

SENATE BILL REPORT

SB 6535

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 2, 2006

Title: An act relating to aquatic lands.

Brief Description: Concerning aquatic land leases.

Sponsors: Senator Jacobsen.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 2/1/06, 2/2/06 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: That Substitute Senate Bill No. 6535 be substituted therefor, and the substitute bill do pass.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Hargrove, Morton, Spanel and Stevens.

Staff: Vic Moon (786-7469)

Background: The Department of Natural Resources manages about 2.4 million acres of aquatic lands including the beds of Puget Sound and 30 percent of the marine shorelines of the Sound. In order to use any of these lands and waters, both private and public entities must lease the land, and the funds go into the aquatic lands enhancement account.

Summary of Substitute Bill: A city with a population of five hundred thousand or greater has 60 days from the effective date of the act to negotiate a lease of aquatic lands or the department can impose the lease conditions of the county in which the city is located. As an alternative, the department can cancel the lease and put the land up for bid. If the city fails to vacate in 30 days, a fine of \$1,000 a day can be imposed. The department must report to the 2007 Legislature on the carrying out of the act.

Substitute Bill Compared to Original Bill: The mandatory lease negotiation remains as a requirement. A mediator is authorized and the city may not receive nor spend aquatic land enhancement funds until the leases are signed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The city of Seattle has many unsigned leases and the Aquatic Lands Enhancement Account is losing money because of this.

Testimony Against: The environmental damages section of the leases goes far beyond state and federal law and the city can not agree to such a liability.

Who Testified: PRO: Fran McNair, Department of Natural Resources.

CON: John Franklin, Marya Silverdale, Donald Harris, City of Seattle.