

# FINAL BILL REPORT

## EHB 1936

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Synopsis as Enacted

**Brief Description:** Allowing the residential owner of land that abuts state-owned shoreland to anchor their boats to adjacent buoys.

**Sponsors:** By Representatives Quall, Morris, Linville, Grant, Sehlin, Doumit, Esser and Anderson.

**House Committee on Natural Resources**  
**Senate Committee on Natural Resources, Parks & Shorelines**

### **Background:**

The Washington Constitution declares that the beds and shores of all navigable waters in Washington are owned by the state. The Legislature subsequently designated the Department of Natural Resources (DNR) as the steward of these lands. The DNR acts as a proprietor, subject to legislative direction, of all state-owned aquatic lands and holds these lands in trust for all current and future residents of the state.

If a person owns a residence abutting state-owned navigable aquatic land, he or she may install and maintain a dock at no charge on the state-owned aquatic land. This privilege is only allowed for docks used exclusively for private recreational purposes and on areas not subject to prior rights. Permission to build a dock is subject to applicable local regulations. The DNR may revoke permission to maintain a dock if it is necessary to protect the waterward access or ingress of other landowners, or the public health and safety. If permission is revoked by the DNR, the affected landowner may appeal the decision through the Administrative Procedures Act.

### **Summary:**

The owner of residential property abutting state-owned shorelines, tidelands, or related beds of navigable waters is allowed to anchor a boat used for private non-residential recreational purposes at buoys without charge, provided the boat or mooring system does not pose a hazard or obstruction to navigation, fishing, or aquatic habitat. One buoy may be installed for each 100 feet of shoreline property owned. This permission to anchor boats is extended to areas designated by the Commissioner of Public Lands or the Fish and Wildlife Commission as an aquatic reserve. The buoys cannot be sold or leased separately from the upland property.

The permission to anchor boats above state-owned aquatic lands is similar to the

permission to build a dock over aquatic lands. The permission may be revoked by the DNR if it is necessary to protect the waterward access or ingress of other landowners or the public health or safety. If permission is revoked by the DNR, the affected landowner may appeal the decision through the Administrative Procedures Act.

These provisions do not authorize a boat owner to abandon a vessel at a buoy or elsewhere.

**Votes on Final Passage:**

House 91 0

Senate 48 0

**Effective:** July 22, 2001