

HOUSE BILL REPORT

HB 1248

As Passed House:

March 5, 2003

Title: An act relating to harbor lines.

Brief Description: Concerning the relocation of harbor lines.

Sponsors: By Representatives Linville, Schoesler, Rockefeller, Sump and Orcutt; by request of Commissioner of Public Lands.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/31/03, 2/14/03 [DP].

Floor Activity:

Passed House: 3/5/03, 97-0.

Brief Summary of Bill

- Authorizes the Harbor Line Commission to amend the harbor lines for all of the state's harbors.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 12 members: Representatives Linville, Chair; Rockefeller, Vice Chair; Schoesler, Ranking Minority Member; Holmquist, Assistant Ranking Minority Member; Kristiansen, Assistant Ranking Minority Member; Chandler, Eickmeyer, Grant, McDermott, Orcutt, Quall and Sump.

Staff: Jason Callahan (786-7117).

Background:

The Washington Constitution requires the Legislature to appoint a commission to establish harbor lines for the navigable waters extending in front of, or one mile beside, any incorporated city limit. The harbor area exists between the outer harbor line and the ordinary high water mark, or inner harbor line. The harbor area is the area between the outer and inner harbor line, and cannot exceed 2,000 feet, or fall shorter than 50 feet. The harbor area designated by the Harbor Line Commission is required by the

Constitution to be reserved for landings, wharves, and other conveniences of navigation and commerce. No structure within a harbor area may be leased for a term exceeding 30 years.

The Legislature has appointed the Board of Natural Resources to serve as the Harbor Line Commission. The Harbor Line Commission may locate and establish harbor lines and determine harbor areas. However, once established, the Harbor Line Commission generally may only change, relocate, or reestablish the harbor lines for harbors that are expressly listed by the Legislature. Of the 30 harbor areas currently established in the State, the Legislature has granted the Harbor Line Commission express authority to amend the harbor lines for 21 of them. The nine harbor areas that the Harbor Line Commission does not have the authority to amend are Blaine, Edmonds, Ilwaco, Kennewick, Lake Whatcom, Marysville, Pasco, Snohomish, and Steilacoom.

Summary of Bill:

The Harbor Line Commission is authorized to change, relocate, or reestablish harbor lines for all harbors in the state.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: When local communities and project proponents ask the Harbor Line Commission to change the lines for one of the 21 harbors that the commission has the jurisdiction to change, it only takes about 12 months. When a harbor, not listed by the Legislature as a harbor whose line changes are under the Harbor Line Commission's authority, asks for an amendment, it takes an additional 12 months because the Harbor Line Commission must wait for the Legislature to pass a bill. This bill puts all harbors on an equal footing.

Testimony Against: None.

Testified: Jay Udelhoven, Washington State Department of Natural Resources.