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**SUBSTITUTE SENATE BILL 5170**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Agriculture & Natural Resources (originally sponsored by Senators Short, Chapman, and Dozier)

1 AN ACT Relating to boundary line surveys on public lands owned or  
2 managed by the department of natural resources; amending RCW  
3 58.04.007; and adding new sections to chapter 43.30 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.30  
6 RCW to read as follows:

7 When the department conducts a land survey with the intent of  
8 establishing land boundaries on lands other than aquatic lands as  
9 defined in RCW 79.02.010, the department must notify in writing any  
10 affected landowner within 30 days regarding the current and future  
11 location of any proposed section corner or boundary marker. The  
12 department must also provide an opportunity for review and comment,  
13 including the presentation of historical evidence regarding the  
14 location of any boundaries, and involvement regarding the proposed  
15 location of the section corner or boundary marker including any  
16 changes to any affected landowners' property boundaries.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.30  
18 RCW to read as follows:

19 Before undertaking any survey pursuant to chapter 58.09 or 79.10  
20 RCW on lands other than aquatic lands as defined in RCW 79.02.010,

1 the department must first notify in writing any adjoining landowner.  
2 The department must also provide an opportunity for review, comment,  
3 the provision of evidence regarding historical boundaries, and  
4 involvement regarding any potential boundary line adjustments,  
5 including any impacts to any affected landowners.

6 **Sec. 3.** RCW 58.04.007 and 1996 c 160 s 3 are each amended to  
7 read as follows:

8 Whenever a point or line determining the boundary between two or  
9 more parcels of real property cannot be identified from the existing  
10 public record, including deeds of record, monuments, and landmarks,  
11 or is in dispute, the landowners affected by the determination of the  
12 point or line may resolve any dispute and fix the boundary point or  
13 line by one of the following procedures:

14 (1) If all of the affected landowners agree to a description and  
15 marking of a point or line determining a boundary, they shall  
16 document the agreement in a written instrument, using appropriate  
17 legal descriptions and including a survey map, filed in accordance  
18 with chapter 58.09 RCW. The written instrument shall be signed and  
19 acknowledged by each party in the manner required for a conveyance of  
20 real property. The agreement is binding upon the parties, their  
21 successors, assigns, heirs and devisees and runs with the land. The  
22 agreement shall be recorded with the real estate records in the  
23 county or counties in which the affected parcels of real estate or  
24 any portion of them is located;

25 (2) ~~((1f))~~ (a) Except as provided in (b) of this subsection, if  
26 all of the affected landowners cannot agree to a point or line  
27 determining the boundary between two or more parcels of real estate,  
28 any one of them may bring suit for determination as provided in RCW  
29 58.04.020.

30 (b) Before the department of natural resources may bring suit for  
31 determination as provided in RCW 58.04.007 and 58.04.020, the  
32 department of natural resources must comply with section 2 of this  
33 act.

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