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SENATE BILL 5504

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State of Washington

65th Legislature

2017 Regular Session

By Senators Keiser and Bailey

Read first time 01/26/17. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to city use of state-owned aquatic lands for a  
2 publicly owned marina; and amending RCW 79.105.620.

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

4 **Sec. 1.** RCW 79.105.620 and 2008 c 132 s 1 are each amended to  
5 read as follows:

6 (1)(a) A city with a population between twenty thousand and  
7 (~~twenty-five~~) thirty-five thousand on (~~June 12, 2008,~~) the  
8 effective date of this section and that currently operates a publicly  
9 owned marina may enter into a reduced fee lease authorizing the city  
10 to use state-owned aquatic lands for the purpose of operating a  
11 publicly owned marina. The office of financial management's  
12 population estimate must be used to determine a city's population for  
13 purposes of this section. (~~The lease period may not exceed twenty~~  
14 ~~years.~~)

15 (b) No rent is due the state for the use of state-owned aquatic  
16 lands (~~for the first ten years under such a lease~~) for the period  
17 between the effective date of this section and July 1, 2029. During  
18 subsequent years under such a lease, rent is due for only those lands  
19 that have been included under a previous aquatic land lease for the  
20 marina. The lease may not be renewed, extended, or put into holdover.

1        (c) Rent is due the state for any lease period after July 1,  
2 2029.

3        (2) A city choosing to enter into a lease as provided in  
4 subsection (1) of this section must do so within ~~((one))~~ three years  
5 of ~~((June 12, 2008))~~ the effective date of this section. Prior to  
6 entering into such a lease, the city must be in good standing with  
7 the department and must have paid all amounts owed the department  
8 including any accrued interest.

9        (3) State-owned aquatic lands that may be included in the lease  
10 are limited only to those lands included in the most recent expired  
11 lease with the city for the marina, along with any state-owned  
12 aquatic lands immediately adjacent to those lands. Only those marina  
13 operations conducted directly by the city may be included within the  
14 leased area.

15        (4) If a city chooses to enter into an agreement as provided in  
16 subsection (1) of this section, the city is not eligible to apply for  
17 grants from the aquatic lands enhancement account created under RCW  
18 79.105.150 for ~~((the first ten years of the lease))~~ any period of the  
19 lease subject to subsection (1) of this section.

20        (5) Upon expiration of the ~~((twenty-year))~~ lease, the city may  
21 enter into a new lease for the use of state-owned aquatic lands or  
22 vacate the lands as agreed to in the expiring lease. To ensure the  
23 consistent statewide application of aquatic land management  
24 principles, the new lease must be completed in accordance with all  
25 applicable sections of this title.

26        (6) For any existing lease between the department and a city that  
27 meets the criteria of subsection (1) of this section, upon request of  
28 the city, the department is directed to amend the lease in order to  
29 comply with this section.

30        (7) This section expires July 1, 2029.

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