

SENATE BILL REPORT

SB 6259

As Reported By Senate Committee On:
Natural Resources, Parks & Shorelines, January 24, 2002

Title: An act relating to installing recreational docks and mooring buoys.

Brief Description: Allowing for the installation of recreational docks and mooring buoys by residential owners abutting state-owned aquatic lands.

Sponsors: Senators Jacobsen, Oke and Rasmussen; by request of Department of Natural Resources.

Brief History:

Committee Activity: Natural Resources, Parks & Shorelines: 1/21/02, 1/24/02 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Poulsen, Vice Chair; McDonald, Morton, Oke, Spanel and Stevens.

Staff: Kari Guy (786-7437)

Background: The Department of Natural Resources manages all state-owned aquatic lands, including lands beneath lakes, rivers, coastal waters, and the Puget Sound. Private use of state-owned aquatic lands is authorized through a lease with the Department of Natural Resources.

In 2001, the Legislature passed a bill to authorize residential landowners whose property abuts state-owned aquatic lands to install a buoy at no charge to moor boats used for private recreational purposes. The landowner may install one buoy for every 100 feet of shoreline property owned. The Department of Natural Resources may revoke the permission to install a buoy if the buoy interferes with navigation or public health or safety.

The Department of Natural Resources has requested changes in the 2001 law to clarify the department's role in granting permission for recreational buoys.

Summary of Bill: Residential landowners whose property abuts state-owned aquatic lands may install a buoy to moor private recreational boats of under 60 feet in length. This permission is not limited to owners of land with greater than 100 feet of shoreline. The buoy must be located as near to the residential property as possible, and must accommodate existing buoys. A second buoy may be used to secure a second mooring line for secure moorage. Mooring buoy installation is subject to all applicable local, state, and federal rules.

If there is a dispute over the location of buoys between property owners, the owners may seek settlement of the dispute through adjudication in superior court. Preference must be given to the owner that first installed a buoy.

The Department of Natural Resources may revoke permission to install a recreational buoy or dock if the department finds it necessary to protect public resources. Circumstances that could lead to this finding include a degradation of aquatic habitat or decertification of shellfish beds.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill clarifies legislation passed last year to allow recreational mooring buoys. The changes will make the program easier for the Department of Natural Resources to administer and should reduce disputes between property owners.

Testimony Against: None.

Testified: Fran McNair, Department of Natural Resources (pro).