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**SENATE BILL 5929**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Sheldon and Hobbs

AN ACT Relating to state-owned aquatic lands; and amending RCW 79.130.010.

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

**Sec.**  RCW 79.130.010 and 2005 c 155 s 601 are each amended to read as follows:

(1) Except as provided in RCW 79.130.060, the department may lease to the abutting tidelands or shorelands owner or lessee, the beds of navigable waters lying below the line of extreme low tide in waters where the tide ebbs and flows, and below the line of navigability in lakes and rivers claimed by the state and defined in Article XVII, section 1 of the state Constitution.

(2) The department shall, upon application in accordance with this chapter, grant a lease for a water-dependent use to the owner or lessee of tidelands or shorelands abutting the beds of navigable waters.

(3) For nonwater dependent uses, the owner or lessee of tidelands or shorelands abutting the beds of navigable waters shall have a lease preference right, and prior to leasing or otherwise transferring any interest in the beds of navigable waters, the department shall first notify the owner of property abutting the navigable waters and offer the owner of the property the right to such a lease or acquire an interest in the navigable waters.

(4) In case the abutting tidelands or shorelands or the abutting uplands are not leased as provided in this section, or otherwise improved or occupied for residential or commercial purposes, the department may lease the beds to any person for a period not exceeding ten years for booming purposes.

((~~(3)~~)) (5) Nothing in this chapter shall change or modify any of the provisions of the state Constitution or laws of the state which provide for the leasing of harbor areas and the reservation of lands lying in front of harbor areas.

**--- END ---**