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SENATE BILL 5929

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State of Washington

64th Legislature

2015 Regular Session

By Senators Sheldon and Hobbs

Read first time 02/11/15. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to state-owned aquatic lands; and amending RCW  
2 79.130.010.

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

4 **Sec. 1.** RCW 79.130.010 and 2005 c 155 s 601 are each amended to  
5 read as follows:

6 (1) Except as provided in RCW 79.130.060, the department may  
7 lease to the abutting tidelands or shorelands owner or lessee, the  
8 beds of navigable waters lying below the line of extreme low tide in  
9 waters where the tide ebbs and flows, and below the line of  
10 navigability in lakes and rivers claimed by the state and defined in  
11 Article XVII, section 1 of the state Constitution.

12 (2) The department shall, upon application in accordance with  
13 this chapter, grant a lease for a water-dependent use to the owner or  
14 lessee of tidelands or shorelands abutting the beds of navigable  
15 waters.

16 (3) For nonwater dependent uses, the owner or lessee of tidelands  
17 or shorelands abutting the beds of navigable waters shall have a  
18 lease preference right, and prior to leasing or otherwise  
19 transferring any interest in the beds of navigable waters, the  
20 department shall first notify the owner of property abutting the

1 navigable waters and offer the owner of the property the right to  
2 such a lease or acquire an interest in the navigable waters.

3 (4) In case the abutting tidelands or shorelands or the abutting  
4 uplands are not leased as provided in this section, or otherwise  
5 improved or occupied for residential or commercial purposes, the  
6 department may lease the beds to any person for a period not  
7 exceeding ten years for booming purposes.

8 ~~((3))~~ (5) Nothing in this chapter shall change or modify any of  
9 the provisions of the state Constitution or laws of the state which  
10 provide for the leasing of harbor areas and the reservation of lands  
11 lying in front of harbor areas.

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