be held in the community forest trust under RCW
31 79.155.040 to serve the purposes of the community forest trust
32 including the protection of Yakima river basin functioning, without
33 complying with the requirements of RCW 79.155.030(1), 79.155.060, or
34 79.155.070, relating to the identification, prioritization, local
35 commitment, and financial contribution normally prerequisite to
36 nominating and acquiring community forest trust lands. The purchase
37 must be reviewed and approved by the board of natural resources. In

2SSB 5367.SL p. 14

1 its evaluation of this acquisition pursuant to RCW 79.155.040(3), the
2 board is relieved from considering the criteria for identifying and
3 prioritizing land set forth in RCW 79.155.050. Once purchased, the
4 land must be managed by the department of natural resources in
5 consultation with the department of fish and wildlife. Any investment
6 in the land purchase with funds belonging to the common school trust
7 constitutes a loan from the irreducible principal of the common school
8 trust and may only be made if first determined to be a prudent
9 investment by the board of natural resources. An annual interest
10 payment on the loan of nine percent must be paid, with six percent
11 deposited into the common school construction account and three percent
12 deposited into the real property replacement account. Interest begins
13 to accrue on the date the land purchase is completed and is due and
14 payable July 1st following the completion of the state fiscal year.
15 The principal of the loan must be repaid in accordance with the
16 provisions of subsection (3) of this section.

17 (2) The land purchased under this authority must be managed under
18 a transitional postacquisition management plan during the period
19 between the date of purchase and the water supply facility permit and
20 funding milestone or until June 30, 2025, whichever is sooner. The
21 plan must be consistent with RCW 79.155.080(1), provided that the lands
22 acquired as community forest trust lands are not required to generate
23 financial support for their management as would otherwise be required
24 by RCW 79.155.020(2), 79.155.030(2)(d), and 79.155.080(3), and provided
25 further that the authority granted to the department to divest of the
26 property under RCW 79.155.080(4) does not apply to these lands. The
27 department of natural resources must develop the transitional
28 postacquisition management plan in consultation with the department of
29 fish and wildlife.

30 (a) The plan must ensure that the land is managed in a manner that
31 is consistent with the Yakima basin integrated plan principles for
32 forest land acquisitions, including the following:

- 33 (i) To protect and enhance the water supply and protect the
34 watershed;
- 35 (ii) To maintain working lands for forestry and grazing while
36 protecting key watershed functions and aquatic habitat;
- 37 (iii) To maintain and where possible expand recreational

2SSB 5367.SL p. 15

1 opportunities consistent with watershed protection, for activities such
2 as hiking, fishing, hunting, horseback riding, camping, birding, and
3 snowmobiling;

4 (iv) To conserve and restore vital habitat for fish, including
5 steelhead, spring chinook, and bull trout, and wildlife, including
6 deer, elk, large predators, and spotted owls; and
7 (v) To support a strong community partnership, in which the Yakama
8 Nation, residents, business owners, local governments, conservation
9 groups, and others provide advice about ongoing land management.
10 (b) The department of natural resources, in consultation with the
11 department of fish and wildlife, must establish the Teanaway community
12 forest advisory committee that includes representatives from the
13 department of ecology, the local community, land conservation
14 organizations, the Yakama Nation, the Kittitas county commission, and
15 local agricultural interests.
16 (c) By June 30, 2015, the department of natural resources must
17 complete the transitional postacquisition management plan with a public
18 process that involves interested stakeholders, particularly residents
19 from Kittitas county, friends of the Teanaway, back country horsemen,
20 off-road vehicle and snowmobile users, a representative from Kittitas
21 field and stream, hikers and wildlife watchers, and ranchers who graze
22 cattle.
23 (3) After the water supply facility permit and funding milestone or
24 June 30, 2025, whichever is sooner, the land must be disposed of in the
25 following manner:
26 (a) If the water supply facility permit and funding milestone
27 conditions have been met, the land remains in the community forest
28 trust and the transitional postacquisition management plan must be
29 converted to a permanent postacquisition management plan with whatever
30 updates and amendments are periodically adopted. Under these
31 conditions, the remaining principal of any investment in the land
32 purchased with funds belonging to the common school trust must be
33 repaid to the real property replacement account.
34 (b) If the water supply facility permit and funding milestone
35 conditions have not been met, the board of natural resources must
36 decide between the following dispositions of the land:
37 (i) Deposit of the entire amount of land purchased into the

2SSB 5367.SL p. 16

1 ownership of the common school trust for management or disposition for
2 the benefit of the common schools; or
3 (ii) Disposition under the terms of (a) of this subsection.