
HOUSE BILL 2302

State of Washington 58th Legislature 2004 Regular Session

By Representatives O'Brien, Upthegrove, McCoy, Darneille, Lovick, Schual-Berke, Chase, McDermott, Kagi and Hudgins

Prefiled 12/23/2003. Read first time 01/12/2004. Referred to Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to vehicular traffic on beaches; amending RCW
2 79A.05.650 and 79A.05.655; repealing RCW 79A.05.693; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 79A.05.650 and 2000 c 11 s 54 are each amended to read
6 as follows:

7 ~~((1))~~ Except as provided in RCW 79A.05.655 and 79A.05.660, ~~((a~~
8 ~~total of forty percent of the length of the beach subject to the~~
9 ~~recreation management plan shall be))~~ all ocean beaches are reserved
10 for pedestrian use ~~((under this section and RCW 79A.05.665.~~
11 ~~Restrictions on motorized traffic under this section shall be from~~
12 ~~April 15th to the day following Labor day of each year. Local~~
13 ~~jurisdictions may adopt provisions within recreation management plans~~
14 ~~that exceed the requirements of this section. The commission shall not~~
15 ~~require that a plan designate for pedestrian use more than forty~~
16 ~~percent of the land subject to the plan.~~

17 ~~(2) In designating areas to be reserved for pedestrian use, the~~
18 ~~plan shall consider the following:~~

19 ~~(a) Public safety;~~

1 ~~(b) Statewide interest in recreational use of the ocean beaches;~~
2 ~~(c) Protection of shorebird and marine mammal habitats;~~
3 ~~(d) Preservation of native beach vegetation;~~
4 ~~(e) Protection of sand dune topography;~~
5 ~~(f) Prudent management of clam beds;~~
6 ~~(g) Economic impacts to the local community; and~~
7 ~~(h) Public access and parking availability))~~ and vehicular traffic
8 is prohibited.

9 **Sec. 2.** RCW 79A.05.655 and 2000 c 11 s 55 are each amended to read
10 as follows:

11 Notwithstanding RCW 79A.05.650(~~(1)~~), recreation management plans
12 may make provision for vehicular traffic on areas otherwise reserved
13 for pedestrian use in order to:

14 ~~(1) ((Facilitate clam digging;~~
15 ~~(2) Accommodate organized recreational events of not more than~~
16 ~~seven consecutive days duration;~~

17 ~~(3))~~ Provide for removal of wood debris under RCW 4.24.210 and
18 79A.05.035(5); and

19 ~~((4))~~ (2) Accommodate removal of sand located upland from the
20 Seashore Conservation Area or removal of sand within the Seashore
21 Conservation Area under the terms of a covenant, easement, or deed.

22 NEW SECTION. **Sec. 3.** RCW 79A.05.693 (Ocean beaches in Seashore
23 Conservation Area declared public highways) and 2000 c 11 s 58 & 1988
24 c 75 s 14 are each repealed.

25 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2004.

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