

SB 5959 - DIGEST

Amends RCW 79.90.460 to provide that a use by a governmental entity for a public benefit, including, but not limited to public parks, uses for public recreation purposes, water-related public safety uses, and governmentally owned public utility lines, shall have top priority.

Provides that use of state-owned aquatic lands shall be granted without charge when the primary use is for water-related public safety operations, including, but not limited to fire boats and harbor patrols.

Provides that use of state-owned aquatic lands shall be granted without charge if the primary use is for a public park or public recreation purposes and the state-owned aquatic lands and improvements are available to the general public on a first-come, first-served basis and are not managed to produce a profit for the governmental operator. The use shall be granted without charge whether or not a concessionaire, lessee, or contractor to the governmental operator makes a profit, and whether or not the public is charged a fee.

Authorizes the department to lease state-owned tidelands that are in front of state parks only with the approval of the state parks and recreation commission. The department may lease bedlands in front of state parks only after the department has consulted with the state parks and recreation commission.

Provides that when a use is granted under this act to a governmental entity, the department shall not place conditions on the use that address the same subjects as a permit or other authorization issued by a state agency, including, but not limited to, permits for hydraulic projects, discharge permits, and authorizations for sediment caps. The governmental entity that is granted use of state-owned aquatic lands is not required to indemnify the department except for damages resulting from the governmental entity's own fault.