
SUBSTITUTE HOUSE BILL 2591

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Hatfield and Doumit)

Read first time 02/06/2002. Referred to Committee on .

1 AN ACT Relating to roads and streets across aquatic lands; and
2 amending RCW 79.91.080 and 79.91.100.

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

4 **Sec. 1.** RCW 79.91.080 and 1982 1st ex.s. c 21 s 55 are each
5 amended to read as follows:

6 Any county or city or the United States of America or any state
7 agency desiring to locate, establish, and construct a road or street
8 over and across any aquatic lands, or wharf over any tide or shore
9 lands, belonging to the state, shall by resolution of the legislative
10 body of such county, or city council or other governing body of such
11 city, or proper agency of the United States of America or state agency,
12 cause to be filed with the department of natural resources a petition
13 for a right of way for such road or street or wharf in accordance with
14 the provisions of RCW 79.01.340.

15 The department may grant the petition if it deems it in the best
16 interest of the state and upon payment for such right of way and any
17 damages to the affected aquatic lands. The department shall be
18 consistent when calculating the charges for the use of a right of way
19 and for damages done to the affected aquatic lands, and shall not apply

1 a different standard to cities and counties than it applies to any
2 state or federal agency.

3 **Sec. 2.** RCW 79.91.100 and 1982 1st ex.s. c 21 s 57 are each
4 amended to read as follows:

5 Counties, cities, towns, and other municipalities shall have the
6 right to construct bridges and trestles across waterways heretofore or
7 hereafter laid out under the authority of the state of Washington, and
8 over and across any tide or shore lands and harbor areas of the state
9 adjacent thereto over which the projected line or lines of highway will
10 run, if such bridges or trestles are constructed in good faith for the
11 purpose of being made a part of the constructed line of such a highway,
12 upon payment for any such right of way and upon payment for any damages
13 to those aquatic lands affected. The department shall not charge a
14 different rate to cities or counties for the use of a right of way or
15 for damages done to the affected aquatic lands than it applies to any
16 state or federal agency.

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