

# FINAL BILL REPORT

## HB 1334

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Synopsis as Enacted

**Brief Description:** Addressing the access of certain aquatic lands by a public transportation benefit area.

**Sponsors:** Representatives Hutchins, Simmons, Couture and Ramel.

**House Committee on Transportation**

**Senate Committee on Agriculture, Water, Natural Resources & Parks**

### **Background:**

A public transportation benefit area (PTBA) is a type of municipal corporation created to provide regional transportation service to all or a portion of a county or multiple counties. It is authorized to construct, own, and operate a regional transportation system within its jurisdictional boundaries in accordance with specified statutory requirements. The majority of the transit agencies in the state are PTBAs, and those with a boundary on Puget Sound may operate passenger-only ferries.

Aquatic lands are generally managed by the state, and protected for the common good. The Department of Natural Resources (DNR) is the manager of the more than 2.6 million acres of state-owned aquatic lands. Aquatic lands includes all tidelands, shorelands, harbor areas, and the beds of navigable waters. In managing state-owned aquatic lands, the DNR must support a balance of use demands and the goals of:

- encouraging direct public use and access;
- fostering water-dependent uses;
- ensuring environmental protection;
- providing opportunities for utilization of renewable resources; and
- generating income from use of aquatic lands, when consistent with the previous goals.

The DNR must also establish standards for determining equitable and predictable lease rates for users of state-owned aquatic lands.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Article XV, of the state Constitution creates the Harbor Line Commission (Commission) to establish and modify harbor lines in the navigable waters in front of cities. Harbor areas must be reserved for landings, wharves, streets, and other conveniences of navigation and commerce. The state Constitution delegates to the Legislature the power to appoint the Commission, and establish laws for harbor area construction, maintenance, and leasing. The Legislature has appointed the Board of Natural Resources (Board) to also serve as the Commission. In that capacity, the Board may establish or relocate harbor lines.

**Summary:**

A PTBA may obtain an easement for ferry terminal or docking facilities on, over, or across the beds of navigable waters under the jurisdiction of the DNR. However, no easement payments are required for the easement.

A PBTA may obtain an easement for ferry terminal or docking facilities on, over, or across harbor areas only when the areas are approved by the Commission as a public place for public landings, wharves, or other public conveniences of commerce or navigation. No easement payments are required for the easement.

**Votes on Final Passage:**

House	97	0
Senate	49	0

**Effective:** July 23, 2023