

FINAL BILL REPORT

SHB 1692

FULL VETO

Brief Description: Describing those lands eligible to be included in a port district aquatic lands management agreement.

Sponsors: By House Committee on Capital Budget (originally sponsored by Representatives Sehlin, Morris, Anderson, Honeyford, Huff, Lantz and Chopp).

House Committee on Capital Budget
Senate Committee on Natural Resources & Parks
Senate Committee on Ways & Means

Background: The Department of Natural Resources (DNR) manages approximately 2.2 million acres of state-owned aquatic lands. Original title to these lands was established by Article XVII of the state constitution and these lands are held in trust for all citizens of the state.

The DNR is permitted to lease aquatic lands for terms of up to 55 years. The aquatic land policies and lease rates established in statute are designed to encourage water-dependent uses over other uses of aquatic lands. Aquatic land lease rates for water-dependent uses are based on an aquatic land value equal to 30 percent of the adjacent upland value. Nonwater-dependent rates are based on the appraised value of the land. Approximately 70 percent of lease revenues from state-owned aquatic lands are deposited in the Aquatic Lands Enhancement Account (ALEA), and are appropriated by the Legislature for aquatic lands enhancement and fisheries projects. The remaining 30 percent of lease revenues are deposited in the Resource Management Cost Account (RMCA) and appropriated for DNR management costs.

Upon the request of a port district, the DNR and the port district may enter into a management agreement that permits the port district to manage state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned or leased by the port district. Port districts are exempt from paying rent to the DNR for water-dependent uses on aquatic lands covered by a management agreement, but must pay to the state 85 percent of rent revenues attributable to nonwater-dependent uses. Port rents on lands covered by a management agreement must be comparable to rents charged for the same or similar uses by the DNR.

Summary: In addition to currently eligible lands, port districts may enter into agreements with the DNR for port management of state-owned aquatic lands beneath public marina facilities. "Marina" means a waterfront facility that provides moorage for recreation vessels, charter vessels, commercial fishing vessels, and water-based

aircraft. A marina facility may include fuel docks and other activities designed to serve water-based vessels.

The authority to enter into agreements with the DNR for management of state-owned aquatic lands is expanded to include cities that operate publicly-owned marinas. Cities located within the territorial limits of a port district must obtain approval of the port commission prior to applying for a management agreement for marinas constructed or expanded after the effective date of the act.

Votes on Final Passage:

House 96 2

Senate 40 7 (Senate amended)

House 95 2 (House concurred)