

SHB 1335 - S COMM AMD

By Committee on Parks, Fish & Wildlife

ADOPTED 04/11/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 79A.05.380 and 1993 c 182 s 1 are each amended to
4 read as follows:

5 The legislature recognizes the increase in water-oriented
6 recreation by users of human and wind-powered, beachable vessels such
7 as kayaks, canoes, or day sailors on Washington's waters. These
8 recreationists frequently require overnight camping facilities along
9 the shores of public or private beaches. The legislature now creates
10 a water trail recreation program, to be administered by the Washington
11 state parks and recreation commission. The legislature recognizes that
12 the effort to develop water trail sites is a continuing need and that
13 the commission provides beneficial expertise and consultation to water
14 trail user groups, agencies, and private landowners for the existing
15 Cascadia marine trail and Willapa Bay water trail.

16 Sec. 2. RCW 79A.05.385 and 1993 c 182 s 2 are each amended to read
17 as follows:

18 In addition to its other powers, duties, and functions, the
19 commission may:

20 (1) Plan, construct, and maintain suitable facilities for water
21 trail activities on lands administered or acquired by the commission or
22 as authorized on lands administered by tribes or other public agencies
23 or private landowners by agreement.

24 ~~(2) ((Provide and issue, upon payment of the proper fee, with the~~
25 ~~assistance of those authorized agents as may be necessary for the~~
26 ~~convenience of the public, water trail permits to utilize designated~~
27 ~~water trail facilities. The commission may, after consultation with~~
28 ~~the water trail advisory committee, adopt rules authorizing reciprocity~~

1 ~~of water trail permits provided by another state or Canadian province,~~
2 ~~but only to the extent that a similar exemption or provision for water~~
3 ~~trail permits is issued by that state or province.~~

4 ~~(3))~~ Compile, publish, distribute, and charge a fee for maps or
5 other forms of public information indicating areas and facilities
6 suitable for water trail activities.

7 ~~((4))~~ (3) Contract with a public agency, private entity, or
8 person for the actual conduct of these duties.

9 ~~((5))~~ (4) Work with individuals or organizations who wish to
10 volunteer their time to support the water trail recreation program.

11 (5) Provide expertise and consultation to individuals, agencies,
12 and organizations in the continued development of water trail sites in
13 this state.

14 **Sec. 3.** RCW 79A.05.410 and 1993 c 182 s 7 are each amended to read
15 as follows:

16 The commission may(~~, after consultation with the water trail~~
17 ~~advisory committee,~~) adopt rules to administer the water trail program
18 and facilities on areas owned or administered by the commission. Where
19 water trail facilities administered by other public or private entities
20 are incorporated into the water trail system, the rules adopted by
21 those entities shall prevail. The commission is not responsible or
22 liable for enforcement of these alternative rules.

23 NEW SECTION. **Sec. 4.** Any unspent balance of funds in the water
24 trail program account created in RCW 79A.05.405 as of June 30, 2003,
25 must be transferred to the state parks renewal and stewardship account
26 created in RCW 79A.05.215. All receipts from sales of materials under
27 RCW 79A.05.385 and all monetary civil penalties collected under RCW
28 79A.05.415 must be deposited in the state parks renewal and stewardship
29 account. Any gifts, grants, donations, or moneys from any source
30 received by the commission for the water trail program must also be
31 deposited in the state parks renewal and stewardship account. Funds
32 transferred or deposited into the state parks renewal and stewardship
33 account under this section must be used solely for water trail program
34 purposes.

1 **Sec. 5.** RCW 79A.05.630 and 2000 c 11 s 50 are each amended to read
2 as follows:

3 Lands within the Seashore Conservation Area shall not be sold,
4 leased, or otherwise disposed of, except as (~~herein~~) provided in this
5 section and section 6 of this act. The commission may, under authority
6 granted in RCW 79A.05.175 and 79A.05.180, exchange state park lands in
7 the Seashore Conservation Area for lands of equal value to be managed
8 by the commission consistent with this chapter. Only state park lands
9 lying east of the Seashore Conservation Line, as it is located at the
10 time of exchange, may be so exchanged. The department of natural
11 resources may lease the lands within the Washington State Seashore
12 Conservation Area as well as the accreted lands along the ocean in
13 state ownership for the exploration and production of oil and gas(~~(+~~
14 ~~PROVIDED, That~~)). However, oil drilling rigs and equipment will not be
15 placed on the Seashore Conservation Area or state-owned accreted lands.

16 Sale of sand from accretions shall be made to supply the needs of
17 cranberry growers for cranberry bogs in the vicinity and shall not be
18 prohibited if found by the commission to be reasonable, and not
19 generally harmful or destructive to the character of the land(~~(+~~
20 ~~PROVIDED, That~~)). However, the commission may grant leases and permits
21 for the removal of sands for construction purposes from any lands
22 within the Seashore Conservation Area if found by the commission to be
23 reasonable and not generally harmful or destructive to the character of
24 the land(~~(+—PROVIDED)~~). Further, That net income from such leases
25 shall be deposited in the state parks renewal and stewardship account.

26 NEW SECTION. **Sec. 6.** At the request of the city of Long Beach,
27 the state parks and recreation commission shall convey to the city of
28 Long Beach all commission-owned lands lying between 5th street
29 southwest and 4th street northwest, and lying between 8th street
30 northwest and 14th street northwest, all lying between the 1889
31 ordinary high tide line (also known as the western boundary of upland
32 ownership) and the line of ordinary high tide of the Pacific ocean, and
33 all lying within sections 8 and 17, township 10 north, range 11, west,
34 W.M., Pacific county, Washington. The city of Long Beach must maintain
35 these lands for city park purposes, including open space, parks,
36 interpretive centers, or museums. The title, and any other documents

1 necessary for the transfer of these lands, will include covenants
2 ensuring that the city of Long Beach will maintain all conveyed land as
3 a city park. If the city of Long Beach breaches these covenants,
4 ownership of all park lands conveyed under this section reverts to the
5 state parks and recreation commission.

6 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each
7 repealed:

8 (1) RCW 79A.05.400 (Water trail recreation program--Permits) and
9 1993 c 182 s 5;

10 (2) RCW 79A.05.405 (Water trail recreation program--Account
11 created) and 2000 c 11 s 40 & 1993 c 182 s 6; and

12 (3) RCW 79A.05.420 (Water trail advisory committee) and 2000 c 11
13 s 41, 1994 c 264 s 21, & 1993 c 182 s 9."

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14 On page 1, line 1 of the title, after "program;" strike the
15 remainder of the title and insert "amending RCW 79A.05.380, 79A.05.385,
16 79A.05.410, and 79A.05.630; creating new sections; and repealing RCW
17 79A.05.400, 79A.05.405, and 79A.05.420."

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